

*the* **TOWNSHIP** of  
**MALAHIDE**

*A proud tradition, a bright future.*



# **TOWNSHIP OF MALAHIDE**

## **ZONING BY-LAW No. 05-27**

**OFFICE CONSOLIDATION (APRIL 2014)**

**Adopted**

**April 21, 2005**

## **DISCLAIMER**

### **Consolidated April 2014**

This document represents the consolidated version of Zoning By-Law No. 05-27, adopted by Council on April 21, 2005. This consolidation includes all amendments to the Zoning By-Law up to December 31, 2013. This document should be used for administrative and convenience purposes only. Official reference should be made to the original adopted Zoning By-Law and individual amendments adopted by Council. Interpretation of the Zoning By-Law shall be the responsibility of the Township of Malahide. Please contact the Community & Corporate Services Department for interpretation assistance prior to the submission to any development application.

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## EXPLANATORY NOTE

### PURPOSE AND EFFECT OF ZONING BY LAW No. 05-27 OF THE

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#### TOWNSHIP OF MALAHIDE

The purpose of this By-law is to regulate the use of land, buildings and structures in the Township. The By-law is intended to ensure orderly and compatible development throughout the Township in conformity with the Official Plan of the Township of Malahide. The existing comprehensive Zoning By-laws of the Township of Malahide (1987), the Township of South Dorchester (1983), the Village of Springfield (1980) and all subsequent amendments thereto, will be replaced by this Zoning By-law. The By-law is comprised of the following sections.

1. **INTERPRETATION AND ADMINISTRATION:** deals with matters of an interpretative and administrative nature. It establishes, among other things, that the By-law applies to all lands within the township, who will administer the By-law, requirements for building permits and violations and penalties for contraventions of the By-law.
2. **DEFINITIONS:** contains definitions of terms used in the By-law and provides descriptions of permitted uses.
3. **ZONES AND ZONING MAPS:** establishes the specific land use zones used in the By-law. It also deals with how exceptions to a general land use zone are treated in the By-law; multiple zoning (or more than one zone on a single property), and the interpretation of zone boundaries.
4. **GENERAL PROVISIONS:** includes provisions which apply to all, or a number of, specific land use zones. For example, provisions are contained regarding accessory uses, home occupations, setbacks from arterial roads, buffer strips, and parking requirements.
5. **AGRICULTURAL (A1) ZONE:** applies to most of the rural area of the Township which is designated "Agriculture" in the Official Plan. Permitted uses include agricultural and farm uses, agricultural home occupations, commercial greenhouses, farm produce outlets, forestry uses, market garden operations, plant nurseries, and riding stables. This zone includes regulations pertaining to setbacks for livestock buildings and structures, as well as regulations for single-detached dwellings which may be erected on existing lots. The minimum lot area for new agricultural properties is 20 hectares. The A1 Zone may also be applied in conformity with lands designated "Hazard Lands", "Conservation Lands", "Natural Heritage", "Mineral Aggregate Resource Areas", and "Natural Gas Reservoirs" provided the policies of the Official Plan and the General Provisions of the Zoning By-law are adhered to with respect to the establishment of buildings and structures relative to natural resources such as watercourses.
6. **SPECIAL AGRICULTURAL (A2) ZONE:** applies to agricultural parcels that prohibit new residential dwellings as a result of a severance of a farm retirement lot or a surplus farm dwelling, which are designated "Agriculture" in the Official Plan. The A2 Zone may also be applied to lands which are designated "Hazard Lands", "Mineral Aggregate Resource Areas", "Natural Heritage", and "Natural Gas Reservoirs" in the Official Plan, provided the policies of the Official Plan and the General Provisions of the Zoning By-law are adhered to with respect to building and structures relative to natural features. Permitted uses include all of the uses permitted in the Agricultural (A1)

Zone, with the exception of all residential uses. This zone provides regulations pertaining to setbacks for farm-related buildings and structures.

7. **LARGE LOT AGRICULTURAL (A3) ZONE:** applies to large agricultural holdings in the rural area of the Township which are designated “Agriculture” in the Official Plan. The A3 Zone may also be applied to lands which are designated or identified as “Mineral Aggregate Resource Areas”, “Hazard Lands”, “Natural Gas Reservoirs” and “Natural Heritage” in the Official Plan, provided the policies of the Official Plan and the General Provisions of the Zoning By-law are adhered to for buildings and structures relative to natural features. Permitted uses and regulations are identical to the A1 Zone except that the minimum lot size is 40 hectares.
8. **AGRICULTURAL RESIDENTIAL (AR) ZONE:** applies to residential lots within a predominantly agricultural area. Permitted buildings and structures include one single-detached dwelling on one lot, as well as garages, carports or other buildings which are accessory to a dwelling, as well as bed and breakfast and tourist homes, group homes, home occupations, and agricultural home occupations. The minimum lot area is 2000 m<sup>2</sup> and the minimum lot frontage is 30 metres. The AR Zone applies to residential lots which have been created in conformity with the Official Plan in the rural areas of the township.
9. **HAMLET RESIDENTIAL (HR) ZONE:** applies to residential lots within a designated Hamlet area. Permitted uses include one single-detached dwelling on one lot, converted dwellings, group homes, grouped housing, senior citizen homes, home occupations and private garages or carports as accessory uses. The minimum lot area is 1850 m<sup>2</sup> and the minimum lot frontage is 25 metres. The HR Zone is the predominant zone applying to lands designated as “Hamlets” in the Official Plan.
10. **VILLAGE RESIDENTIAL (VR) ZONE:** permits one single-detached dwelling on one lot; one duplex dwelling; one semi-detached dwelling or one unit of a semi-detached dwelling on one lot; home occupations; and accessory uses. The minimum lot area per dwelling unit is 800 m<sup>2</sup> and the minimum lot frontage is 20 metres. The VR Zone applies to lands which are designated “Residential” on Schedule “B” Springfield: Future Land Use in the Official Plan.
11. **MOBILE HOME (MH) ZONE:** applies to those lands which permit a mobile home park. The minimum lot area for a mobile home park is 4 hectares. The minimum floor area for a mobile home is 56 m<sup>2</sup>. Mobile home parks generally are situated within an urban designation of the Official Plan, including “Hamlets”, “Villages” and “Suburban Areas”.
12. **RECREATION RESIDENTIAL (RR) ZONE:** applies to residential areas of Port Bruce outside of the Regulatory Flood Plain that are predominantly comprised of either seasonal or permanent residential land uses. Although primarily intended to apply to single-detached residential structures, this zone also permits converted dwellings and mobile homes on individual lots. The RR Zone conforms to the “Recreation Residential” designation on Schedule “C” Port Bruce: Future Land Use in the Official Plan.
13. **RURAL COMMERCIAL (RC) ZONE:** applies to commercial uses in the rural area. This zone permits animal clinics, auction sales facilities, bulk sales establishments, farm equipment sales and service, farm fuel sales, garden supply centres, retail stores, service shops and dwelling units as accessory uses to any of the permitted uses. The minimum lot area for rural commercial establishments is 2000 m<sup>2</sup> and the minimum lot frontage is 30 metres. The RC Zone conforms to the Agriculture designation and site-specific designated areas created by amendment to the Official Plan.
14. **HIGHWAY COMMERCIAL (HWC) ZONE:** applies to commercial uses which rely heavily on

automobile traffic such as motor vehicle service stations and sales establishments, furniture stores, motels and drive-in restaurants. The minimum lot area for highway commercial establishments is 4000 m<sup>2</sup> and the minimum lot frontage is 30 metres. These uses are generally concentrated on major arterial roads near urban areas in a “Highway Commercial”, “Suburban Areas”, or “Hamlets” designation in the Official Plan.

15. **HAMLET COMMERCIAL (HC) ZONE**: applies to commercial uses in the “Hamlet” designations in the Official Plan. A broad range of commercial uses are permitted, which are intended to complement or support hamlet residential uses. In addition, dwelling units as accessory uses are also permitted. The minimum lot area requirement is 1850 m<sup>2</sup> and the minimum lot frontage is 25 metres.
16. **VILLAGE GENERAL COMMERCIAL (VC1) ZONE**: applies to a full range of commercial uses that are permitted in the core area of the Village of Springfield. Additional permitted uses include residential and institutional uses located over the first storey commercial use. The minimum lot area requirement is 800 m<sup>2</sup> and the minimum lot frontage is 20 metres. The VC1 Zone shall apply to lands used for commercial purposes within the “Central Business District” designation in the Village of Springfield as shown on Schedule “B” Springfield: Future Land Use in the Official Plan.
17. **VILLAGE LOCAL COMMERCIAL (VC2) ZONE**: applies to a limited range of commercial uses permitted in the residential areas of the Villages of Springfield and Port Bruce. Such uses include a neighbourhood retail store; a restaurant; an automobile service station; a personal service shop; dwellings connected to and forming an integral part of the commercial building and provided with a separate access; and buildings accessory to the foregoing uses. The minimum lot area is dependant on the availability of partial municipal services, while the minimum lot frontage is 20 metres. The VC2 Zone can be applied to lands used for the aforementioned commercial uses within the “Residential” designation of the Village of Springfield and the “Recreation Residential” designation of the Village of Port Bruce in the Official Plan.
18. **LOCAL ENTERPRISE (LE) ZONE**: applies to buildings or structures used for “cottage type industries”. These uses fall between the characteristics of a home occupation and a full scale commercial or industrial use. Without limiting the nature of uses contemplated by the LE Zone, it is expected that craft and tourism type businesses will be accommodated, such as bed and breakfast facilities, restaurants and tea rooms, pottery and artisan studios, workshops, and small scale furniture and /or woodworking shops, as well as craft and hobby based enterprises. Associated office and retail functions will also be permitted. Local enterprise uses shall generally be small-scale, employing less than 10 persons on premises, and non-noxious in nature, emitting no odours, fumes, noise or dust. Such uses shall not generate high volumes of vehicular traffic and may be permitted within urban or rural designations in the Official Plan.
19. **FARM INDUSTRIAL (M1) ZONE**: applies primarily to farm-related industrial uses in the rural area such as abattoirs, feed mills, commercial grain handling and storage facilities and food processing plants. The minimum lot area for farm industrial uses is 4,000 m<sup>2</sup> and the minimum lot frontage is 30 metres. The M1 Zone conforms to the “Agriculture” designation of the Official Plan.
20. **RURAL INDUSTRIAL (M2) ZONE**: applies to non-farm related industrial uses in the rural area such as a contractor’s yard, truck terminals, light manufacturing and accessory commercial uses. The minimum lot area for rural industrial uses is 4,000 m<sup>2</sup> and the minimum lot area is 30 metres. The M2 Zone conforms to the “Hamlet” and “Suburban Areas” designation in the Official Plan, and may also conform to site-specific designations in rural areas.
21. **VILLAGE INDUSTRIAL (M3) ZONE**: applies to industrial uses within the Village of Springfield,

which includes both general and light industrial operations; motor vehicle body shops; offices and retail outlets related to the industrial operations; accessory buildings; and dwelling units for caretakers on the site. The minimum lot area for village industrial operations is 800 m<sup>2</sup> and the minimum lot frontage is 30 metres. The M3 Zone conforms to the “Industrial” designation for the Village of Springfield as shown on Schedule “B” Springfield: Future Land Use in the Official Plan.

22. **EXTRACTIVE INDUSTRIAL (M4) ZONE**: applies to pits and quarries and the on-site processing of quarried materials in conformity with the regulations of the Pits and Quarries Control Act. Accessory commercial uses and agricultural uses are also permitted on sites zoned for extractive industrial purposes. The M4 Zone conforms to the “Mineral Resource Areas” designation on Schedule “A” Future Land Use for the Official Plan of the Township of Malahide.
23. **INSTITUTIONAL (I) ZONE**: applies to institutional uses such as churches, cemeteries, schools, libraries, community centres, and government buildings or offices throughout the Township. A dwelling unit as an accessory use is also permitted. The minimum lot area is 1850 m<sup>2</sup> and the minimum lot frontage is 30 metres. The Institutional (I) Zone may be applied to institutional uses in both urban and rural areas that have been established in conformity with the Official Plan.
24. **LAKESHORE RECREATION (LR) ZONE**: applies to certain lands in the Village of Port Bruce where campgrounds, marinas, private parks and conservation areas are permitted. The minimum lot area is 4,000 m<sup>2</sup> and the minimum lot frontage is 30 metres. The LR Zone conforms to the “Lakeshore Recreation” designation on Schedule “C” Port Bruce: Future Land Use in the Official Plan.
25. **OPEN SPACE (OS) ZONE**: applies to open space uses such as campgrounds, conservation areas, parks and golf courses throughout the Township. The minimum lot area is 4,000 m<sup>2</sup> and the minimum lot frontage is 150 metres. There are regulations for accessory buildings and structures permitted in this zone. The OS Zone conforms to several designations in the Official Plan including the “Open Space” designation in the Villages of Springfield and Port Bruce, as well as “Conservation Lands”, “Natural Heritage”, and in cases where no development takes place, in the “Flood Fringe” and “Floodway” designations.
26. **FLOODWAY (FW) ZONE**: applies to those lands which require flood or erosion control. This zone is based on the 100 year flood level of the Catfish Creek in the Village of Port Bruce and of the Simpson Drain in the Village of Springfield and their associated spillways. Uses which may be permitted in this zone are limited to those uses already in existence, conservation areas, marinas, campgrounds, parks and parking areas, flood and erosion control facilities and agricultural uses. The FW Zone conforms to the “Floodway” designation of the Official Plan.
27. **FLOOD FRINGE (FF) ZONE**: applies to those lands within the upper limit of flooding under the most severe regional flood conditions and generally applies to the area(s) between the Regulatory Flood level and the 100 Year Flood level. Residential and recreational uses are permitted in the FF Zone subject to appropriate flood protection measures. The FF Zone conforms to the “Flood Fringe” designation of the Official Plan.
28. **HAZARD LANDS (HL) ZONE**: applies to areas which have been recognized as being susceptible to hazardous condition. These conditions may include, but are not limited to, flooding, erosion, dynamic beach hazards, or steep slopes. Permitted uses include agricultural and recreational uses, public utility and transmission facilities, and flood and erosion control works. The HL Zone implements the generalized “Hazard Lands” designation of the Official Plan as it applies to the Village of Port Bruce. The HL Zone may also be applied on a case by case basis to other area



designated as “Hazard Land”, as shown on Schedule “A” of the Official Plan. This approach may be used to regulate development in areas where there is no detailed flood line mapping.

29. **TEMPORARY (T) ZONE**: applies to those lands where temporary uses have been established in accordance with the Temporary Use By-laws section of the Official Plan
30. **WIND FARM (WF) ZONE**: applies to large agricultural holdings in the rural area of the Township which are designated “Agriculture” in the Official Plan. The WF Zone may also be applied to lands which are designated or identified as “Mineral Aggregate Resource Areas”, “Hazard Lands”, “Natural Active Gas Reservoir”, “Natural Heritage” in the Official Plan, provided the policies of the Official Plan and the General Provisions of the Zoning By-law are adhered to for buildings and structures relative to natural features. Permitted uses include multiple wind turbines and accessory uses. Regulations outline setbacks from buildings, structures, roads, natural features, and designated urban areas. The WF Zone is only permitted in conjunction with another zone in order to reflect the low-impact, temporary nature of wind turbines, as well as to ensure the continued importance of the agricultural and/or natural aspects of the lands.



**TOWNSHIP OF MALAHIDE**  
**ZONING BY-LAW No. 05-27**

**A By-law to regulate the use of land, and the character, location and use of buildings and structures  
in the Township of Malahide**

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**WHEREAS** the Council of the Corporation of the Township of Malahide deems it necessary to enact a Zoning By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Malahide, pursuant to the Planning Act, and all other powers thereunto enabling, enacts as follows:

**SECTION 1      INTERPRETATION AND ADMINISTRATION**

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**1.1            TITLE**

This By-law shall be known as the “Zoning By-law” of the Corporation of the Township of Malahide.

**1.2            APPLICATION**

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Malahide as legally constituted.

**1.3            SCOPE**

No land shall be used and no buildings or structures shall be erected, altered, or used within the Township of Malahide except in accordance with the provisions of this By-law and except as permitted by this By-law.

**1.4            MINIMUM REQUIREMENTS**

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

**1.5            NUMBER AND GENDER**

In this By-law, unless the contrary intention appears otherwise, words imparting the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse.

**1.6            ADMINISTRATION**

This By-law shall be administered by the Chief Building Official or such other person as the Council of the Corporation of the Township of Malahide designates.

**1.7 INSPECTION OF PREMISES**

The Building Inspector or any other person acting under the direction of Council may at any reasonable hour, enter and inspect a property or premises where there is reason to believe that any land has been used or any building or structure has been erected, altered, or enlarged, or used in violation of any of the provisions of this By-law.

**1.8 APPLICATION FOR BUILDING PERMITS**

In addition to all other requirements of the Ontario Building Code or any other building code or building by-law, every applicant for a building permit shall file with his application a plan, in duplicate, drawn to scale, in metric, showing the true dimensions of the lot proposed to be built upon or otherwise developed, the proposed location, grade, height and dimensions of the building or work in respect of which the permit is applied for and the location on such lot of every existing building, together with a statement, signed by the owner, disclosing the exact use proposed for each building aforesaid and giving all information necessary to determine whether or not such building and the proposed use thereof conform with the requirements of this By-law.

**1.9 BUILDINGS TO BE MOVED**

No building, residential or otherwise shall be moved within the limits of the Municipality or shall be moved into the Municipality from outside, without a permit from the Building Inspector.

**1.10 LICENCES AND PERMITS**

No municipal permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

**1.11 VIOLATIONS AND PENALTIES**

Every person who contravenes this By-law is guilty of an offence and on conviction is liable on a first conviction to a fine of not more than \$25,000.00; and on a subsequent conviction to a fine 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. Where, however, a corporation is convicted, the maximum penalty that may be imposed is, on a first conviction, a fine of not more than \$50,000.00; and on a subsequent conviction a fine of not more than \$25,000.00 for each day thereof upon which the contravention has continued after the day on which the corporation was first convicted, as prescribed by the Planning Act, as amended.

**1.12 REMEDIES**

Where any building is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the Council of the Township of Malahide pursuant to the provisions of the Planning Act, as amended from time to time.

**1.13**            **REPEAL OF EXISTING BY-LAWS**

From the coming into force of this By-law all previous by-laws passed under Section 34 of the Planning Act, or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said by-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

**1.14**            **APPLICATION OF OTHER BY-LAWS**

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of the Building By-law or any other by-law of the Municipality in force from time to time or the obligation to obtain any license, permit, authority or approval required under any by-law of the Municipality.

**1.15**            **VALIDITY**

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

**1.16**            **EFFECTIVE DATE**

This By-law shall come into force:

- a) Where no notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or
- b) Where notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Municipal Board.



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## SECTION 2      DEFINITIONS

For the purposes of this By-law, the definitions given herein shall govern.

- 2.1      **ABATTOIR**, shall mean a building, structure or lot or part thereof where animals are slaughtered for the purposes of processing meat into food for human consumption; and where meat products are produced, processed, handled, or stored.
- 2.2      **ACCESSORY**, shall mean a use, a building or structure that is normally incidental, sub-ordinate, and exclusively devoted to a main use, building, or structure and that is located on the same lot therewith (however, nothing in this by-law prohibits the establishment of an accessory use, building or structure in advance of the establishment of a main use, building or structure provided that a mobile home, park model trailer, or travel trailer may not be established as an accessory use in advance of a main use).
- 2.3      **ACCESSORY LIVING QUARTERS**, shall mean seasonal living quarters within an accessory building located on the same premises as the main building for the sole use of persons employed on the premises or by occupants of the main building, such dwelling unit having no kitchen facilities and not rented or otherwise used as a separate dwelling unit.
- 2.4      **ADULT ENTERTAINMENT PARLOUR**, shall mean any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word "nude", "naked", "topless", "bottomless", or "sexy", or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.
- 2.5      **AGRICULTURAL INDUSTRIAL ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment used for tillage of soil; the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products; products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure; and the manufacture of sub-surface drainage materials and equipment.
- 2.6      **AGRICULTURAL PROCESSING ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, compost, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a sawmill, an abattoir, a rendering plant, and a dead stock removal facility.
- 2.7      **AGRICULTURAL SERVICE ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales

and services as welding and machinery repairs, farm drainage and excavation, agriculturally-related trucking, well-drilling, contracting and trades related to farm buildings and structures, and custom spray, tillage, planting and harvesting services.

- 2.8 **AGRICULTURAL SUPPLY ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.
- 2.9 **AGRICULTURAL USE**, shall mean the cultivation of land, the production of crops and the selling of such product on the premises, and the breeding and care of livestock and the selling of such livestock or the product of such livestock raised on the premises, and without limiting the generality of the foregoing includes animal husbandry, and the raising and harvesting of field, bush, tobacco, tree or vine crops, truck gardening, nurseries, greenhouses, mushroom farming and sod farming including the related sights, sounds, smells, and noises.
- 2.10 **ALTER**, when used in reference to a building or structure or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to change the width, depth, or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.
- 2.11 **ANIMAL AND POULTRY HEALTH AND BREEDING SERVICE**, shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept, or the facility used for the insemination of livestock or poultry.
- 2.12 **ANIMAL CLINIC**, shall mean any building containing more than two rooms, used or intended for use for the purpose of a veterinarian practice.
- 2.13 **ANTIQUÉ STORE**, shall mean a building, or part thereof used for the refurbishing, restoration, refinishing and/or resale of items which due to their age have an increased quality, but which does not include the sale of used motor vehicles.
- 2.14 **ATTACHED**, shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.15 **ATTIC** shall mean the portion of a building situated wholly or part within the roof and which is not a one-half storey.
- 2.16 **AUCTION SALES FACILITIES**, shall mean a building, structure, or portion thereof used, for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.
- 2.17 **BAKERIES**, shall mean a building, or part thereof, used for producing, mixing, compounding, or baking bread, biscuits, cakes or other baked products, which may or may not include a retail store where such products are sold.



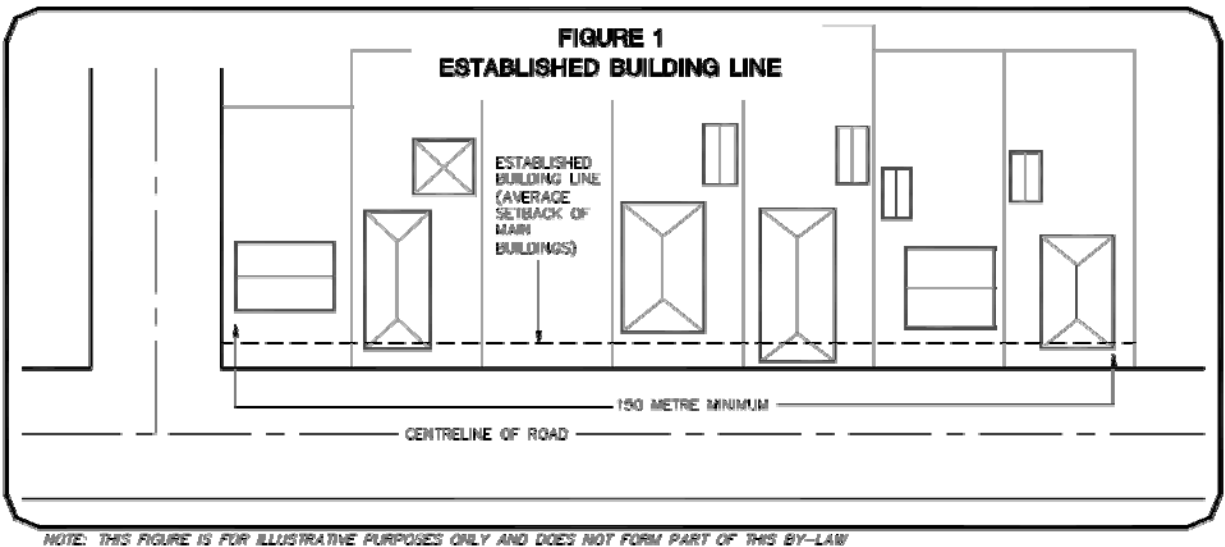
- 2.18 **BASEMENT or CELLAR**, shall mean that portion of a building between two floor levels, which is located below the first storey and partly below finished grade level.
- 2.19 **BED & BREAKFAST ESTABLISHMENT or TOURIST HOME**, shall mean a single unit detached dwelling in which not more than three rooms are made available by the person or persons permanently residing in the said dwelling for the temporary accommodation of the travelling or vacationing public and within which light meals may be offered.
- 2.20 **BOARDING HOUSE or ROOMING HOUSE**, shall mean any house or building or portion thereof in which the proprietor resides and supplies, for hire or gain to more than two persons, lodging and/or meals, but shall not include a hotel, motel, hospital, home for the young or the aged, or institution, or restaurant accommodating the general public.
- 2.21 **BUFFER STRIP**, shall mean an area used for no other purpose than the planting of a continuous row of trees or an unpierced hedgerow of natural evergreens or shrubs, not less than 1.2 metres in height at the time of planting, immediately adjacent to the lot line or portion thereof, along with such planting strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds, man-made landscape materials or a combination thereof and may also contain a closed board, picket or chain-linked fence which is a minimum of 1.2 metres high.
- 2.22 **BUILDING**, shall mean any structure whether temporary or permanent, used or intended for sheltering any use or occupancy and shall include a trailer as defined in clause 168 (5) of Part IV of the Municipal Act, as amended and revised from time to time, and shall also include a mobile home as defined in clause 45 (1) (a) of the Planning Act, as amended and revised from time to time, but shall not include a boundary wall or fence.
- 2.23 **BUILDING AREA**, shall mean an area designated on a zoning map or zoning map schedule as "Building Area" which defines the area of a lot within which permitted buildings or other structures may be erected, used and maintained.
- 2.24 **BUILDING BY-LAW**, shall mean any building by-law with the meaning of the Building Code Act.
- 2.25 **BUILDING INSPECTOR**, shall mean the officer or employee of the Municipality for the time being charged with the duty of enforcing the provisions of this By-law, the Ontario Building Code, or any other building code or building by-law of the Municipality.
- 2.26 **BUILDING LINE**, shall mean a line within a lot drawn parallel to a lot line; it establishes the minimum distance between the lot line and any building, or structure which may be erected. Where the lot line is a curve, the building line shall be a line drawn parallel to the chord of the arc constituting the lot line. A chord is a straight line joining two points on a curve.
- 2.27 **BUILDING OPENING**, shall mean a door, window or similar opening in a building.
- 2.28 **BULK SALES ESTABLISHMENT**, shall mean the use of land, buildings, or structures for the purpose of buying and selling building materials, ice, and allied chemicals but does not include any manufacturing, assembling, or processing uses.
- 2.29 **BUS DEPOT**, shall mean a facility for the boarding and de-boarding of passengers from inter-city bus travel and may include ancillary commercial facilities, public washrooms, ticket sales areas, and offices for building personnel.

- 2.30 **CAMPGROUND**, shall mean a use consisting of at least five camping sites, licensed under the provisions of the Municipal Act, as amended, and comprising land used or maintained for seasonal recreational activity as grounds for the camping or parking of a tent, motor home, travel trailer, or truck camper, but not a mobile home.
- 2.31 **CANTILEVERED WALL**, shall mean an exterior front, side, or rear wall of a building which may project from a "Main Wall" into a "Yard" in accordance with the provisions of Section 4.25 of this
- 2.32 **CARPORT**, refer to the definition of Garage, Private.
- 2.33 **CATERER'S ESTABLISHMENT**, shall mean an establishment in which food and beverages are prepared for consumption on or off the premises to customers but does not include a restaurant.
- 2.34 **CEMETERY**, shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.
- 2.35 **CHURCH**, shall mean a building dedicated to religious worship and may include a church hall, church auditorium, Sunday school, parish hall, and church day nursery.
- 2.36 **CLINIC**, shall mean any building or portion thereof containing two or more offices used or intended for use for any of the purposes of medical or dental practice, and without limiting the generality of the foregoing includes the offices or consulting rooms of members of the medical or dental professions or a chiropractor.
- 2.37 **CLUB**, shall mean a building used or intended to be used as a meeting place for the members of an organization, association, fraternal order, or similar type group, not operated for profit and wherein athletic facilities, dining rooms, and beverage rooms may or may not be provided.
- 2.38 **COMMERCIAL FISHING OPERATION**, shall mean an establishment involved in the harvest and processing of marine life, for the purpose of retail or wholesale trade, and shall include all buildings, and structures associated with such operation.
- 2.39 **COMMERCIAL GREENHOUSE**, shall mean any building or structure where fruits, vegetables, flowers, trees, shrubs or plants are produced by controlled temperature and/or humidity for the purpose of selling such products, and which may include a garden centre as a commercial accessory use.
- 2.40 **COMMERCIAL USE**, shall mean the use of land or buildings for the purposes of buying and/or selling commodities and supplying services.
- 2.41 **COMMLTNAL SERVICES**, shall mean a privately owned and operated water supply system and/or sewage e treatment and disposal system, whereby such services are supplied to more than one dwelling -unit, or to more than one commercial use, or to more than one institutional use, or combination thereof, situated on separate lots.
- 2.42 **COMMUNITY CENTRE**, shall mean a building used for community activities and not for commercial purposes, the control of which is vested in the Municipality, a local board, or trustees, and which may include accessory commercial uses.

- 2.43 **CONSERVATION AREA**, shall mean an area of land owned by a conservation authority, the Township of Malahide, or the Province and used solely for the preservation and enhancement of the natural environment.
- 2.44 **CONTRACTOR'S YARD OR SHOP**, shall mean the use of land, buildings or structures for the purpose of storing construction, excavation or plant equipment, vehicles, or material or performing shop work or assembly work by any building trade contractor.
- 2.45 **CONVENIENCE PLAZA**, shall mean a group of not more than four (4) convenience stores located adjacent to one another under one roof with separate entrances, all of which front on an improved street or road which provide off-street parking.
- 2.46 **CONVENIENCE STORE**, shall mean a retail store supplying groceries and other daily household necessities to an immediate surrounding residential area, with a floor area not greater than 300 m<sup>2</sup>.
- 2.47 **COVERAGE**, shall mean in the case of a residential building or structure that portion or percentage of the area of any lot upon which buildings or structures are erected or permitted to be erected on the lot (not including an outdoor swimming pool) measured at the level of the lowest storey containing habitable rooms, and in the case of a non-residential building or structure that portion or percentage of the area of buildings or structures erected or permitted to be erected on the lot (not including an outdoor swimming pool) measured at the level of the lowest storey above grade, including in both cases all porches and verandas, steps, cornices, eaves, bay windows, chimneys.
- 2.48 **DAY CARE CENTRE**, means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care and guidance, for a continuous period, not exceeding 24 hours, when the children are: S Under 18 years of age in the case of a day nursery for children with a developmental handicap; and S Under 12 years of age in all other cases
- 2.49 **DENSITY**, shall mean the ratio of the number of units to the area of land.
- 2.50 **DERELICT MOTOR VEHICLE**, shall mean a motor vehicle that has no market value as a means of transportation or as an instrument of husbandry, or is inoperable and may not have current license plates when required.
- 2.51 **DOCK**, shall mean a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane.
- 2.52 **DOG POUND**, shall mean the use of land or buildings for the purposes of impounding dogs pursuant to a by-law of the Municipality and where such dogs are kept for a minimum redemption period as defined in the Animals for Research Act, as amended from time to time.
- 2.53 **DWELLING**, shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, rooming houses, motels, institutions, mobile homes, or living quarters for a caretaker, watchman, or other person or persons using living quarters which are accessory to a non-residential building or structure.

- 2.54 **DWELLING, APARTMENT**, shall mean a dwelling, consisting of four or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.
- 2.55 **DWELLING, BLOCK TOWNHOUSE**, shall mean a townhouse dwelling that is part of a condominium, co-operative or rental project with a private internal traffic circulation system or direct access from a public street.
- 2.56 **DWELLING, DOUBLE DUPLEX or QUADRUPLEX**, shall mean a building that consists of two (2) duplexes attached to each other.
- 2.57 **DWELLING, CONVERTED**, shall mean a dwelling originally designed as a single-detached dwelling unit, which because of size or design is or can be converted by partition and the addition of sanitary facilities and cooking facilities into more than one dwelling unit.
- 2.58 **DWELLING, DUPLEX**, shall mean a building that is divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.59 **DWELLING, MAISONETTE**, shall mean a building designed to contain more than three (3) dwelling units each having an entrance from a common hallway or stairway inside the building and a separate outside entrance.
- 2.60 **DWELLING, SEASONAL**, shall mean a seasonal residential building or structure used or intended to be used for recreational rest or relaxation throughout the year, but not used or intended to be used as a primary residence and/or permanent dwelling.
- 2.61 **DWELLING, SEMI-DETACHED**, shall mean a building that is divided vertically into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.62 **DWELLING, SINGLE-DETACHED**, shall mean a completely detached, freestanding dwelling unit designed, and intended for occupancy by one household, but does not include a mobile home.
- 2.63 **DWELLING, TOWNHOUSE or ROWHOUSE**, shall mean a separate building containing three (3) or more attached dwelling units with a common masonry wall dividing the two dwelling units vertically, each of which has an independent entrance either directly or through a common vestibule.
- 2.64 **DWELLING, TRIPLEX**, shall mean a building that is divided into three (3) separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 2.65 **DWELLING, TWO-UNIT**, shall mean a dwelling designed and intended for occupancy by people living independently of each other, including duplexes or semi-detached houses.
- 2.66 **DWELLING UNIT**, shall mean one or more habitable rooms occupied or capable of being occupied by an individual or persons as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or persons, with a private entrance from outside the building or from a common hallway or stairway inside the building.

- 2.67 **EFFECTIVE DATE**, shall mean the date that this By-law shall be deemed to come into full force and effect upon the issuance of a formal order pursuant to Section 34(19) of the Planning Act, as amended and revised from time to time.
- 2.68 **ERECT**, shall include build, construct, reconstruct, alter and relocate and, not to limit the generality of the foregoing, shall be taken to 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. 69
- 2.69 **ESTABLISHED BUILDING LINE**, shall mean the average distance from the street line of existing buildings on one side of one block where more than one-half of the lots having street access upon the said side or the block have been built upon.



- 2.70 **EXISTING**, shall mean legally existing as of the date of the passing of this By-law.
- 2.71 **EXOTIC ANIMALS**, shall mean wild and/or non-domesticated animals regardless of whether they are raised or kept in captivity and includes but is not limited to: bear, wolf, lion, tiger, bobcat, cougar, raccoon, crocodile, venomous snake, constricting snake, venomous lizard, or venomous spider. The term "exotic animal" does not include domestic cats, dogs, birds or rodents, nor shall it include deer, elk or bison, pigeons, turtles, chinchilla, non-venomous snakes, non-venomous lizards, non-venomous spiders, or any class or type of animal normally described or considered as livestock by either subsection 2.12 1 of this By-law or by the Ontario Ministry of Agriculture, Food and Rural Affairs.
- 2.72 **FAIRGROUNDS**, shall mean a lot owned and operated by an agricultural society incorporated under the Agricultural and Horticultural Societies Act, as amended, from time to time.
- 2.73 **FARM**, shall mean a lot, held for the purpose of agricultural use, together with or without its dependant buildings including one single-detached dwelling with private garage, one dwelling as supplementary farm housing where required, barns, sheds, pens, and similar accessory buildings except that in areas where buildings and structures are prohibited such use shall refer only to the land.

- 2.74 **FARM EQUIPMENT SALES AND SERVICE**, shall mean the use of land, buildings, or structures, or portions thereof, where farm vehicles and equipment are stored for the purposes of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.
- 2.75 **FARM FUEL SALES**, shall mean the use of land, buildings, or structures, or portions thereof, where gasoline or other motor fuels are kept for sale and for delivery into farm vehicles, but does not include the sale of any such fuels to vehicles which are not directly involved in the operation of farming.
- 2.76 **FARM PRODUCE OUTLET**, shall mean a use which is permitted on a seasonal basis, and is accessory to a permitted farm, which consists of the retail sale of agricultural products produced in the area which such outlet is located, and which does not include any permanent buildings or structures.
- 2.77 **FEED MILL**, shall mean a building or structure used for the purpose of processing food for animals, and which may include a retail operation for the sale of such products.
- 2.78 **FENCE**, shall mean a wall (which is not part of a building), gate or other man-made barrier constructed of wood, masonry, metal, or any combination thereof, which is minimum of 1.2 metres in height, and is continuous throughout its length where required, except where access or lines of sight are required to be preserved for traffic or emergency purposes.
- 2.79 **FENCE, PRIVACY**, shall mean a fence as defined by this by-law, which is intended to restrict sight lines between separate lands not under common ownership.
- 2.80 **FERTILIZER PLANT**, shall mean the use of land, buildings, and structures, or portions thereof, where natural and synthetic materials are processed for the purpose of producing materials to increase soil fertility, and which may include the retail sale of such products.
- 2.81 **FINANCIAL INSTITUTIONS**, shall mean an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stock brokers.
- 2.82 **FLOOD AND EROSION CONTROL**, shall mean any lands, buildings or structures, and any appurtenances to such, operated and/or maintained by a public authority, and used for the purpose of regulating water levels and protecting adjacent lands on both natural and man-made bodies of water.
- 2.83 **FLOOD FRINGE**, shall mean the outer portion of the flood plain located between the floodway and the flooding hazard limit, and where development and site alteration may be permitted, subject to approval by the appropriate conservation authority.
- 2.84 **FLOOD PLAIN**, shall mean an area of land adjacent to a watercourse which has been, or may at any time be subject to flooding and its associated hazards.
- 2.85 **FLOODWAY**, shall mean the inner portion of the flood plain, representing the area required for the safe passage of flood flow and/or that area of land where flood depths and/or velocities are considered to pose a risk to life and/or property damage.

- 2.86 **FLOOR AREA**, shall mean the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any attic, basement, cellar, garage, verandah, porch or sunroom unless such enclosed porch or sunroom is an integral part of the building and habitable in all seasons, and excluding any floor area with a ceiling height of less than two (2.0) metres.
- 2.87 **FLOOR AREA, COMMERCIAL**, shall mean the sum of the areas of all floors of a building or part thereof used for commercial purposes measured between the internal faces of the exterior walls, excluding the furnace room, laundry-room, or washroom, stairwell or any area designed or used permanently for storage space.
- 2.88 **FLOOR AREA, GROUND**, shall mean the area of a building or structure measured from the outside of all exterior walls, at grade, exclusive of any accessory building, garage, basement, cellar, terrace, verandah, open or enclosed porch or sun room, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.
- 2.89 **FOOD PROCESSING PLANT**, shall mean a building, or part thereof, other than a restaurant or refreshment room in which agricultural products are packed, frozen, prepared, processed, preserved, graded or stored for eventual human consumption, and includes a cannery, a flour mill, a dairy, a bakery, or an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.
- 2.90 **FORESTRY USE**, shall mean the general raising and harvesting of wood and without limiting the generality of the foregoing includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products.
- 2.91 **FUNERAL HOME**, shall mean a building where preparation of the dead human body for interment or cremation is undertaken, and which may include accessory commercial uses.
- 2.92 **GAME PRESERVE**, shall mean any lands, buildings, or structures where wild animals, birds, waterfowl or fish are kept for the purpose of hunting for food or for sport.
- 2.93 **GARAGE, PRIVATE or CARPORT**, shall mean a building or portion of a building designed for the storage of not more than three (3) private motor vehicles and the storage of household equipment incidental to residential occupancy, wherein no service for profit is rendered; and where such structure is within two (2.0) metres of the main building, it shall be deemed to be part of the main building and not an accessory building.
- 2.94 **GARAGE, PUBLIC**, shall mean a building or structure other than a private garage where motor vehicles are kept or stored for remuneration or repair, including the complete repair to motor vehicle bodies, frames, or motors, and the painting, upholstering, washing, and cleaning of such vehicles, and may include a motor vehicle service station.
- 2.95 **GARDEN SUPPLY CENTRE**, shall mean the use of land, buildings or structures for the purpose of buying, selling and raising of plants, shrubs and trees and includes the storage and sale of accessory products generally used for landscaping and gardening purposes.
- 2.96 **GAS** shall mean natural gas, manufactured gas, propane-arc gas, or any mixture of any of them.
- 2.97 **GOLF COURSE**, shall mean a public or private area operated for the purpose of playing golf including a par three golf course, driving range, miniature golf course, or combination thereof.

- 2.98 **GRADE LEVEL**, shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building, and when used with reference to a structure means the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment, and when used with reference to a road means the elevation of the road established by the authority having jurisdiction.
- 2.99 **GRAIN HANDLING AND STORAGE FACILITIES**, shall mean buildings and structures used for the purpose of drying, processing, storage, and/or wholesale trade of harvested agricultural grains.
- 2.100 **GROUP HOME**, shall mean a single housekeeping unit in a residential dwelling which is licensed and/or approved for funding under provincial statute in which three to ten residents (excluding supervisory staff or the receiving persons) live as occupants under responsible supervision consistent with the requirements of its residents.
- 2.101 **GROUPED HOUSING**, shall include two (2) or more separate dwelling units which may be comprised of but not limited to semi-detached, duplex, triplex, double duplex, converted dwelling or townhouse, rowhouse, maisonette dwellings and/or an apartment building located on the same lot which lot may or may not be retained under one ownership.
- 2.102 **HAZARD LAND**, shall mean land which exhibits, or potentially exhibits, a hazardous condition as a result of its susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes, where the cost of construction of satisfactory water, sewage or drainage facilities is prohibitive.
- 2.103 **HEIGHT**, when used with reference to a building or structure shall mean the vertical distance between the horizontal plane through: a) The highest point of the roof assembly in the case of a building with a flat roof or a deck roof; b) The average level of a one slope roof, between the ridge and the eaves, provided that such roof having a slope of less than twenty (20) degrees with the horizontal shall be considered a flat roof; c) The average level between eaves and ridges in the case of a roof type not covered in sub- sections a) and b).
- 2.104 **HOME OCCUPATION**, shall mean an occupation for gain or support conducted entirely within a dwelling as a secondary use and only by persons residing on the premises plus not more than one (1) assistant who is not a resident of the said dwelling.
- 2.105 **HOME OCCUPATION, AGRICULTURAL**, shall mean an occupation for gain or support, associated with an agricultural use or a residential use, which serves agricultural uses and which is conducted by persons residing on the premises.
- 2.106 **HOSPITAL**, shall mean a hospital as defined by the Private Hospitals Act, and a hospital as defined by the Public Hospitals Act.
- 2.107 **HOTEL**, shall mean any hotel, tavern, inn, lounge, or public house in one main building or in two or more buildings used mainly for the purposes of catering to the needs of the traveling public by supplying food and furnishing sleeping accommodation of not less than six (6) guest rooms, which guest rooms contain no provisions for cooking, and shall include all such buildings operating under the Liquor License Act, and the Tourist Establishments Act, as amended from time to time.

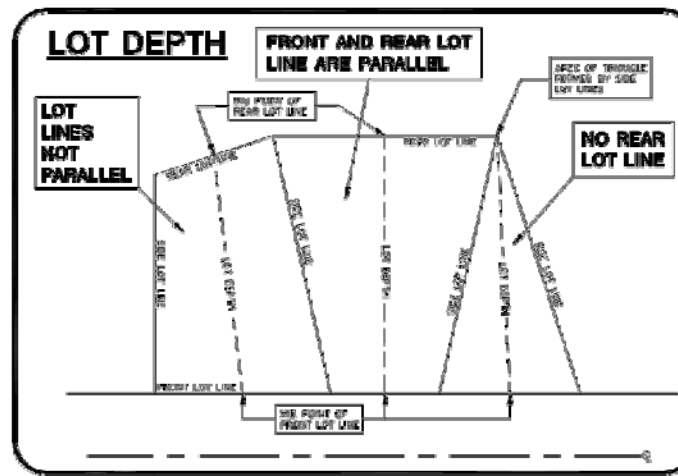
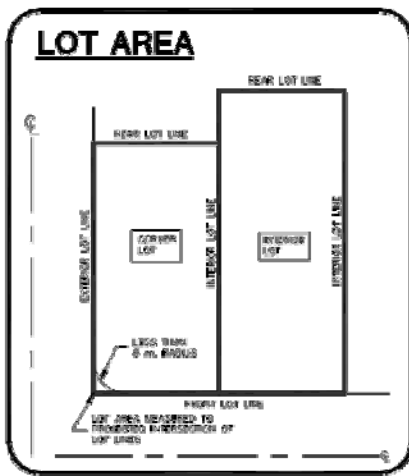
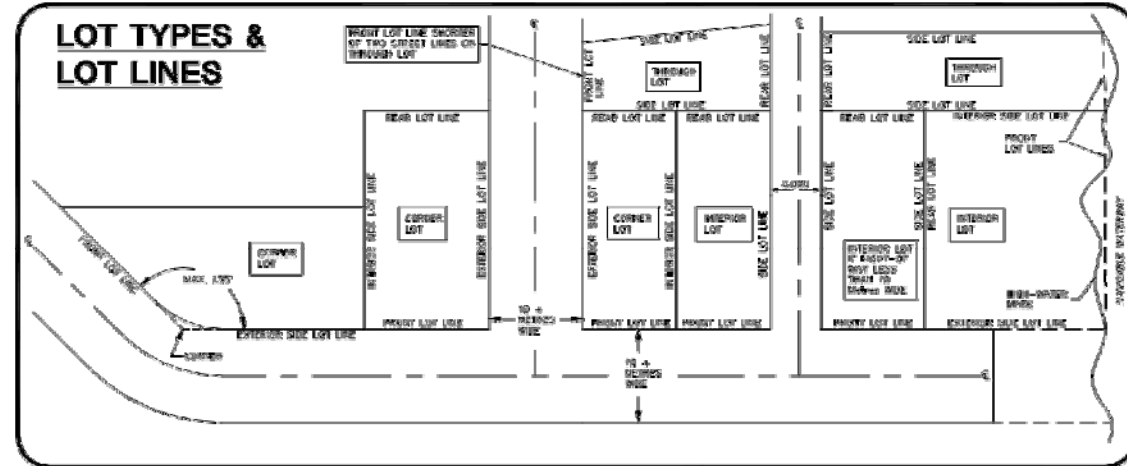
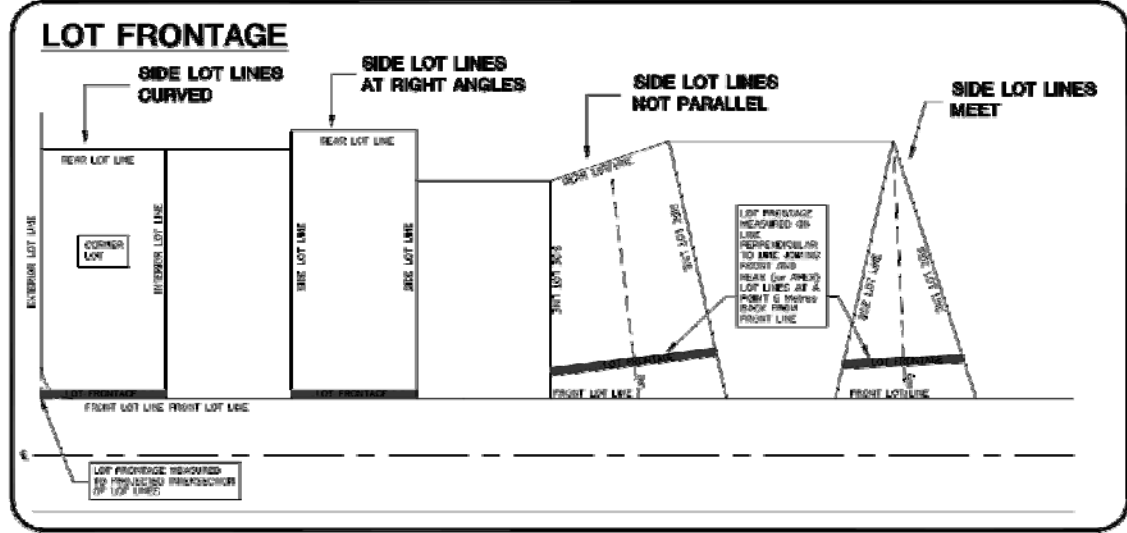


- 2.108 **INDUSTRIAL USE, GENERAL**, shall mean the use of land, buildings or structures for the purpose of manufacturing, assembling, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing, or adapting for sale of any goods, substance, article or thing, including the storage of building and construction equipment and materials, but not including any obnoxious industry, mine, pit, quarry or oil well.
- 2.109 **INDUSTRIAL USE, LIGHT**, shall mean the manufacturing, assembly or processing of component parts to produce finished products suitable for retail or service trade but does not include food, beverage, tobacco, rubber, leather, textile and knitting, wood, printing, metal fabricating or similar industries if these operations involve stamping presses, furnaces, machinery, or the emission of any air, noise or water pollution, that can be smelled, heard or otherwise perceived outside of the building.
- 2.110 **INSTITUTIONAL USE**, shall mean the use of land, buildings or other structures for some public or social purpose but not for commercial purposes. These uses may include governmental, religious, educational, charitable, philanthropic, or other similar but non-commercial uses and notwithstanding the generality of the foregoing institutional uses may include: schools, churches, municipal offices and hospitals.
- 2.111 **KENNEL, ANIMAL**, shall mean any lot, building or structure on or within which four (4) or more domesticated animals, other than poultry, more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold and which may offer provisions for minor medical treatment.
- 2.112 **LANDING STRIP**, shall mean a strip of ground used or capable of being used for the landing and takeoff of aircraft.
- 2.113 **LANDSCAPED AREA**, shall mean an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and appurtenances, but does not include parking areas, parking lots, driveways or ramps.
- 2.114 **LANE or ALLEY**, shall mean a public thoroughfare which affords a means of access to abutting lots but which is not intended for general traffic circulation.
- 2.115 **LAUNDRY ESTABLISHMENT**, shall mean a building, or part thereof, in which the business of a laundry is conducted on the ground floor, in which only water and detergent are used, and the drying, ironing, and finishing of such goods are conducted, with emits no odours, fumes, noise or vibration causing a nuisance or inconvenience within or outside the premises. A laundry establishment may include a self-service, coin operated Laundromat.
- 2.116 **LIBRARY**, shall mean a building, or part thereof, used for the public display and lending of books, and other reading and audio visual materials to the public, which is operated by a public authority.
- 2.117 **LIGHT ASSEMBLY AND FABRICATION**, shall mean the use of land, buildings, or structures, or portions thereof, for the manufacturing, assembling, or processing of component parts to produce finished products suitable for retail, wholesale or service trade, and including repairing; servicing; distributing; warehousing; storing or adapting for sale any good, substance, article or thing but excluding any uses which emit any noise or noxious smell that can be detected

outside of the building or on land adjacent to the lands occupied by the light assembly and fabrication use.

- 2.118 **LIVESTOCK**, shall mean farm animals kept for use, and includes dairy and beef cattle, horses, mules, donkeys, ponies, swine, sheep, laying hens, chicken and turkey broilers, pheasants, turkeys, goats, geese, ducks, emus, ostrich, fox, mink and rabbit.
- 2.119 **LIVESTOCK SALES BARNs AND MARKETING YARDS**, shall mean the lands, buildings, and structures where livestock and agricultural produce is stored temporarily for the purpose of wholesale trade and/or auction sales, and may include the offices of such personnel employed on the premises.
- 2.120 **LOADING SPACE**, shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials used in connection with the main use of the lot or any building thereon, and which has an unobstructed access to a street or lane.
- 2.121 **LOT**, shall mean a parcel of land, described in a registered deed or other document legally capable of conveying land or shown as a lot or block on a registered plan of subdivision including any of its parts which are subject to a right-of-easement but does not include a lot or a block on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision by a by-law passed pursuant to the Planning Act, as amended from time to time.
- 2.122 **LOT AREA**, shall mean the total horizontal area within the lot lines of a lot, except in the case of a corner lot having street lines rounding at the corner with a radius of six (6.0) metres, or less, where the lot area of such lot shall be calculated as if the lot lines were projected to the point of intersection.
- 2.123 **LOT, CORNER**, shall mean a lot situated at the intersection of and abutting upon two (2) streets, each of which is at least 10 metres wide, and where such streets are curved, or, in the case of a singular street with a curve of not more than 135 degrees, the angle of intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines provided that:
- a) In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents; and
  - b) Any portion of a corner lot distant more than thirty (30) metres from the corner, measured along the street line shall be deemed to be an interior lot.

### FIGURE 2 - LOT MEASUREMENTS AND DEFINITIONS



NOTE: THIS FIGURE IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT FORM PART OF THIS BY-LAW

- 2.124 **LOT DEPTH**, shall mean the horizontal distance between the front and rear lot lines. If these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines. When there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.
- 2.125 **LOT FRONTAGE**, shall mean the horizontal distance between the side lot lines of a lot measured at right angles, but where such lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the centre of the front and the centre of the rear lot lines at a point six (6.0) metres back from the front lot line and where such lot lines meet, the lot frontage shall be measured perpendicularly to the line adjoining the apex of the triangle formed by the side lot lines and a point six (6.0) metres back from the front lot line.
- 2.126 **LOT INTERIOR**, shall mean a lot other than a corner lot.
- 2.127 **LOT LINES**, shall mean the boundary lines of a lot defined as follows: a) Front lot line, shall mean, except in the case of a corner lot, the line dividing the lot from the street. In the case of a corner lot the shorter boundary line abutting the street shall be deemed the front lot line and the longer boundary line abutting the street shall be deemed the side lot line. In case each of such lot lines should be of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction. In the case of a through lot, the shorter boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite longer boundary shall be deemed to the rear lot line. In case each of such lot lines should be of equal length, the front lot line shall be deemed to be the front lot line as established in the block by prior construction. Rear lot line, shall mean the lot line farthest from or opposite to the front lot line. c) Side lot line, shall mean a lot line other than a front or rear lot line.
- 2.128 **LOT, THROUGH**, shall mean a lot bounded on two opposite sides by streets. Provided, however, that if any lot qualifies as being a corner lot and a through lot as hereinbefore defined, such lot shall be conclusively deemed to be a corner lot.
- 2.129 **LUMBER (BUILDING MATERIALS) YARD**, shall mean the use of land, buildings, and/or structures for the purposes of milling, storage, and wholesale sales of a broad range of building materials and tools, which may include a retail operation.
- 2.130 **MAIN BUILDING**, shall mean the building designed or used for the principal use on the lot.
- 2.131 **MAIN USE**, shall mean the predominant purpose for which any land, buildings, structures, premises or part thereof is designed, used or maintained.
- 2.132 **MAIN WALL**, shall mean the exterior front, side, or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.
- 2.133 **MANURE STORAGE AREA**, shall mean land, buildings or structures used for the storage of manure generated by livestock.
- 2.134 **MARINA**, shall mean an establishment where boats are stored, rented, or hired, and/or where boats, boat motors, or boat accessories are sold, repaired, or refuelled, and may include a building or structure for the sale of accessories, supplies, and/or refreshments.

- 2.135 **MARKET GARDEN OPERATIONS**, shall mean the use of land, buildings, or structures for the purpose of selling fruits, vegetables and flowers, and which may include a retail component as a commercial accessory use.
- 2.136 **MEAT PACKING OPERATION**, shall mean a building, or part thereof used for the processing of meat, poultry, and fish products.
- 2.137 **MINIMUM DISTANCE SEPARATION**, shall mean the tool used to determine recommended distances between a livestock facility and another land use, and such distances shall be determined by the publications known as **MINIMUM DISTANCE SEPARATION I** and **MINIMUM DISTANCE SEPARATION II** developed by the Ontario Ministry of Agriculture and Food, as amended from time to time.
- a) **MINIMUM DISTANCE SEPARATION I**, shall mean the minimum distance separation for new development from existing livestock facilities.
- b) **MINIMUM DISTANCE SEPARATION II**, refers to the minimum distance separation for new or expanding livestock facilities from existing or approved development.
- 2.138 **MOBILE HOME**, shall mean a building or structure designed to be transported after fabrication, either on its own wheels, on a flatbed, on a separate trailer, or on detachable wheels, and which is suitable for occupancy as a dwelling unit except for minor and incidental unpacking and assembly operations, and placement on a mobile home stand, and connection to utilities if available, and which may have an individual sewage holding reservoir, or be capable of connection to a communal or public sewage disposal system, but shall not include a modular home.
- 2.139 **MOBILE HOME LOT**, shall mean a parcel of land which is described in a deed or other document legally capable of conveying land, or a parcel of land which is shown as a lot or block on a registered of subdivision and which is intended for the placement of a mobile home.
- 2.140 **MOBILE HOME PARK**, shall mean a lot or portion thereof used for the siting of mobile homes and/or park model trailers and includes those uses, buildings and structures accessory to the operation of the park and the needs of park residents.
- 2.141 **MOBILE HOME SITE**, shall mean an area of land within a mobile home park that is intended to be occupied by one mobile home and which may be owned by the occupant of the mobile home or by the owner of the mobile home park.
- 2.142 **MOTEL**, shall mean one building, or two (2) or more detached buildings for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation with or without supplying food and shall include a motor court, auto court, and all such buildings operating under the Liquor License Act, and the Tourist Establishments Act.
- 2.143 **MOTOR HOME**, shall mean a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger automobile chassis, primarily designed to provide temporary living quarters for recreation camping and travel use.
- 2.144 **MOTOR VEHICLE**, shall mean a wheeled self-propelling vehicle for the transportation of passengers and goods and without limiting the generality of the foregoing includes automobiles, trucks, buses, ambulances, hearses, and recreational vehicles.

- 2.145 **MOTOR VEHICLE BODY SHOP**, shall mean a building or structure where motor vehicles are kept for repair including the complete repair to vehicle bodies, frames, chassis, or motors and the painting, upholstering, glass replacement and cleaning of such vehicles.
- 2.146 **MOTOR VEHICLE SALES ESTABLISHMENT**, shall mean a parking lot, building or lot where motor vehicles are hired, kept or used for hire, or where such vehicles and accessories are stored or kept for sale, and where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged or where repairs essential to the actual operation of motor vehicles are executed or performed, but shall not include a motor vehicle body shop.
- 2.147 **MOTOR VEHICLE SERVICE STATION**, shall mean a building or part of a building on a clearly defined space or a lot used for the retail sale of lubricating oils and gasoline and may include the sale of automobile accessories and where only the servicing and minor repairs essential to the operation of motor vehicles are executed or performed. It may also include the washing of motor vehicles, but shall not include a motor vehicle body shop.
- 2.148 **MOTOR VEHICLE WRECKING ESTABLISHMENT**, shall mean a building and/or lot used for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined in this By-law.
- 2.149 **MUNICIPAL DRAIN**, shall mean drainage works as defined by the Drainage Act, as amended and revised from time to time.
- 2.150 **MUNICIPALITY**, shall mean the Corporation of the Township of Malahide.
- 2.151 **NON-AGRICULTURAL**, when used with reference to a building, structure, or use shall mean designed, intended or used for purposes other than those of an agricultural use.
- 2.152 **NON-COMPLYING**, shall mean a building or structure which does not comply or agree with the regulations of this By-law as of the date of passing thereof, but does not include a non-conforming use, building, or structure.
- 2.153 **NON-CONFORMING**, shall mean a use, building or structure which is not a use, building or structure permitted in the zone in which the said use, building or structure is situated.
- 2.154 **NON-RESIDENTIAL**, when used with reference to a building, structure or use, shall mean designed, intended or used for purposes other than those of a dwelling.
- 2.155 **NURSING HOME or REST HOME**, shall mean a building in which the proprietor supplies for hire or gain lodging with or without meals, and, in addition, provides nursing, medical or similar care and treatment, if required, and shall include a rest home or convalescent home.
- 2.156 **OCCUPANCY**, shall mean to reside in as owner or tenant on a permanent or temporary basis.
- 2.157 **OFFICE, GENERAL**, shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, labour or fraternal organization, but excludes such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.

- 2.158 **OFFICE, PROFESSIONAL**, shall mean any office used by professionally qualified persons, for the purposes of giving advice, consultation or treatment to clients or patients.
- 2.159 **OIL**, shall mean crude oil, and includes any hydro-carbon that can be recovered in liquid form from a -pool through a well.
- 2.160 **OUTSIDE STORAGE**, shall mean the storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.
- 2.161 **OWNER**, shall mean the person who holds legal title to a piece of property.
- 2.162 **PARKING LOT**, shall mean an area provided for the temporary parking of two or more motor vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a public street.
- 2.163 **PARKING SPACE**, shall mean an area enclosed in a principal building, in an accessory building, or unenclosed, having an area of not less than 14.4 square metres, measuring 2.4 metre by 6 metres, exclusive of aisles or driveways and accessible to a street or lane and set aside for the purpose of the temporary parking or storage of a motor vehicle.
- 2.164 **PARK, PWATE**, shall mean a park not open to the general public and which may be operated for commercial gain.
- 2.165 **PARK, PUBLIC**, shall mean an area of open land, maintained or owned by the Municipality or a public authority for the enjoyment, health and well-being of the public and normally open to the public.
- 2.166 **PERMITTED**, shall mean permitted by this By-law.
- 2.167 **PERSON**, shall include an individual, an association, a firm, a partnership, an incorporated company, Municipal Corporation, agent or trustee and their heirs, executors, or other legal representatives of a person to whom the context of this By-law can apply according to law.
- 2.168 **PERSONAL SERVICE SHOP**, shall mean a building, or part thereof, in which persons are employed in finishing services and otherwise administering to the individual and personal needs of persons, comprising the premises of a barber, hairdresser, beautician, tailor, dressmaker and/or shoemaker. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.
- 2.169 **PET**, shall mean a domesticated animal which is owned for personal enjoyment, and which may - include, but is not limited to: dogs, cats, birds, rodents, or non-venomous reptiles or amphibians, but does not include an "exotic animal" or "livestock" as defined elsewhere in this by-law.
- 2.170 **PIT**, shall mean any opening, quarrying, or excavation of or in the ground, licensed under the Pits and - Quarries Control Act, as amended, for the purpose of removing mineral, soil, rock, sand, gravel, quartz, earth, clay, muck, or limestone, cement, natural oil or gas and any similar natural resource and may include the processing thereof such as screening, sorting, washing, crushing, and other similar operations, but this does not include a well intended for private or municipal water supply.

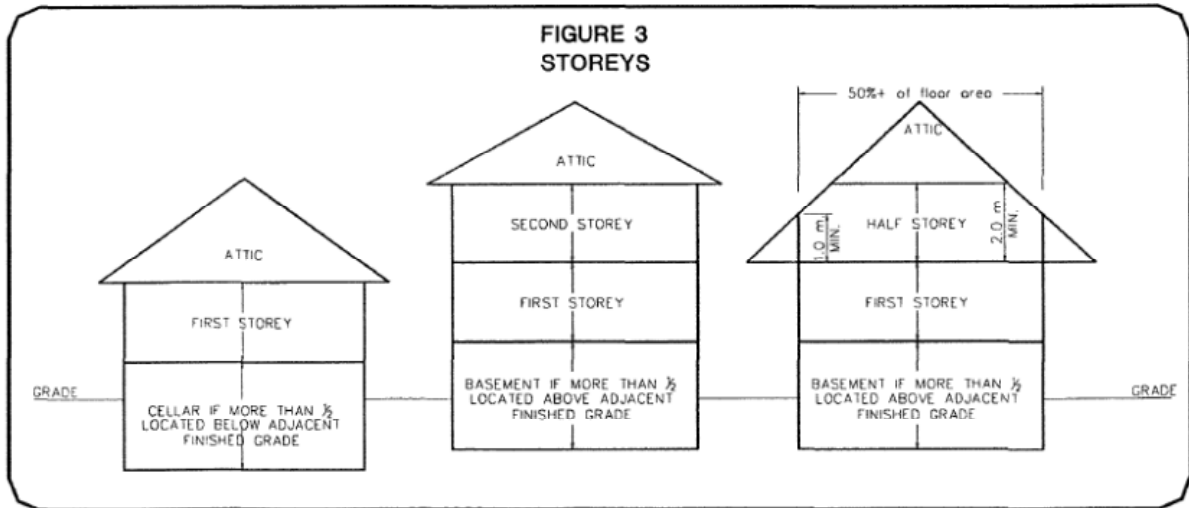
- 2.171 **PIT, WAYSIDE**, shall mean a temporary pit or quarry opened and used by a public road authority on the basis of a permit issued pursuant to the Pits and Quarries Control Act, as amended, solely for the purpose of a particular project or road construction contract and not located on the road right-of-way.
- 2.172 **PLACE OF ENTERTAINMENT**, shall mean a building or part thereof used for the purposes of an arena, auditorium, public hall, billiard or pool rooms, bowling alley, and ice or roller rink but does not include other places of amusement not specifically listed.
- 2.173 **PLANT NURSERIES**, shall mean the use of land, buildings, or structures where trees, shrubs, or plants are grown for the purpose of buying and selling such products, and which may include a garden centre as a commercial accessory use.
- 2.174 **PORCH**, shall mean a roofed, open gallery, or portico attached to the exterior of a building.
- 2.175 **POST OFFICE**, shall mean a building, or part thereof where communications and postal services are provided to both businesses and the public such as fax machines, mailboxes, internet links, and/or package shipping and receiving.
- 2.176 **PRIVATE CLUB**, shall mean a lawn bowling, tennis, badminton or other athletic, social or recreational club located on private lands and not operated for profit and includes the premises of a fraternal organization.
- 2.177 **PUBLIC AUTHORITY**, shall mean any school board, Hydro One, public utility commission, transportation commission, public library board, board of parks management, board of health, board of commissioners of police, planning boards or commission or committee of local authority established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of a municipality or a portion thereof, and includes any committee or local authority established by by-law of the Council of the Municipality.
- 2.178 **PUBLIC UTILITY AND TRANSMISSION FACILITIES AND WORKS**, shall mean any buildings or structures, or appurtenances pertaining to such buildings or structures, owned and/or operated by any electric power, telephone, telegraph, railway, or natural gas company or public authority.
- 2.179 **PUBLISHING ESTABLISHMENT, PUBLISHING (NEWSPAPER)**, shall mean a building, or part thereof used for the purpose of printing, lithographing, or publishing, and which may include the reproduction of visual copy by blueprinting, photocopying, or small offset process.
- 2.180 **RAMP**, shall mean a sloping roadway leading away from one road level to another.
- 2.181 **RECREATIONAL FACILITIES**, shall mean a building or portion thereof designed and intended to accommodate one or more leisure or sporting activities and shall include an arena, aquatic centre, tennis, squash and racquetball courts, dance studios and fitness centres.
- 2.182 **RECREATIONAL USE**, shall mean the use of land for outdoor leisure and sporting purposes and for purposes of enjoyment of the natural environment and activities related thereto, and without limiting the generality of the foregoing may include boating, camping, canoeing, hunting, fishing, snowmobiling and swimming.



- 2.183 **RENDERING PLANT**, shall mean a building, or part thereof, where any animals are reduced, converted, or otherwise processed for the purpose of producing agricultural by-products, but shall not include an abattoir.
- 2.184 **RESIDENTIAL USE**, means the use of a building or structure or parts thereof as a dwelling.
- 2.185 **RESTAURANT**, shall mean a building or part thereof used for the preparation and sale of food and beverages to the public for consumption within said building, in a parked motor vehicle or elsewhere and includes such uses as a cafe, ice cream parlour, tea or lunch room, coffee shop, donut shop or sandwich shop. This definition shall not include a Drive-In Restaurant.
- 2.186 **RESTAURANT, DRIVE-N or TAKE-OUT**, shall mean a building, or portion thereof, designed, used or intended for the sale of food or refreshments to the general public, and where such food or refreshment may be made available to a person while in his motor vehicle or while within the building, and where provision may be made for the consumption of such food or refreshment by the person while in his motor vehicle, or within the building, or elsewhere on the site.
- 2.187 **RETAIL, FLOOR COVERING STORE**, shall mean a retail store devoted to the sale of floor coverings for home and office use, where a small portion of the gross floor area may be devoted to products accessory to the main use. Such goods may include carpeting, tile, wood, linoleum, and products required for the cleaning and maintenance of such products.
- 2.188 **RETAIL, FURNITURE STORE**, shall mean a retail store devoted to the sale of movable contents of a room, home or office where a small proportion of the gross floor area may be devoted to the sale of home/office electronics, computers or audio/visual equipment. Such goods may include furniture, light fixtures, clocks, organs or pianos, carpet or indoor window coverings.
- 2.189 **RETAIL STORE**, shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale to the public, and offices, servicing manufacturing, repairing, warehousing or storage functions accessory thereto, but does not include a restaurant.
- 2.190 **RIDING STABLE**, shall mean an establishment which offers horses for hire or instruction in horsemanship.
- 2.191 **RIFLE RANGE AND TRAP SHOOTING RANGE OR CLUB**, shall mean lands, buildings and structures used for the purpose of discharging firearms or any other weaponry at a non-living fixed or moving target for the purpose of practice or enjoyment, but do not include a game preserve.
- 2.192 **RIGHT-OF-WAY or EASEMENT**, shall mean any right, liberty or privilege in, over, along, or under land which a person may have with respect to any land in the Municipality.
- 2.193 **SALVAGE YARD**, shall mean, an establishment where goods, wares, merchandise, substances, articles or things are processed for further use, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk or scrap metal yard and an automobile wrecking yard.
- 2.194 **SANITARY SEWAGE FACILITIES, MUNICIPAL**, shall mean a publicly-owned and operated system whereby sanitary sewage is pumped, transported or piped from any or all

buildings in the Municipality to a central collection station for processing and discharge pursuant to the regulations of the Ontario Ministry of the Environment.

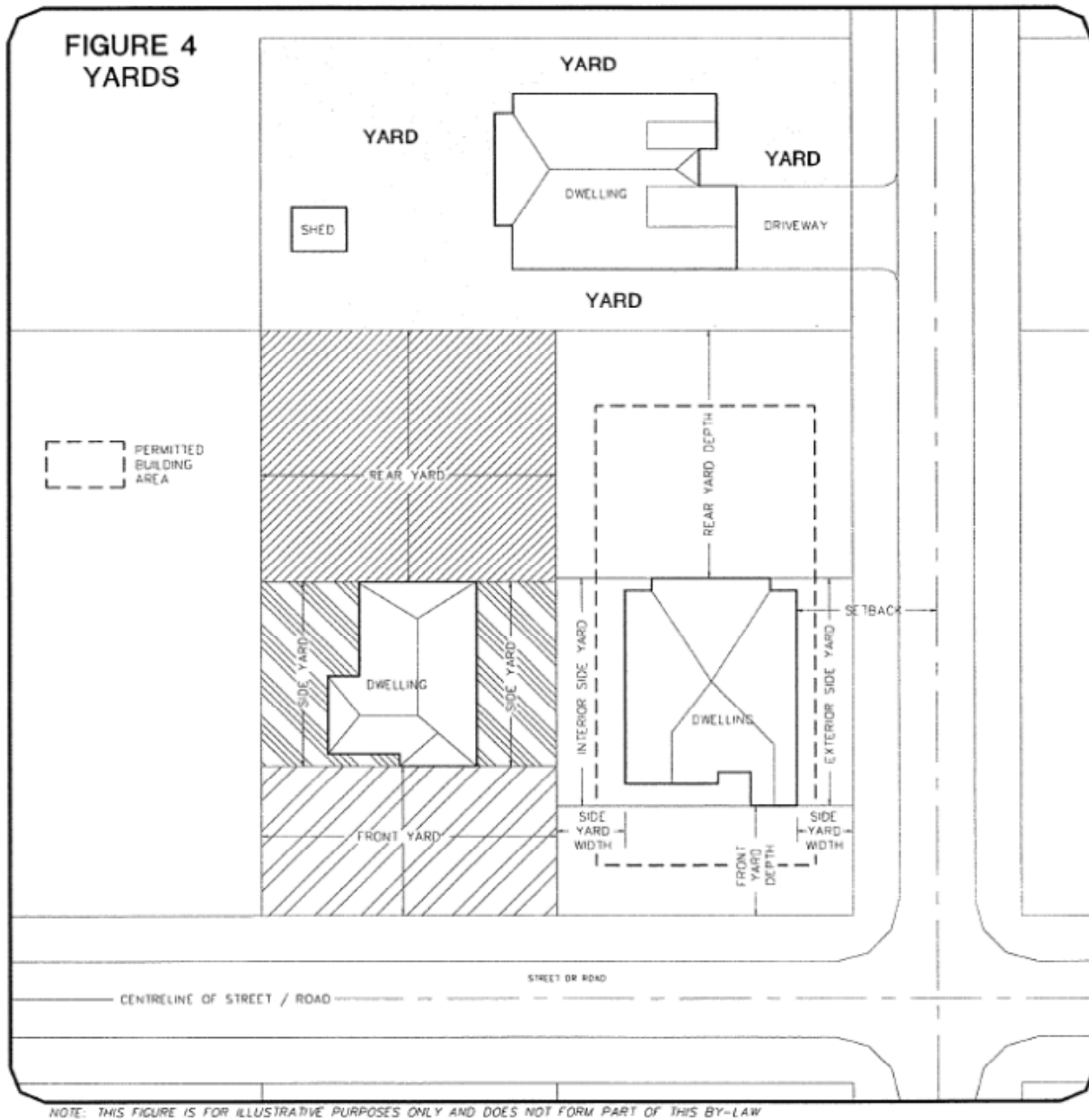
- 2.195 **SANITARY SEWAGE FACILITIES, PRIVATE**, shall mean an individual sewage disposal system that is owned, operated and managed by the owner of the property upon which the system is located.
- 2.196 **SAWMILL**, shall mean an establishment where lumber is cut by machines into boards for the purpose of wholesale trade, but does not include a retail component.
- 2.197 **SCHOOL, PUBLIC**, shall mean any school established and maintained by the Thames Valley District School Board, or the London District Catholic School Board.
- 2.198 **SCHOOL, PRIVATE**, shall mean a school, other than an elementary school, secondary school, adult secondary school, community college school, university school or a commercial school, under the jurisdiction of a private board of directors, trustees, or governors, a religious organization or a charitable institution, used primarily for the instruction of students receiving primary and/or secondary education.
- 2.199 **SENIOR CITIZEN HOME**, shall mean a multiple housing unit for the aged where over fifty (50) percent of the dwelling units are designed, intended and/or used for persons sixty (60) years of age or over, which is erected under the auspices of the Ontario Housing Corporation or a comparable government agency, a local service or club or private operated unit.
- 2.200 **SERVICE SHOP**, shall mean any building or part thereof where appliances and machinery are sold, serviced, or repaired and includes building trades establishments but excludes any manufacturing, processing, or wholesaling.
- 2.201 **SETBACK**, shall mean the horizontal distance from the edge of the right-of-way of an opened street allowance, measured at right angles from such edge of right-of-way, to the nearest part of any building or structure on a lot.
- 2.202 **SHOPPING CENTRE**, shall mean a building or group of buildings planned, designed, developed and managed as a unit having off-street parking provided on the site and which building or buildings are designed and which function as a unit accommodating a minimum of five (5) separate businesses, as opposed to a business area comprising unrelated individual establishments.
- 2.203 **SIGN**, shall mean a name, identification, description, devise, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- 2.204 **STOREY**, shall mean the portion of the building, other than the basement or cellar, which lies between the surface of the floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling or roof next above it.



- 2.205 **STOREY, FIRST**, shall mean the lowest storey of a building, excluding the basement or cellar.
- 2.206 **STOREY, HALF**, shall mean the portion of a building located wholly or partly within a sloping roof, having side walls not less than one (1.0) metre in height and the ceiling with a minimum height of two (2.0) metres over an area equal to a least fifty (50) percent of the area of the floor next below.
- 2.207 **STREET or ROAD**, shall mean a public highway as defined by the Municipal Act.
- 2.208 **STREET, ARTERIAL, or ROAD, ARTERIAL**, shall mean a street or road under the jurisdiction of the Province of Ontario or the County of Elgin.
- 2.209 **STREET LINE**, shall mean the limit of the street allowance and is the dividing line between a lot and a street.
- 2.210 **STRUCTURE**, shall mean. any material, object, or work erected as a unit or constructed or put together of connected or dependent parts or elements whether located under, on, or above the surface of the ground, but does not include a sign, fence, or boundary wall.
- 2.211 **SUPPLEMENTARY FARM HOUSING**, shall mean a single-detached dwelling or mobile home located on a farm, which due to its size and nature of operation requires additional farm labour, and is used for the accommodation of such persons employed as additional farm labour.
- 2.212 **TAVERN**, shall mean an establishment operating under the Liquor Licence Act, as amended from time to time, where alcoholic beverages are sold to be consumed on the premises.
- 2.213 **TILLABLE HECTARES/ACRES**, shall mean the total area of land including pasture that can be worked or cultivated following the "Best Management Practices" as established by the Province of Ontario.
- 2.214 **TOURIST HOME**, refer to the definition of Bed and Breakfast Establishment.

- 2.215 **TRAILER, PARK MODEL**, shall mean a building or structure that is built on a single chassis mounted on wheels and which is capable of complete relocation; and which is designed for use as a seasonal dwelling; and which shall be connected to communal or municipal services and utilities necessary for operation of installed fixtures and appliances; and which shall not have a gross floor area that exceeds 50 m<sup>2</sup>, nor a width that is greater than 2.6 metres.
- 2.216 **TRAILER, TRAVEL**, shall mean a vehicle, including a camping trailer, designed, used, or intended for the living, sleeping, eating, or accommodation of persons therein for seasonal recreational travel; and which is either self propelled or constructed such that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle.
- 2.217 **TRUCK CAMPER**, shall mean a portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.
- 2.218 **TRUCK TERMINAL**, shall mean the use of land, buildings, or structures, or portions thereof, where transports trucks and/or trailers are stored, rented, leased, kept for hire, or parked for remuneration or from which trucks or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.
- 2.219 **USE**, when used as a noun, shall mean the purpose for which any land, building or structure is designed, arranged or intended to be occupied or used, or for which it is occupied, used or maintained.
- 2.220 **WAREHOUSE**, shall mean a building or portion thereof designed, used, or intended for the storage of goods, wares, merchandise, articles, or things that may include the selling or distribution thereof at wholesale.
- 2.221 **WATER SUPPLY SYSTEM, PUBLIC**, shall mean a publicly owned and operated system whereby water is piped to more than one dwelling unit, or to more than one commercial use, or to more than one industrial use, or to more than one institutional use, or combination thereof, situated on separate lots.
- 2.222 **WATER WELL-HIGH YIELD**, shall mean a hole and any structure appurtenant thereto, and drilled into a geological formation of Cambrian or more recent age, with a yield of 3.8 litres of water per second or greater.
- 2.223 **WELDING AND MACHINE SHOP**, shall mean a building or portion thereof where farm equipment and machinery and/or small engines are serviced or repaired.
- 2.224 **WELL**, shall mean a hole and any structure appurtenant hereto, drilled into a geological formation of Cambrian or more recent age, that is drilled for the production of fresh water.
- 2.225 **WRECKING YARD**, shall mean an establishment with a commercial wrecking licence where goods, wares, merchandise, substances, or articles are stored wholly or partly in the open and includes a junk, scrap metal or salvage yard and an automobile wrecking yard.
- 2.226 **YARD**, shall mean a space, appurtenant to a building or structure, located on the same lot as the main building or structure, and which space is open, uncovered and unoccupied from the ground

to the sky except for such buildings, structures, or uses as are specifically provided for elsewhere in this By-law.



- 2.227 **YARD, FRONT**, shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. "**FRONT YARD DEPTH**" means the least horizontal dimension between the front lot line of the lot and the nearest main wall of any main building or structure on the lot.
- 2.228 **YARD, REAR**, shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. "**REAR**

**YARD DEPTH"** means the least horizontal dimension between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot.

- 2.229 **YARD, SIDE,** shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest main wall of any building or structure on the lot. "**SIDE YARD WIDTH**" means the least horizontal dimensions between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.
- 2.230 **YARD, SIDE, EXTENOR,** shall mean a side yard immediately adjoining a public street.
- 2.231 **YARD, SIDE, INTERIOR,** shall mean a side yard other than an exterior side yard.
- 2.232 **ZONE,** shall mean an area delineated on a Zoning Map and identified by a zone symbol within which a specific use or group of uses are permitted by this By-law.

## **SECTION 3            ZONES AND ZONING MAP**

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### **3.1                    ESTABLISHMENT OF ZONES**

For the purposes of this By-law, the maps hereto attached as Schedule “A” (Maps 1 to 130 inclusive), Schedule “B”, Schedule “C”, Schedule “D” (Maps D1 to D4 inclusive), Schedules “E”, Schedule “F” (Maps F1 to F4 inclusive), Schedule “G”, Schedule “H”, Schedule “I”, Schedule “J”, Schedule “K”, Schedule “L”, Schedule “M”, and Schedule “N” (Maps N1 to N14 inclusive), shall be referred to as the “Zoning Maps” for the Township of Malahide and the zoning maps shall be divided into one or more of the following zones:

<b><u>ZONE</u></b>	<b><u>SYMBOL</u></b>
Agricultural	A1
Special Agricultural	A2
Agriculture Residential	AR
Hamlet Residential	HR
Village Residential	VR
Mobile Home Park	MH
Recreation Residential	RR
Rural Commercial	RC
Highway Commercial	HWC
Hamlet Commercial	HC
Village General Commercial	VC1
Village Local Commercial	VC2
Local Enterprise	LE
Farm Industrial	M1
Rural Industrial	M2
Village Industrial	M3
Extractive Industrial	M4
Institutional	I
Lakeshore Recreation	LR
Open Space	OS
Floodway	FW
Flood Fringe	FF
Hazard Land	HL
Temporary	T

### **3.2                    USE OF ZONE SYMBOLS**

The symbols listed in Section 3.1 shall be used to refer to land, buildings, and structures and the uses thereof permitted by this By-law in the said zones, and wherever in this By-law the “Zone” is used, preceded by any of the said symbols, such zones shall mean any area within the Municipality delineated on the zoning map and designated thereon by the said symbol.

### **3.3 APPLICATION OF REGULATIONS**

No person shall within any zone use any land or erect, build, construct, reconstruct, relocate, excavate for, alter, add to, enlarge, extend or use any building or structure, except in conformity with this By-law for the zone in which such land, building, structure or use is located.

### **3.4 DEFINED AREAS**

All zones may be subdivided into one or more defined areas within which greater or lesser restrictions shall apply. These defined areas shall be designated by reference to the symbol of the zone within which each such defined area is located together with a number so as to differentiate different defined areas within a zone from each other and from other areas within the zone.

### **3.5 EXCEPTIONS FOR DEFINED AREAS**

Within any zone there may apply exceptions with respect to a defined area and, in addition to such exceptions, all provisions of this By-law including the general use regulations and the special use regulations applicable to the zone within which the defined area is located shall apply to the defined area; provided that, unless a contrary intention appears from the exceptions, the following shall apply:

- a) If the exceptions establish regulations different from the general provisions of this By-law, including the general use regulations and special use regulations applicable to the zone within which the defined area is located, the exceptions shall supersede and prevail over such corresponding regulations of this By-law.
- b) If the exceptions establish one (1) or more specifically permitted uses of the defined area, such permitted use or uses shall be the only purpose or purposes for which land, buildings or structures within the defined area may be used; and
- c) If the exceptions specifically permit one (1) or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other exceptions applicable to the defined area shall also apply to the additional permitted use or uses and not only to the uses not otherwise permitted in the zone.

### **3.6 MULTIPLE ZONES**

Where a lot is subdivided into more than one zone, the regulations applicable to these zones shall apply to the respective areas so zoned, and the zone lines shall be deemed to be lot lines for the purposes of this By-law.

### **3.7 INTERPRETATION OF ZONE BOUNDARIES**

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the zoning maps, the following shall apply:

- a) Unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance or lot lines and the projection thereof;



- b) Where a zone boundary is indicated as approximately following lot lines, such lot lines shall be deemed to be the said zone boundary;
- c) Where a zone boundary is indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundary shall be construed as being parallel to such road and the distance therefrom shall be determined by the use of the scale shown on the zoning maps;
- d) Unless otherwise indicated, a road, railway right-of-way, or watercourse included on the zoning maps is included within the zone of the adjoining lands on either side thereof; and where such road, right-of-way, or watercourse serves as a boundary between two or more different zones, a line midway in such road, right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- e) In the event a road or railway right-of-way shown on the zoning maps is closed, the land formerly in said road or right-of-way shall be included within the zone of the adjoining land on either side of the said closed road or right-of-way, and the zone boundary shall be the former centre line of the said closed road or right-of-way;
- f) Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the zoning maps in the office of the Municipality.

### 3.8

#### **HOLDING ZONES**

In any zone which is accompanied by the holding symbol “h”, the uses normally permitted by that zone for lands, buildings or structures may only be allowed when the holding symbol is removed in accordance with the requirements of the Planning Act. Permitted uses, when the holding symbol “h” is applied, are limited to those that existed on the date when the holding by-law was passed.

Unless otherwise specified the holding “h” symbol may be removed where the owner demonstrates to the satisfaction of the Township of Malahide that adequate water and sanitary services are available for the proposed use(s).

### 3.9

#### **COMPOUND ZONES**

In any zone where two or more zoning symbols are divided by a “/” symbol as shown on a zoning map, that area may be used for any use permitted in any of the zones included in the compound zone symbol, or for any combination of uses permitted in any of the zones included in the compound zone symbol, subject to the following regulations:

The regulations for each zone set out in this by-law that comprise a compound zone shall be considered separately in relation to the establishment or use of any building or structure;

The parking and loading requirements of this by-law shall be calculated separately for each use comprising a compound a zone.



## **SECTION 4      GENERAL PROVISIONS**

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### **4.1            APPLICATION**

The provisions of this section apply in all zones except as may be indicated otherwise by this By-law.

### **4.2            ACCESSORY USES**

Accessory uses, buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building or use is located, and provided that any accessory building or use:

- a) Shall not be used for human habitation, except where a dwelling unit is a permitted accessory use;
- b) Shall not be built closer to the front lot line or side lot line than the minimum distance required by this By-law for the main building on the lot;
- c) With the exception of buildings and structures for farm uses, shall not be located in the front yard or the exterior side yard, in the case of a corner lot;
- d) With the exception of buildings and structures for farm uses, shall not be built closer to the street than the main building is to that street;
- e) Shall not be built closer than 1.0 metre to any lot line except:
  - That common semi-detached private garages or carports may be centred in the mutual lot line;
  - That where a lot line abuts a public lane an accessory building may be located not less than 0.5 metre from said lane.
- f) With the exception of silos or grain handling equipment, shall not exceed 10% coverage of the total lot area, and in any residential zone shall not exceed 93 m<sup>2</sup> or 10% total lot coverage, whichever is less;
- g) Shall not exceed 6.0 metres in height or contain more than two storeys except silos or grain handling equipment;
- h) Shall not be built within 2.0 metres of the main building, except where a dwelling unit is a permitted accessory use;
- i) Shall not be considered as an accessory building if attached to the main building in any way, except where a dwelling unit is a permitted accessory use;
- j) Shall not be considered an accessory building if located completely underground.

### **4.3            COMMERCIAL ACCESSORY USES**

Notwithstanding any other provisions of this By-law, where a commercial use is permitted as an accessory use in an industrial zone, it shall be erected within 2.0 metres

of the main building, shall not exceed 10% of the total floor area of the main building, and shall not exceed a maximum floor area of 280.0 m<sup>2</sup>. Where no building exists, such commercial accessory use shall not exceed 100.0 m<sup>2</sup> of floor area.

#### **4.4 RESIDENTIAL ACCESSORY USES**

4.4.1 Notwithstanding any other provisions of this By-law, where one single-detached dwelling is permitted as an accessory use in a commercial, industrial, institutional, or open space zone, the minimum lot area shall be 950.0 m<sup>2</sup> greater than the minimum lot area requirements of the zone in which it is erected, the maximum building height for the dwelling shall be 9.0 metres, and the minimum floor area shall be 80.0 m<sup>2</sup>.

4.4.2 Notwithstanding any other provisions of this By-law, where a dwelling unit is permitted as an accessory use in an industrial zone, and is erected within the main building, it shall have a minimum floor area of 45.0 m<sup>2</sup>, and shall be designed, used, or intended to be used for the exclusive use of a caretaker or security guard.

4.4.3 Notwithstanding any other provisions of this By-law, where a dwelling unit is permitted as an accessory use in a commercial zone, and is contiguous to the main commercial use, it shall have a minimum floor area of 45.0 m<sup>2</sup>, be above or in the rear of the main commercial use, and be used as the residence of the owner or operator, or an employee of the owner or operator, of the main commercial use.

#### **4.5 HOME OCCUPATIONS**

Where a home occupation is permitted in a particular zone, such use may be established provided that:

- a) There is no outside storage of materials, containers, or finished products;
- b) The character of the dwelling as a private residence does not change or a public nuisance particularly in regard to noise, traffic or parking is not created;
- c) There is no mechanical equipment used, the operation of which would result in any undue noise, fumes, dust, or odour escaping to any adjoining premise;
- d) The floor area used by the home occupation shall be no more than 40 m<sup>2</sup> in total;
- e) The home occupation shall not involve the use of the premises as a base of operation for persons who are employed by or associated with the home occupation, nor shall the premises be used to assemble or rally such persons for transportation to a work site;
- f) There shall be no visible indication that home occupation is being carried on within the dwelling unit except that one sign no larger than 0.5 m<sup>2</sup> attached to the dwelling unit shall be permitted to show the name and callings of the residents concerned;
- g) No retail use of the dwelling unit shall be permitted as a home occupation, except retail sales of a finished article as provided in subsection k);
- h) No manufacturing or assembly shall be carried on or in connection with the home

occupation except for the fabrication of handmade articles of clothing, arts or crafts;

- i) No lands, premises, detached garages or accessory buildings associated with the dwelling unit shall be used in connection with the home occupation;
- j) One off-street parking space shall be provided for every 18.5 m<sup>2</sup> of floor area, or a portion thereof, devoted to the home occupation;
- k) The home occupation shall not occupy more than 25% of the total floor area of the dwelling unit including basement or cellar area used for home occupation or as living quarters, or 40.0 m<sup>2</sup> whichever is the lesser and, for greater clarity, such uses includes the offices or consulting room for a profession such as a physician, dentist, chiropractor, lawyer, engineer, accountant, teacher, musical instructor when a single pupil is instructed at a time, the office for a trade such as a painter, plumber, carpenter, or electrician and the workroom for a dress-maker, milliner, or hairdresser, and a day nursery limited to five (5) charges, but does not include or permit a clinic, any retail shop, tea room, tourist home, convalescent home, mortuary, funeral parlour, dancing school, rooming house, boarding house, hairdressing if more than two persons are engaged in the business, workshop, storage yard, parking area or plant for any of the trades or any similar use or other commercial use or institutional use.
- l) There are no more than five (5) persons permitted in dwelling at one time to receive treatment, services, or instructions;
- m) There is no use of swimming pools as a home occupation;
- n) No more than two (2) persons may be employees of home occupation which are not permanent residents of dwelling, and shall clearly serve a support role to the home occupation;
- o) No animal, corpse, bacteria, or virus shall be brought into dwelling in connection with a home occupation;
- p) No delivery of materials to the dwelling unit from a vehicle which has a gross registered weight exceeding 5,000 kilograms.

#### 4.6

#### **AGRICULTURAL HOME OCCUPATIONS**

Where an agricultural home occupation is permitted in a particular zone, such use may be established provided that:

- a) There is no storage of materials, containers or finished products in the front or side yards;
- b) Any building or structure, excluding that for residential use, used for an agricultural home occupation shall not exceed 70.0 m<sup>2</sup> of ground floor area;
- c) Agricultural home occupations shall include only a carpentry shop, a welding shop, a machine shop, a small tool repair shop, and home craft operations such as pottery or a weaving operation.

## **4.7 PUBLIC USES**

4.7.1 The provisions of this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, for the purpose of public service by a public authority or public utility provided:

- a) The lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located are complied with;
- b) No goods, material, or equipment shall be stored in the open in a residential zone or in a lot adjacent to a residential zone;
- c) Any building erected in a residential zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone;
- d) Any parking and loading regulations for these uses are complied with;
- e) Where the erection of a public use has resulted in the creation of a lot which is unable to comply with the regulations for the zone within which it is situated, the said lands will not require rezoning. The land will however, be prohibited from changing uses or from the erection of any building or structures unless such erection can be carried out in compliance with the yard requirements of the existing zone regulations;

4.7.2 Notwithstanding, the generality of the foregoing, electric power facilities shall not be required to comply with the setback or yard requirements of this By-law;

4.7.3 Notwithstanding, Section 4.7.1 e), where the erection of a public use has resulted in the creation of a lot with no street frontage, Section 4.18 of this By-law shall apply.

## **4.8 PROHIBITED USES**

4.8.1 Unless specifically permitted otherwise, no land shall be used, and no buildings or structures shall be erected, used, or altered in any zone for:

- a) The purposes of wrecking yards, salvage yards, dumps, the collection of rags, junk, any refuse, scrap iron, or other scrap metals;
- b) The industrial manufacture of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gun powder, petroleum and petroleum liquid material which is likely to create danger to health, or danger from fire or explosion.
- c) The location and use of a mobile home for the purposes of residential, commercial, industrial, or institutional uses temporarily or permanently, unless the use of a mobile home for such purposes is listed specifically in this By-law as a permitted use within a particular zone.
- d) Any use which by its nature or by the materials used therein is declared under the Public Health Act, as amended and revised from time to time, or any regulations adopted thereunder to be a noxious or offensive trade, business or manufacture.
- e) All land, buildings, structures, uses in any zone unless specifically listed as a permitted use in that zone.

- f) The housing, grooming, breeding, boarding, training, or sale of four (4) or more dogs which are more than four (4) months of age.

4.8.2 Notwithstanding any other provision of this By-law, the raising, keeping or propagation of exotic animals, as defined by this By-law, is prohibited in all areas of the Township of Malahide.

#### **4.9 NON-CONFORMING USES**

The provisions of this By-law shall not apply:

- a) To prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the effective date so long as it continues to be used for that purpose; or
- b) To prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued under Section 8 of the Building Code Act, as amended, prior to the day of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 8 of the Building Code Act, as amended, provided the erection of such building or structure is commenced within two years after the day of passing of the By-law and such building or structure is completed within a reasonable time after the erection is commenced.

#### **4.10 NON-COMPLYING USES**

Where a building or structure has been legally erected prior to the effective date on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:

- a) The alterations enlargement, reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard and/or setback having less than the minimum required by this By-law, and
- b) All other applicable provisions of this By-law are complied with.

#### **4.11 TEMPORARY USES**

Notwithstanding any other provisions of this By-law, uses such as a construction camp or other such temporary work camp, a tool shed, scaffold, sign or other building incidental to construction are permitted in any zone provided that:

- a) Such uses or buildings are used only as long as same are necessary for work in progress which has neither been finished nor abandoned, or a period of one year whichever is less; and
- b) Such uses or buildings are removed when the work for which they were permitted is terminated.

#### **4.12 EXISTING LOTS**

Notwithstanding any other provisions of this By-law, existing lots with less than the required lot area or lot frontage may be developed for the use specified in the appropriate zone provided all other regulations of the By-law are satisfied, and in the case of lots where buildings or structures requiring sanitary sewage facilities are to be erected therein:

- a) Such lots are serviced by approved sanitary sewage services;
- b) Such lots have a minimum frontage of 20.0 metres on a public street where a public water supply is not available;
- c) Such lots have a minimum lot area of 1250.0 m<sup>2</sup> where a public water supply is not available.

#### **4.13 HAZARDOUS AREAS**

4.13.1 Buildings and structures for uses permitted by this By-law are permitted if and only to the extent permitted by the regulations made under the Conservation Authorities Act, as amended from time to time.

4.13.2 Where in this By-law a front, side or rear yard is required, and part of the area of the lot is covered by water or marsh for more than two months in the year, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the main building on the lot to the nearest edge of said area covered by water or marsh, or to the rim of said river bank or watercourse, or to the top of the said cliff or embankment.

4.13.3 Any application for a building permit on a lot in any zone within the Municipality may be referred by the Building Inspector to the Ministry of Natural Resources or the appropriate Conservation Authority for analysis of the severity and location of hazardous natural conditions before issuance of the said permit.

#### **4.14 MUNICIPAL DRAINS AND NATURAL WATERCOURSES**

Notwithstanding any other provisions of this By-law, no permanent buildings or structures shall be erected or used:

- a) Closer than 7.5 metres from the top-of-bank of a municipal drain having a width of less than 4.5 metres from top-of-bank to top-of-bank or from the centre line of a municipal tile drain;
- b) Closer than 18.5 metres from the top-of-bank of a municipal drain having a width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank;
- c) Closer than 30.5 metres from the top-of-bank of a municipal drain which is 7.5 metres or more from top-of-bank to top-of-bank;
- d) Closer than 15.0 metres from the top-of-bank of a natural watercourse or within an area that is equal to 15.0 metres plus one-half the width of the stream from the



centerline of the watercourse;

- e) Closer from the top-of-bank of the Lake Erie shoreline except for lands shown on Schedule “N” than:

$$D=3h + 100R \text{ (or) } 30 \text{ metres (whichever is greater)}$$

*Where D = setback (in metres), h = elevation above Lake Erie (metres), 100 = constant representing 100 years of protection and R = rate of erosion in metres per year at the point under consideration.*

- f) On lands which exhibit, or potentially exhibit, a hazardous condition as a result of their susceptibility to flooding, erosion, subsidence, inundation or the presence of organic soils or steep slopes.

#### **4.15 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS**

No new building shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed, and sanitary conveniences installed and, where applicable, kitchen and heating facilities have been installed and are in a satisfactory working order. A certificate of occupancy may be issued prior to the external siding being erected subject to the work being completed within twelve (12) months of the date the certificate was issued.

#### **4.16 TRUCK/BUS/COACH BODIES, OR TRAVEL TRAILERS, TRUCK CAMPERS, MOTOR HOMES OR TENTS USED FOR HUMAN OCCUPANCY**

- 4.16.1 No truck, bus, coach or streetcar body shall be used for human occupancy within the Municipality whether or not the same is mounted on wheels;

- 4.16.2 No travel trailer, truck camper, motor home, or tent shall be used for the living, sleeping or eating accommodation of persons within the Municipality for more than thirty (30) days unless such travel trailer, truck camper, or motor home is located in a campground licensed by the Municipality.

#### **4.17 MAIN ACCESS LIMITATIONS**

The main access to a dwelling unit shall not be by means of an outside staircase having more than ten (10) risers or a height of 1.5 metres unless to satisfy a condition of floodproofing requirements as imposed by the appropriate Conservation Authority or Ministry of Natural Resources.

#### **4.18 STREET FRONTAGE OF BUILDING LOTS**

Except as hereinafter provided in this By-law, no person shall erect a building or structure, and no person shall use any land, building, or structure, unless the lot or parcel to be so used, or upon which a building is situated, erected or proposed to be erected abuts or fronts on an opened public street or opened public road that is maintained by the Municipality on a year-round basis, or, within the designated Village of Port Bruce have legal access to the same. Subject to entering into a legal agreement with the Municipality, development may occur on an unopened public street or unopened public road within an approved Draft Plan of Subdivision.

**4.19 SIGHT RESTRICTION ON CORNER LOT**

- 4.19.1 Notwithstanding any other provisions of the By-law, and except in any hamlet or village commercial zone, on a corner lot, no driveway shall be located, nor shall any shrubs or foliage be planted or maintained (more than 0.8 metres high) which obstruct the view of a driver or a vehicle approaching the intersection and no building or structure shall be erected, at a distance as established by the following table:

<b><u>Interior Angle Formed by Intersection of Street Lines</u></b>	<b><u>Distance from Point of Intersection of Street Lines</u></b>
20 degrees or less:	26.0 metres
21 – 30 degrees:	18.0 metres
31 – 40 degrees:	13.5 metres
41 – 50 degrees:	10.5 metres
51 – 60 degrees:	9.0 metres
61 – 80 degrees:	7.5 metres
81 - 110 degrees:	6.0 metres

- 4.19.2 In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no building or structure shall be erected in such a manner as to materially impede vision above a height of 0.6 metres above the centreline grade of the intersecting street in the triangular area bounded by the railway and the street line and a line from the points along such railway and such street line distant 50 metres from the point of the intersection thereof.
- 4.19.3 Where such railway intersection is unprotected, the sighting triangle will be increased to 90 metres along the streetline, and a distance of 400 metres measured along the railway or a distance required by Transport Canada.

**4.20 PRIVATE GARAGES ON CORNER LOTS**

Notwithstanding any other provisions of this By-law, no private garage on any corner lot shall be located closer than 6.0 metres to the streetline, and no portion of any driveway shall be located closer than 9.0 metres to the intersection of the two streetlines or their projections.

**4.21 MINIMUM SETBACKS FROM ARTERIAL STREETS OR ROADS**

Notwithstanding any other provision of this By-law, where a building or structure is erected adjacent to a King's Highway, or a County Road, and in the absence of an established building line as determined by the Ontario Ministry of Transportation, the County of Elgin or the Township of Malahide, as the case may be, minimum setbacks from such arterial streets or arterial roads shall be as follows:

King's Highway:	14.5 metres from the edge of the right-of-way
County Road:	25.0 metres from the centre line

**4.22 ESTABLISHED BUILDING LINE ON STREETS OR ROADS**

Notwithstanding any other subsequent provisions of this By-law, where a single-detached dwelling or accessory use thereto is to be erected within a built-up area where there is an established building line, such dwelling or accessory use may be erected closer to the street line or to the centre line of the street or road, as the case may be, than required by this By-law provided such dwelling or accessory use is not erected closer to the street line or to the centre line of the street or road, as the case may be, than the established building line on the date of passing of this By-law.

**4.23 USE OF YARDS ON LANDS WITHOUT BUILDINGS**

Where land is used for or in connection with residential, commercial, industrial, or institutional uses but without any buildings or structures thereon, all yards required by this By-law on a lot in the respective zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for gardening or open space purposes not prohibited by this By-law in such use zone.

**4.24 YARD AND OPEN SPACE PROVISIONS FOR ALL ZONES**

No part of a yard or other open space required abutting any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building.

**4.25 PERMITTED ENCROACHMENTS IN YARDS**

Unless otherwise specified in this By-law, every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky, provided, however, that those structures listed below shall be permitted to project into the yards indicated for the distance specified:

<b><u>Structure</u></b>	<b><u>Permitted Yard</u></b>	<b><u>Max. Projection from Main Wall</u></b>
Window sills, cornices, eaves, gutters, or pilasters:	any yard	0.5 metres
Fire escapes, exterior staircases:	rear yard only	1.5 metres
Bay windows, chimneys and awnings:	front, rear & exterior side yard only	1.0 metres
Open/roofed porches not exceeding one storey in height, uncovered terraces:	any yard	3.0 metres provided it is no closer than 1.2 metres to any lot line
Cantilevered wall:	any yard	0.7 metres
Balconies	front & rear yards only, any yard for apartment buildings	2.0 metres
Clothes poles, signs, garden trellises, light standards and handicapped ramps	any yard	No maximum
Heat pumps, air exchangers, air conditioners:	any yard	1.5 metres

**4.26**      **ENCLOSURES**

Enclosures to any porch or terrace permitted in Section 4.25 of this By-law shall be limited to 1.0 metre in height exclusive of roof supports but this shall not prohibit the enclosure of a porch or terrace by latticing or screening or any other form of enclosure provided at least 50% of the surface area of the said enclosure is open and unobstructed to the air.

**4.27**      **BUFFER STRIPS AND FENCES**

4.27.1            A buffer strip shall be located within the zone for which it is required; it shall be planted, nurtured and maintained by the owner of the lot on which the buffer strip is located, and replacement of trees and plants be made by the owner, as necessary from time to time.

4.27.2            In all cases where access driveways extend through a buffer strip, it shall be permissible to interrupt the strip within 3.0 metres of the edge of such driveway.

4.27.3            A buffer strip may form part of any required landscaped open space, including the required front, side and rear yards.

4.27.4            Where a commercial or industrial zone abuts a residential, institutional, or open space zone, a strip of land not less than 4.5 metres in width adjacent to and inside the commercial or industrial zone boundary shall not be used for any other purpose than a buffer strip.

4.27.5            Where an institutional zone abuts a residential zone, a strip of land not less than 3.0 metres in width adjacent to and inside the institutional zone boundary shall not be used for any other purpose than a buffer strip.

4.27.6            Unless specifically permitted otherwise, no fence within the Municipality shall be greater than 2.4 metres in height.

**4.28**      **COMMERCIAL AND INDUSTRIAL ZONES ABUTTING OR ADJACENT TO RESIDENTIAL, INSTITUTIONAL, AND OPEN SPACE ZONES**

Where any commercial or industrial zone fronts on a street or road opposite to, or directly abuts any residential, institutional, or open space zone, the following provisions shall be complied with:

- a) No parking of vehicles with capacity over 900 kilograms shall be permitted in any side yard adjacent to the neighbouring zone within 4.5 metres;
- b) No loading space shall be located in, nor open onto any side yard adjacent to the neighbouring zone within 4.5 metres;
- c) A buffer strip shall be provided in accordance with the provisions of Section 4.27;
- d) Exterior lighting and illuminated signs shall be so arranged as to deflect light away from the adjacent neighbouring zone;

- e) Outside storage shall be prohibited in any front yard or side yard adjacent to the neighbouring zone.

#### **4.29 PARKING REQUIREMENTS**

##### **4.29.1 Minimum Requirements**

For every type of building listed below erected, altered, or enlarged in any zone after the passing of this By-law, off-street parking shall be provided and maintained in accordance with the following provisions:

<b><u>Type of Use or Building</u></b>	<b><u>Minimum Parking Required</u></b>
Single-detached, converted, semi-detached, and duplex dwellings, or dwelling units located in commercial buildings:	<b>1</b> parking space per dwelling unit
Triplex, double duplex or quadruplex, townhouse, two-unit, rowhouse, maisonette, or apartment dwellings:	<b>1.25</b> parking space per dwelling unit
Senior citizen homes:	<b>1</b> parking space per 4 dwelling units
Auditoriums, restaurants, community centres, private clubs, and other places of assembly;	where there are fixed seats, <b>1</b> parking space for every 5 seats; or, where there are no fixed seats, <b>1</b> parking space for each 10.0 m <sup>2</sup> of floor area devoted to public use
Hospitals, nursing homes, rest homes, and welfare institutions:	<b>1</b> parking space for each two beds
Churches:	<b>1</b> parking space for every 10 seats or 6.0 metres of bench space
Hotels and motels and taverns:	<b>1</b> parking space per rental unit, one additional parking space for each 10.0 m <sup>2</sup> of floor area devoted to public uses such as restaurants, taverns and other eating places associated with motels and staff houses
Boarding house, rooming house, or tourist home:	<b>1</b> parking space for every room rented in addition to that required for a dwelling if applicable
Retail stores:	<b>1</b> parking space for every 30.0 m <sup>2</sup> of retail floor area
Industrial uses:	<b>1</b> parking space for every 2 employees on the largest shift
Travel trailer parks:	<b>1</b> parking space per unit and <b>1</b> parking space for every 4 units for visitor parking
Marina:	Where there are boat slips or dockage berths, <b>1</b> parking space for each berth, plus, a minimum of <b>10</b> spaces for a boat launching ramp regardless of the presence of berths. Where there are no boat slips the requirements shall be <b>1</b> space for every 20 m <sup>2</sup> of floor area including retail area, service area and storage facilities.
Restaurants:	<b>1</b> parking space per 15.0 m <sup>2</sup> of gross floor area
Schools:	<b>1</b> parking space for each teaching staff member for elementary schools; <b>1</b> space for each teaching staff member plus <b>1</b> additional parking space for every 25 students for secondary schools
Funeral home:	<b>1</b> parking space for every 5 seats of its maximum seating capacity

	with a minimum of <b>10</b> parking spaces
Shopping centres:	<b>5.5</b> parking spaces per 90.0 m <sup>2</sup> of gross leaseable floor area
Offices:	<b>1</b> parking space per 30.0 m <sup>2</sup> of office floor area
Clinics:	<b>4</b> spaces per practitioner
Home occupations:	<b>1</b> off-street parking space for each 20.0 m <sup>2</sup> of floor area devoted to said use in addition to that required for the dwelling
Any other use not specifically listed:	<b>1</b> parking space per dwelling unit or portion thereof or <b>1</b> parking space per 20.0 m <sup>2</sup> of floor area, whichever is greater

#### **4.29.2 Surface and Drainage of Parking Areas**

All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, and including, but not so as to limit the generality of the foregoing, the following surface materials:

- a) Crushed stone or gravel; and
- b) Any asphalt, concrete or other hard-surfaced material.

All parking areas and driveways shall be drained so as to control the pooling of surface water and prevent the flow of surface water onto adjacent lots.

#### **4.29.3 Addition to Existing Use**

Where a building or structure has insufficient parking spaces on the date of passing of this by-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use provided, however, that any additional parking spaces required by this By-law for such addition or change of use are provided in accordance with all provisions hereof respecting parking spaces and parking areas.

### **4.30 PARKING REGULATIONS IN RESIDENTIAL ZONES**

4.30.1 No motor vehicle shall be parked or stored in any residential zone other than a private passenger automobile, a motor home, travel trailer, or truck camper, or in the case of a commercial motor vehicle as provided for in Section 4.30.2 of this By-law.

4.30.2 No commercial motor vehicle, having a capacity of greater than 6000 kilograms, shall be parked or stored outdoors in the Hamlet Residential (HR), Village Residential (VR), Recreation Residential (RR), Mobile Home (MH) Zone.

4.30.3 All parking spaces in any residential zone shall be located in an attached or detached private garage, or in a driveway, or in a side or rear yard provided that the lot coverage of the spaces shall not exceed 15% of the total lot area.

4.30.4 No commercial motor vehicle, having a capacity of greater than 6000 kilograms, shall idle for an extended period of time in any residential zone.

**4.31 MOVING OF BUILDINGS**

In all zones no buildings shall be moved within the limits of the municipality, or shall be moved from outside the municipality into the municipality without a permit from the Building Inspector.

**4.32 REGULATIONS FOR DRIVEWAYS SERVING RESIDENTIAL USES**

4.32.1 The maximum width of a driveway, measured along the sidewalk, where such exists, and along the street line shall be 9.0 metres.

4.32.2 The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9.0 metres.

4.32.3 The minimum distance between an interior side lot line and any driveway, with the exception of a mutual or common driveway, shall be 1.0 metre.

4.32.4 The interior angle formed between the street line and the centre line of any driveway shall not be less than 45 degrees.

**4.33 WAYSIDE PIT**

Wayside Pits shall be permitted in all zone categories except zones which are established to recognize existing development or areas of particular environmentally sensitive upon which wayside pits may be prohibited.

**4.34 DEVELOPMENT OF CLOSED WASTE DISPOSAL SITES**

Section 45 of the Environmental Protection Act prohibits the use of a waste site for any type of development for a period of 25 years after closure. Notwithstanding any other provisions of the By-law the properties identified herein will be prohibited from development of buildings and structures until such time as deemed permissible by the Ministry of the Environment:

- a) Part Lot 11, Concession 5 (former Town of Aylmer Landfill Site); Map 85.
- b) Part Lot 1, Concession 5 (former local Landfill Site on property owned by the Catfish Creek Conservation Authority); Map 83.

**4.35 DERELICT MOTOR VEHICLES**

No land in any zone shall be used for the purposes of storing and/or salvaging of derelict motor vehicles unless such land:

- a) Is licensed under the Municipal Act, as amended or revised from time to time, as a salvage yard and is specifically zoned to permit such use; or
- b) Constitutes a waste disposal site which has a certificate of approval for such purposes under the Environmental Protection Act, as amended or revised from time to time and is specifically zoned to permit such use; or
- c) Constitutes an accessory use to a public garage;

d) Is enclosed in a building.

**4.36 EXPLORATION AND/OR PRODUCTION OF NATURAL GAS OR CRUDE OIL**

This by-law shall not apply to the use of any land for the exploration and/or production of natural gas or crude oil, or to the erection, alteration, or use of any building or structure accessory thereto.

**4.37 HEIGHT EXEMPTIONS**

The height regulations of this By-law shall not apply to any farm building or structure, ornamental dome, skylight, chimney, tower, elevator enclosure, flag pole, antennae, radio or television receiving or transmitting equipment, cupola, steeple, church spire, clock towers, water tanks, ventilators or any accessory mechanical appurtenances. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve.

**4.38 GRADING**

**4.38.1 Excavations**

No person shall make any excavations or remove any topsoil, earth, sand or gravel from any lot, alone or in conjunction with any construction work, unless the written permission of the Municipality or a building permit with respect to such construction work has first been obtained, and except in accordance with any requirements of the Corporation with respect to retention of topsoil, grading and finished elevations.

**4.38.2 Removal or Leveling of Hills**

This By-law shall not apply to prevent the removal or leveling of hills for the purposes of increasing or improving land for agricultural uses so long as no excavation takes place below the average grade of the land surrounding the said hill and so long as a permit has been obtained with respect to such removal or leveling under the Aggregate Resources Act, as amended or revised from time to time.

**4.39 SWIMMING POOLS**

The following regulations shall apply with respect to the erection or use of a swimming pool which is not enclosed or otherwise located within a building:

- a) A swimming pool is permitted as an accessory use in any zone;
- b) A swimming pool shall not contribute to lot coverage as regulated by this by-law;
- c) A swimming pool shall not be located in a front yard;
- d) No part of swimming pool shall be located closer than 1.0 metre to any lot line;
- e) No part of a swimming pool shall exceed a height of 2.0 metres, exclusive of related structures which shall not exceed a height of 4.0 metres;
- f) Every swimming pool shall be enclosed by a fence of at least 1.2 metres in height



equipped with a gate capable of being locked and located at a distance of not less than 1.0 metre and not more than 10.0 metres from the pool;

- g) No water circulating or treatment equipment such as pumps or filters or any accessory building or structure containing such equipment, shall be located closer than 2.0 metres to any lot line unless such equipment, pumps or filters are located in an existing building or structure.

#### **4.40 LOSS BY NATURAL CAUSES**

Notwithstanding any other provisions of this By-law (save and except for any section dealing with buildings and structures which are zoned Hazard Lands or Floodway), where a building or structure is destroyed or partially destroyed by fire or other natural causes, replacement of the said building or structure to the same basic dimensions and on the same basic site may be permitted.

#### **4.41 LOTS REDUCED BY PUBLIC ACQUISITION**

4.41.1 Where the area of a lot is reduced by means of an acquisition of part of the lot by any authority having power of expropriation, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition, to have a lot area, lot frontage, lot coverage, parking, area of landscaped open space, setback, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then nothing in this By-law shall apply to prevent the continued use of the lot as reduced as if no such acquisition had taken place, provided that:

- a) No further change is made in the dimensions, area or any other characteristics of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-conformity; and
- b) No building or structure or addition thereto is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all the provisions hereof for the zone in which such lot is located.

4.41.2 In the case of a road widening dedication, the land that has been or will be dedicated shall be included in any calculation for the purpose of determining lot area, coverage, height, parking, landscaped open space, floor area, floor area ratio, and the location of any permitted building or structure relative to the required side or rear yards, provided any building or structure is located wholly within the boundary of the land remaining after the dedication.

#### **4.42 CONFINEMENT OF LIVESTOCK**

In any zone where livestock is permitted, proper confinement on-site will be required for all livestock, in the form of a fencing or containment structure as deemed appropriate by the municipality.

#### **4.43 ANCILLARY SALE OF AUTOMOBILES**

Sales of automobiles ancillary to a motor vehicle service station, public garage, or motor

vehicle body shop shall be limited to maximum of six (6) automobiles being stored, kept or displayed for sale on the site at anytime.

**4.44            GROUP HOMES**

Notwithstanding any other section of this by-law, no group home shall be located closer than 200.0 metres from the nearest lot line of another group home.

**4.45            MINIMUM DISTANCE SEPARATION FORMULAE**

4.45.1            The Minimum Distance Separation Formula I shall be applied to any proposed development in all zones, excluding any hamlet or village zones.

4.45.2            The Minimum Distance Separation Formula II shall be applied to any new or expanding livestock or poultry facility.

**4.46            SETBACKS FROM GRAIN HANDLING AND DRYING FACILITIES**

Notwithstanding any other section of this by-law, no non-farm dwelling or institutional use shall be located closer than 150.0 metres from a grain handling and drying facility.

## **SECTION 5      AGRICULTURAL (A1) ZONE REGULATIONS**

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### **5.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Agricultural (A1) Zone except for the following purposes:

Agricultural use;

Agricultural home occupation;

Commercial greenhouses;

Farm;

Farm produce outlets;

Forestry use;

Home occupation;

Market garden operations;

Plant nurseries;

Riding stable;

One single-detached dwelling lawfully in existence as of the date of the passing of this By-law or one single-detached dwelling on an existing lot as of the date of the passing of this By-law;

One dwelling as supplementary farm housing;

Accessory uses

### **5.2            MINIMUM LOT AREA**

20.0 ha.

#### **5.2.1        Supplementary Minimum Lot Area Regulations**

Notwithstanding the definition of “farm” in this By-law, and the permitted uses and minimum lot area requirements of subsections 5.1 and 5.2 of this By-law, the following minimum existing lot areas will be required for the uses and structures described below:

a)	Commercial greenhouses, Market garden operations (with or without on-site retail component), Plant nurseries:	6.0 hectares
b)	Supplementary farm housing:	20.0 hectares

**5.3 MINIMUM LOT FRONTAGE**

150.0 m

**5.4 MAXIMUM LOT COVERAGE**

20 %

**5.5 MAXIMUM BUILDING HEIGHT**

10.5 m

**5.6 MINIMUM FLOOR AREA**For a single-detached dwelling: 90.0 m<sup>2</sup>For a mobile home used or intended to be used as supplementary farm housing: 56.0 m<sup>2</sup>**5.7 FRONT YARD DEPTH**

Farm produce outlets: 5.0 m

All other uses: 15.0 m

**5.8 SIDE YARD WIDTH**

Interior side yard: 5.0 m

Exterior side yard: 9.0 m

**5.9 REAR YARD DEPTH**

7.5 m

**5.10 SUPPLEMENTARY REGULATIONS FOR MUSHROOM FARMING BUILDINGS AND STRUCTURES**

5.10.1 Notwithstanding the requirements of Section 5.7 to Section 5.9 inclusive, buildings and structures hereafter used for the operation of a mushroom farming operation shall not be located closer than 60.0 metres from any lot line.

**5.11 EXCEPTIONS - AGRICULTURAL (A1) ZONE****5.11.1****5.11.1.1 Defined Area**

A1-1 as shown on Schedule "A", Map 54 to this By-law

**5.11.1.2 Permitted Uses**

Ontario Hydro offices and storage in addition to all other uses permitted in the A1 Zone

**5.11.2**

**5.11.2.1 Defined Area**

A1-2 as shown on Schedule “A”, Map No. 118 to this By-law.

**5.11.2.2 Permitted Uses**

Future Farm Residential

Agricultural use

Agricultural home occupation

Forestry use

Plant nurseries

Home occupation

Commercial greenhouses

**5.11.2.3 Definition**

**Future Farm Residential**, shall mean one single-detached dwelling constructed as supplementary housing to the farm operation, constructed no earlier than five years from February 6, 2003.

**5.11.3**

**5.11.3.1 Defined Area**

A1-3 as shown on Schedule “A”, Map 78 to this By-law

**5.11.3.2 Permitted Uses**

The sale and repair of horse drawn farm machinery in addition to all other uses permitted in the A1 Zone

**5.11.4**

**5.11.4.1 Defined Area**

A1-4 as shown on Schedule “A”, Map 85 to this By-law

**5.11.4.2 Other Permitted Uses**

Storage and Warehousing

5.11.4.3 **Prohibited Uses**

Outside storage

5.11.4.4 **Permitted Buildings and Structures**

Building and structures for the permitted uses

**5.11.5**

5.11.5.1 **Defined Area**

A1-5 as shown on Schedule “A”, Map 39 to this By-law

5.11.5.2 **Minimum Lot Area**

12.2 hectares

5.11.5.3 **Permitted Uses**

Existing uses

5.11.5.4 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**5.11.6**

5.11.6.1 **Defined Area**

A1-6 as shown on Schedule “A”. Map 103 to this By-law

5.11.6.2 **Minimum Lot Frontage**

98.7 metres

5.11.6.3 **Building Area**

The application of Section 4.13.2 of this By-law shall be in accordance with the building area identified and approved by the Catfish Creek Conservation Authority.

**5.11.7**

5.11.7.1 **Defined Area**

A1-7 as shown on Schedule “A”, Map 103 to this By-law

5.11.7.2 **Minimum Lot Frontage**

80 metres

5.11.7.3 **Building Area**

The application of Section 4.13.2 of this By-law shall be in accordance with the building area identified and approved by the Catfish Creek Conservation Authority.

**5.11.8**

5.11.8.1 **Defined Area**

A1-8 as shown on Schedule “A”, Map 103 to this By-law

5.11.8.2 **Building Area**

The application of Section 4.13.2 of this By-law shall be in accordance with the building area identified and approved by the Catfish Creek Conservation Authority.

5.11.8.3 **Prohibited Uses**

The erection, placement or development of any residential dwellings not existing on the date of passing of this by-law

**5.11.9**

5.11.9.1 **Defined Area**

A1-9 on Schedule “A”, Map 110 to this By-law

5.11.9.2 **Minimum Lot Size**

0.2 hectares

5.11.9.3 **Minimum Lot Frontage**

45 metres

5.11.9.4 **Permitted Uses**

Telephone Switching Station

5.11.9.5 **Permitted Buildings and Structures**

Buildings and Structures for the Permitted Uses

**5.11.10**

**5.11.10.1 Defined Area**

A1-10 on Schedule “A”, Maps 69 and 70 to this By-law

**5.11.10.2 Permitted Uses**

Farm equipment repair and light manufacturing in addition to all other uses permitted in the Agricultural (A1) Zone

**5.11.10.3 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**5.11.11**

**5.11.11.1 Defined Area**

A1-11 on Schedule “A”, Map 50 to this By-law

**5.11.11.2 Permitted Uses**

Saw milling operation in addition to all other uses permitted in the A1 Zone

**5.11.12**

**5.11.12.1 Defined Area**

A1-12 as shown on Schedule “A”, Maps 66 and 67 to this By-law.

Added by By-law 06-44 Modified by By-law 08-52
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**5.11.12.2 Permitted Uses**

An existing furniture manufacturing business to a maximum gross floor area of 214 m<sup>2</sup>, in addition to all other uses permitted in the Agricultural (A1) Zone

**5.11.12.3 Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**5.11.13**

**5.11.13.1 Defined Area**

A1-13 as shown on Schedule “A”, Maps 114 and 124 to this By-law

**5.11.13.2 Permitted Uses**

Commercial winery;



Retail store associated with the winery operation;

The sale of farm produce and processed food products using farm produce grown on-site or off-site;

All other uses permitted in the Agricultural (A1) Zone

#### **5.11.14**

##### **5.11.14.1 Defined Area**

A1-14 as shown on Schedule “A”, Map 119 to this By-law

##### **5.11.14.2 Permitted Uses**

An unlighted grassed aircraft landing strip for recreational and farm related purposes in the defined area, in addition to all other uses permitted in the Agricultural (A1) Zone, except those specifically prohibited by this By-law.

##### **5.11.14.3 Permitted Buildings and Structures**

All buildings associated with the landing strip permitted by section 5.11.14.2 shall be situated in Part Lot 31, Concession 2 within 300 metres of Nova Scotia Line.

##### **5.11.14.4 Prohibited Uses**

Landing strip as defined in Section 2.115 of this By-law.

#### **5.11.15**

##### **5.11.15.1 Defined Area**

A1-15 as shown on Schedule “A”, Map 79 to this By-law

##### **5.11.15.2 Permitted Uses**

Notwithstanding subsections 2.76 and 5.1, one mobile home shall be permitted as the primary farm residence in the A1-15 Zone, in addition to all other uses permitted in the Agricultural (A1) Zone.

#### **5.11.16**

##### **5.11.16.1 Defined Area**

A1-16 as shown on Schedule “A”, Map 95 to this By-law

##### **5.11.16.2 Permitted Buildings and Structures**

One seasonal farm dwelling in lieu of a second house, in addition to all other uses in the A1 Zone.

**5.11.17**

**5.11.17.1 Defined Area**

A1-17 as shown on Schedule “A”, Map 6 to this By-law

**5.11.17.2 Permitted Uses**

Contracting business in addition to all other uses permitted in the A1 Zone

**5.11.17.3 Permitted Buildings and Structures**

Existing buildings and structures

**5.11.18**

**5.11.18.1 Defined Area**

A1-18 as shown on Schedule “A”, Map 22 to this By-law

**5.11.18.2 Permitted Uses**

Ontario Hydro Distribution Station

**5.11.18.3 Minimum Lot Size**

1200 m<sup>2</sup>

**5.11.18.4 Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**5.11.19**

**5.11.19.1 Defined Area**

A1-19 as shown on Schedule “A”, Map 4 to this By-law

**5.11.19.2 Permitted Buildings and Structures**

Buildings and Structures for the permitted uses

**5.11.19.3 Prohibited Buildings and Structures**

Supplementary farm dwelling units;

A mobile home as a supplementary farm dwelling

**5.11.20**

**5.11.20.1 Defined Area**

A1-20 as shown on Schedule “A”, Maps 10 and 11 to this By-law

**5.11.20.2 Permitted Buildings and Structures**

Buildings and Structures for the permitted uses

**5.11.20.3 Prohibited Buildings and Structures**

Supplementary farm dwelling units;

Mobile Homes as a supplementary farm dwelling

**5.11.21**

**5.11.21.1 Defined Area**

A1-21 as shown on Schedule “A”, Map 110 to this By-law

**5.11.21.2 Permitted Uses**

Food Processing Operation for the purposes of fruit and vegetable dehydration in addition to all other uses permitted in the A1 Zone.

**5.11.22**

**5.11.22.1 Defined Area**

A1-22 as shown on Schedule “A”, Map No. 72 to this By-law

**5.11.22.2 Permitted Uses**

Commercial Greenhouses;

Plant Nursery;

Farm Produce Outlet;

One single-detached dwelling

**5.11.22.3 Permitted Structures**

Commercial greenhouses;

Seasonal produce stand;

One (1) single-detached dwelling

5.11.22.4 **Minimum Lot Area**

4,641 m<sup>2</sup>

5.11.22.5 **Maximum Lot Coverage**

30%

5.11.22.6 **Minimum Rear Yard Depth**

7.5 metres

5.11.22.7 **Minimum Side Yard Depth**

7.5 metres

**5.11.23**

5.11.23.1 **Defined Area**

A1-23 as shown on Schedule "A", Map No. 98 to this by-law

5.11.23.2 **Supplemental Regulations**

Notwithstanding any other section of this by-law to the contrary, the existing livestock barn may have a westerly side yard setback of 46 metres

**5.11.24**

5.11.24.1 **Defined Area**

A1-24 as shown on Schedule "A", Map No. 78 to this by-law

5.11.24.2 **Permitted Uses**

Animal Kennel to a maximum of forty (40) kennels in addition to all other uses permitted in the A1 Zone.

5.11.24.3 **Supplemental Regulations**

Any building or structure associated with an animal kennel shall not be located closer than 250 metres from an off-site dwelling.

**5.11.25**

5.11.25.1 **Defined Area**

A1-28 as shown on Schedule 'A', Map No. 66 to this By-law.

5.11.25.2 **Permitted Uses**

Existing furniture finishing operation in addition to all other uses in the A1 Zone;

Warehouse and showroom building as an accessory use to the furniture finishing operation.

5.11.25.3 **Maximum Floor Area**

Warehouse / showroom facility: 721m<sup>2</sup> (showroom portion not to exceed 140m<sup>2</sup>)

5.11.25.4 **Minimum Number of Parking Spaces**

One (1) space per 30m<sup>2</sup> of retail floor area.

**5.11.26**

<b>By-law 06-04</b>
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5.11.26.1 **Defined Area**

A1-29 as shown on Schedule 'A', Map No. 77 to this By-law.

5.11.26.2 **Additional Permitted Uses, Buildings and Structures**

Private school;

One (1) portable school building.

5.11.26.3 **Supplemental Regulations**

The permitted portable school building shall not exceed 75 m<sup>2</sup> in gross floor area, and the maximum number of students permitted on site at any time shall be 25.

5.11.26.4 **Permitted Building Location**

The permitted portable school building shall not be located more than 90 metres from the front lot line

5.11.26.5 **Buffer Strip**

A 3.0 metre wide vegetative buffer strip shall be located along the front lot line in accordance with Section 4.27 of this By-law.

**5.11.27**

5.11.27.1 **Defined Area**

A1-30 as shown on Schedule 'A', Map No. 111 to this By-law.

5.11.27.2 **Minimum Lot Area**

5000 m<sup>2</sup>

5.11.27.3 **Minimum Lot Frontage**

48 metres

5.11.27.4 **Prohibited Uses**

Livestock uses

**5.11.28**

5.11.28.1 **Defined Area**

A1-31 as shown on Schedule 'A', Map No. 64 to this By-law.

5.11.28.2 **Additional Permitted Uses, Buildings and Structures**

A farm-related machine shop with a maximum floor area of 200 m<sup>2</sup>.

5.11.28.3 **Minimum Lot Area**

6600 m<sup>2</sup>

5.11.28.4 **Minimum Lot Frontage**

67 metres

5.11.28.5 **Exterior Side Yard Width**

6.8 metres

**5.11.29**

5.11.29.1 **Defined Area**

A1-32 as shown on Schedule "A", Map No. 54 to this by-law

By-law 07-64

5.11.29.2 **Minimum Lot Frontage**

50 metres

5.11.29.3 **Minimum Lot Area**

1.0 hectare

By-law 09-21

**5.11.30**

5.11.30.1 **Defined Area**

A1-33 as shown on Schedule "A", Map No. 85 to this By-law

5.11.30.2 **Minimum Lot Area**

12 hectares

5.11.30.3 **Minimum Lot Frontage**

0.0 metres

**5.11.34**

**By-law 11-45**

5.11.34.1 **Defined Area**

A1-34 as shown on Schedule “A”, Map No. 102 to this By-law

5.11.34.2 **Minimum Lot Area**

3.5 hectares

5.11.34.3 **Additional Permitted Use**

Food Processing Plant (vegetable grading station)

**5.11.35**

**By-law 10-50**

5.11.35.1 **Defined Area**

A1-35 as shown on Schedule “A”, Map No. 79 to this By-law

5.11.35.2 **Additional Permitted Use**

Secondary small-scale stove manufacturing facility

5.11.35.3 **Maximum Floor Area – Additional Permitted Use**

557 m<sup>2</sup>

5.11.35.4 **Outdoor Storage Regulation**

No Outdoor Storage shall be prohibited for the stove manufacturing operations

5.11.35.5 **Supplemental Regulation**

Not more than two (2) full-time employee of the stove manufacturing operation, that is not an owner of the lands, shall be permitted in the A1-35 Zone at any one time.

**5.11.36**

**By-law 11-15**

5.11.36.1 **Defined Area**

A1-36 as shown on Schedule “A”, Map No. 91 to this By-law

5.11.36.2 **Minimum Lot Area**

5300 m<sup>2</sup>

5.11.36.3 **Minimum Lot Frontage**

65 metres

**5.11.37**

**By-law 11-40**

5.11.37.1 **Defined Area**

A1-36 as shown on Schedule “A”, Map No. 102 to this By-law

5.11.37.2 **Minimum Lot Area**

17 hectares

**5.11.38**

**By-law 12-68**

5.11.38.1 **Defined Area**

A1-38 as shown on Schedule “A”, Map 33 to this By-law

5.11.38.2 **Additional Permitted Uses**

Agricultural Processing Establishment, Food Processing Plant and Restaurant

5.11.38.3 **Maximum Building Area for Additional Permitted Uses**

929m<sup>2</sup> with a maximum of 20% building floor area to be used for restaurant and ancillary retail uses



## **SECTION 6      SPECIAL AGRICULTURAL (A2) ZONE REGULATIONS**

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### **6.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Special Agricultural (A2) Zone except for the following purposes:

Agricultural use;

Commercial greenhouses;

Farm produce outlets;

Forestry use;

Market garden operations;

Plant nurseries;

Riding stable;

Accessory uses

### **6.2            PROHIBITED USES**

All residential dwelling units not existing on the date of passing of this by-law

### **6.3            MINIMUM LOT AREA**

20.0 ha.

#### **6.3.1        Supplementary Minimum Lot Area Regulations**

Notwithstanding the requirements of subsection 6.3 of this By-law, the following minimum existing lot areas will be required for the uses and structures described below:

a)	Commercial greenhouses, Market garden operations (with or without on-site retail component), Plant nurseries:	6.0 hectares
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### **6.4            MINIMUM LOT FRONTAGE**

150.0 m

### **6.5            MAXIMUM LOT COVERAGE**

20 %

**6.6**      **MAXIMUM BUILDING HEIGHT**

10.5 m

**6.7**      **FRONT YARD DEPTH**

Farm produce outlets: 5.0 m

All other cases: 15.0 m

**6.8**      **6.8      **SIDE YARD WIDTH****

Interior side yard: 5.0 m

Exterior side yard: 9.0 m

**6.9**      **REAR YARD DEPTH**

7.5 m

**6.10**      **SUPPLEMENTARY REGULATIONS FOR MUSHROOM FARMING BUILDINGS AND STRUCTURES**

6.10.1                      Notwithstanding the requirements of Section 6.7 to Section 6.9 inclusive, buildings and structures hereafter used for the operation of a mushroom farming operation shall not be located closer than 60.0 metres from any lot line.

**6.11**      **EXCEPTIONS – SPECIAL AGRICULTURAL (A2) ZONE****6.11.1****6.11.1.1**      **Defined Area**

A2-1 on Schedule “A”, Map 118 to this By-law.

**6.11.1.2**      **Minimum Lot Size**

39.5 hectares

**6.11.2****6.11.2.1**      **Defined Area**

A2-2 as shown on Schedule “A”, Map 97 to this By-law

**6.11.2.2**      **Minimum Lot Area**

18 hectares

**6.11.2.3**      **Prohibited Uses**

Livestock uses;

All residential uses not existing on the date of passing of this By-law.

**6.11.3**

**6.11.3.1 Defined Area**

A2-3 as shown on Schedule “A”, Map 85 to this By-law

**6.11.3.2 Minimum Lot Area**

37.5 hectares (Existing area on the date of passing of this by-law)

**6.11.4**

**6.11.4.1 Defined Area**

A2-4 as shown on Schedule “A”, Map No. 52 to this By-law.

**6.11.4.2 Minimum Lot Area**

3 hectares

**6.11.4.3 Minimum Lot Frontage**

0.0 metres

**6.11.4.4 Minimum South Side Yard**

15.0 metres

**6.11.5**

**By-law 05-40**

**6.11.5.1 Defined Area**

A2-5 as shown on Schedule “A”, Map No. 82 to this By-law.

**6.11.5.2 Minimum Lot Area**

19.0 hectares

**6.11.6**

**6.11.6.1 Defined Area**

A2-6 as shown on Schedule “A”, Map No. 34 to this by-law

**6.11.6.2 Minimum Lot Area**

40 hectares

**6.11.7**

**6.11.7.1 Defined Area**

A2-7 as shown on Schedule “A”, Map No. 84 to this by-law

**By-law 07-60**

**6.11.7.2 Minimum Lot Area**

16 hectares

**6.11.8**

**By-law 08-53**

**6.11.8.1 Defined Area**

A2-8 as shown on Schedule “A”, Map No. 79 to this by-law”

**6.11.8.2 Minimum Lot Area**

40 hectares

**6.11.9**

**6.11.9.1 Defined Area**

**By-law 09-09**

A2-9 as shown on Schedule “A”, Map No.5 to this by-law

**6.11.9.2 Minimum Lot Area**

19.5 hectares

**6.11.10**

**By-law 09-10**

**6.11.10.1 Defined Area**

A2-10 as shown on Schedule “A”, Map No.35 to this by-law

**6.11.10.2 Minimum Lot Area**

14 hectares

**6.11.11**

**By-law 09-11**

**6.11.11.1 Defined Area**

A2-11 as shown on Schedule “A”, Map No.78 to this by-law

**6.11.11.2 Minimum Lot Area**

39.5 hectares

**By-law 09-25**

**6.11.12**

**6.11.12.1 Defined Area**

A2-12 as shown on Schedule “A”, Map No.122 and 124 to this by-law

**6.11.12.2 Minimum Lot Area**

40 hectares

**6.11.13**

**By-law 09-35**

**6.11.13.1 Defined Area**

A2-13 as shown on Schedule “A”, Map No.111 to this by-law

**6.11.13.2 Minimum Lot Area**

40 hectares

**6.11.14**

**By-law 09-39**

**6.11.14.1 Defined Area**

A2-14 as shown on Schedule “A”, Map No.104 to this by-law

**6.11.14.2 Minimum Lot Area**

40 hectares

**6.11.15**

**By-law 09-46**

**6.11.15.1 Defined Area**

A2-14 as shown on Schedule “A”, Map No.88 and 89 to this by-law

**6.11.15.2 Minimum Lot Area**

40 hectares

**6.11.16**

**By-law 09-50**

**6.11.16.1 Defined Area**

A2-16 as shown on Schedule “A”, Map No.47 to this by-law

**6.11.16.2 Prohibited Uses**

Livestock uses within an existing facility

**6.11.17**

6.11.17.1

**Defined Area**

A2-17 as shown on Schedule “A”, Map No. 23 to this By-law

**By-law 10-78**

6.11.17.2

**Minimum Lot Area**

40 hectares

**6.11.17**

~~6.11.17.1~~

~~**Defined Area**~~

~~A2-18 as shown on Schedule “A”, Map No. 99 to this By-law~~

**By-law 11-09**

~~6.11.17.2~~

~~**Minimum Lot Area**~~

~~40 hectares~~

**6.11.18**

6.11.18.1

**Defined Area**

A2-18 as shown on Schedule “A”, Map No. 23 to this By-law

**By-law 11-58**

6.11.17.2

**Minimum Lot Area**

19.3 hectares

**6.11.19**

6.11.19.1

**Defined Area**

A2-19 as shown on Schedule “A”, Map No. 99 to this By-law.

**By-law 11-09**

6.11.19.2

**Minimum Lot Area**

40 hectares

**6.11.20**

6.11.20.1

**Defined Area**

A2-20 as shown on Schedule “A”, Map No.116 & 117 to this By-law

**By-law 12-46**

6.11.20.2

**Minimum Lot Frontage**

109.3 metres

**6.11.21**

6.11.21.1

**Defined Area**

A2-21 as shown on Schedule “A”, Map No.86 to this By-law

**By-law 12-30**

6.11.21.2

**Minimum Lot Area**

14.1 hectares

6.11.21.3

**Minimum Lot Frontage**

146 metres

**6.11.22**

6.11.22.1

**Defined Area**

AR-43 as shown on Schedule “A”, Map115 to this By-law

**By-law 12-73**

6.11.22.2

**Minimum Lot Area**

39.0 metres

**6.11.23**

6.11.23.1

**Defined Area**

A2-23 as shown on Schedule “A”, Map 87 and Map 88 to this By-law

**By-law 13-22**

6.11.23.2

**Prohibited Uses**

Livestock Uses within a building or structure existing as of the date of passing of this By-Law

**6.11.24** (A2-24 as shown on Schedule “A”)

6.11.24.1 **Minimum Lot Area**

19.0 hectares

6.11.24.2 **Minimum Lot Frontage**

100 metres



## **SECTION 7      LARGE LOT AGRICULTURAL (A3) ZONE REGULATIONS**

---

### **7.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Large Lot Agricultural (A3) Zone except for the following purposes:

Agricultural use;

Agricultural home occupation;

Commercial greenhouses;

Farm;

Farm produce outlets;

Forestry use;

Home occupation;

Market garden operations;

Plant nurseries;

Riding stable;

One single-detached dwelling lawfully in existence as of the date of the passing of this By-law or one single-detached dwelling on an existing lot as of the date of the passing of this By-law;

One dwelling as supplementary farm housing;

Accessory uses

### **7.2            MINIMUM LOT AREA**

40.0 ha.

### **7.3            MINIMUM LOT FRONTAGE**

150.0 m

### **7.4            MAXIMUM LOT COVERAGE**

20 %

### **7.5            MAXIMUM BUILDING HEIGHT**

10.5 m

**7.6 MINIMUM FLOOR AREA**

For a single-detached dwelling: 90.0 m<sup>2</sup>

For a mobile home used or intended to be used as supplementary farm housing: 56.0 m<sup>2</sup>

**7.7 FRONT YARD DEPTH**

Farm produce outlets: 5.0 m

All other uses: 15.0 m

**7.8 SIDE YARD WIDTH**

Interior side yard: 5.0 m

Exterior side yard: 9.0 m

**7.9 REAR YARD DEPTH**

7.5 m

**7.10 SUPPLEMENTARY REGULATIONS FOR MUSHROOM FARMING BUILDINGS AND STRUCTURES**

7.10.1 Notwithstanding the requirements of Section 7.7 to Section 7.9 inclusive, buildings and structures hereafter used for the operation of a mushroom farming operation shall not be located closer than 60.0 metres from any lot line.

**7.11 EXCEPTIONS – LARGE LOT AGRICULTURAL (A3) ZONE****7.11.1****7.11.1.1 Defined Area**

A3-1 as shown on Schedule “A”, Map 37 to this By-law

**7.11.1.2 Permitted Uses**

Farm equipment sales and service in addition to all other uses permitted in the A3 Zone

**7.11.2****7.11.2.1 Defined Area**

A3-2 as shown on Schedule 'A', Map No. 64 to this By-law.

<b>By-law 06-25</b>
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**7.11.2.2 Additional Permitted Uses**

A transport truck repair facility with an existing facility..

7.11.2.3 **Outdoor Storage Regulations**

No outdoor storage of any kind shall be permitted in the front yard

7.11.2.4 **Supplemental Regulations**

No more than 10 transport trucks shall be permitted in the A3-2 Zone at any one time;

No more than one (1) full-time employee of the transport truck repair facility, that is not an owner of the lands, shall be permitted in the A3-2 Zone at any one time;

No activities associated with an additional permitted use shall be located beyond 80 metres of the front lot line of the A3-2 Zone.

7.11.3

**By-law ##-##**

7.11.3.1 **Defined Area**

Wengard application awaiting decision.

7.11.4

**By-law 13-43**

7.11.4.1 **Defined Area**

A3-4 as shown on Schedule 'A'

7.11.4.2 **Permitted Uses**

Agricultural Processing Establishment for the purposes of the storage and treatment of fruit and vegetables

Two-unit dwellings as an accessory use

All other permitted uses in the A3 Zone

7.11.4.3 **Maximum Floor Area**

Agricultural Processing Establishment for the purposes of the storage and treatment of fruit and vegetables

450 square metres

## **SECTION 8      AGRICULTURAL RESIDENTIAL (AR) ZONE REGULATIONS**

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### **8.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Agricultural Residential (AR) Zone except for the following purposes:

Agricultural home occupation;

Bed and breakfast establishment or tourist home;

Group home;

Home occupation;

Residential use;

Accessory uses.

### **8.2            PERMITTED BUILDINGS AND STRUCTURES**

One single-detached dwelling on one lot;

Accessory buildings and structures.

### **8.3            PROHIBITED USES**

The establishment of new livestock uses, livestock-related buildings and structures, and mushroom farms will not be permitted in the Agricultural Residential (AR) Zone, except on lots that have a minimum lot area of 6,050 m<sup>2</sup> (1.5 acres).

### **8.4            MINIMUM LOT AREA**

2000.0 m<sup>2</sup>

### **8.5            MINIMUM LOT FRONTAGE**

30.0 m

### **8.6            MAXIMUM LOT DEPTH TO LOT FRONTAGE RATIO**

3:1

### **8.7            MAXIMUM LOT COVERAGE**

30 %

### **8.8            MAXIMUM BUILDING HEIGHT**

10.5 m

**8.9**            **MINIMUM FLOOR AREA**90.0 m<sup>2</sup>**8.10**           **FRONT YARD DEPTH**

15.0 m

**8.11**           **SIDE YARD WIDTH**

5.0 m, except on a corner lot the exterior side yard width shall be 9.0 m

**8.12**           **REAR YARD DEPTH**

7.5 m

**8.13**           **MINIMUM SEPARATION DISTANCE**

From the edge of a railroad right-of-way:	75.0 m
From a sewage disposal lagoon or solid waste disposal site:	300.0 m
From livestock buildings and structures or mushroom farms:	200.0 metres, or the distance determined on application of M.D.S. I, whichever is greater

**8.14**           **EXCEPTIONS - AGRICULTURAL RESIDENTIAL (AR) ZONE****8.14.1****8.14.1.1**   **Defined Area**

AR-1 as shown on Schedule "A", Map 64 to this By-law

**8.14.1.2**   **Minimum Lot Area**6,600 m<sup>2</sup>**8.14.2****8.14.2.1**   **Defined Area**

AR-2 as shown on Schedule "A", Map 84 to this By-law

**8.14.2.2**   **Permitted Uses**

Convenience Store;

One dwelling unit;

Private garage or carport as an accessory use

8.14.2.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

8.14.2.4 **Parking Required for Commercial Use**

5 spaces

**8.14.3**

8.14.3.1 **Defined Area**

AR-3 as shown on Schedule “H” to this By-law

8.14.3.2 **Minimum Lot Area**

2,000 m<sup>2</sup>

8.14.3.3 **Minimum Setback from King’s Highway No. 3**

26.0 metres from centre of right-of-way

**8.14.4**

8.14.4.1 **Defined Area**

AR-4 as shown on Schedule “A”, Map 103 to this By-law

8.14.4.2 **Minimum Lot Area**

4.45 hectares

8.14.4.3 **Permitted uses**

One residential dwelling unit and accessory uses in accordance with the provisions of the By-law.

**8.14.5**

8.14.5.1 **Defined Area**

AR-5 as shown on Schedule “H”, to this By-law

8.14.5.2 **Minimum Centreline Setback**

53.5 metres from centreline of Hacienda Road

**8.14.6**

8.14.6.1 **Defined Area**

AR-6 as shown on Schedule “A”, Map 79 to this By-law

8.14.6.2 **Minimum Lot Area**

2.6 hectares

**8.14.7**

8.14.7.1 **Defined Area**

AR-7 as shown on Schedule “A”, Map 84 to this By-law

8.14.7.2 **Minimum Rear Yard Depth**

50 metres

**8.14.8**

8.14.8.1 **Defined Area**

AR-8 as shown on Schedule “A”, Map 4 to this By-law

8.14.8.2 **Permitted Uses**

Agricultural residential uses;

Home occupation;

Accessory uses.

8.14.8.3 **Permitted Buildings and Structures**

Two (2) single-detached dwellings on one lot and accessory buildings and structures for the permitted uses.

**8.14.9**

8.14.9.1 **Defined Area**

AR-9 as shown on Schedule “A”, Map 14 to this By-law

8.14.9.2 **Maximum Building Area**

895 m<sup>2</sup>

<b>By-law 11-45 Revision</b>
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8.14.9.3 **Minimum Front Yard Depth**

11.0 metres

8.14.9.4 **Minimum Side Yard Depth**

8.0 metres on the north side yard;

3.0 metres on the south side yard.

8.14.9.5 **Minimum Rear Yard Depth**

240.0 metres on the north side;

200.0 metres on the south side.

8.14.9.6 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses in accordance with the maximum building area and setbacks described above.

**8.14.10**

8.14.10.1 **Defined Area**

AR-10 as shown on Schedule “A”, Map 24 to this By-law

8.14.10.2 **Minimum Separation Distance**

135 metres from the nearest main wall of a dwelling to the nearest main wall of buildings or structures used for livestock or mushroom farming.

**8.14.11**

8.14.11.1 **Defined Area**

AR-11 as shown on Schedule “A”, Map 24 to this By-law

8.14.11.2 **Minimum Lot Area**

0.81 hectares

8.14.11.3 **Permitted Buildings and Structures**

Existing buildings and structures

8.14.11.4 **Prohibited Uses**

Livestock uses



**8.14.12**

**8.14.12.1 Defined Area**

AR-12 as shown on Schedule “A”, Maps 10 and 11 to this By-law.

**8.14.12.2 Minimum Lot Area**

1.0 hectares

**8.14.13**

**8.14.13.1 Defined Area**

AR-13 as shown on Schedule “A”, Map 8 to this By-law

**8.14.13.2 Permitted Uses**

One single detached dwelling unit or one agricultural residential use;

One home occupation or agricultural home occupation;

Accessory uses.

**8.14.13.3 Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**8.14.13.4 Minimum Lot Area**

3.7 hectares

**8.14.13.5 Minimum Rear Yard Depth**

130 metres

**8.14.13.6 Minimum Side Yard Width**

60 metres

**8.14.14**

**8.14.14.1 Defined Area**

AR-14 as shown on Schedule “A”, Map 8 to this By-law

**8.14.14.2 Permitted Uses**

One singled detached dwelling unit or one agricultural residential use;

One home occupation or agricultural home occupation;  
Accessory uses.

8.14.14.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

8.14.14.4 **Minimum Lot Area**

2.8 hectares

**8.14.15**

8.14.15.1 **Defined Area**

AR-15 as shown on Schedule “A”, Map 8 to this By-law

8.14.15.2 **Permitted Uses**

One single detached dwelling unit or one rural residential use;  
One home occupation or agricultural home occupation;  
Accessory uses.

8.14.15.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

8.14.15.4 **Minimum Lot Area**

5.0 hectares

**8.14.16**

~~8.14.16.1 **Defined Area**~~

~~AR 16 as shown on Schedule “A”, Map 63 to this By law.~~

<b>Deleted by By-law 06-71</b>
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~~8.14.16.2 **Permitted Uses**~~

~~Retail Store;  
Residential Uses~~

~~8.14.16.3 **Permitted Buildings and Structures**~~

~~One triplex dwelling~~

~~8.14.16.4 Maximum Floor Area for Retail Store~~

~~118 m<sup>2</sup>~~

**8.14.17**

8.14.17.1 **Defined Area**

AR-17 as shown on Schedule “A”, Map 44 to this By-law

8.14.17.2 **Minimum Lot Size**

7,000 m<sup>2</sup>

8.14.17.3 **Permitted Uses**

Retail Butcher Shop;

One Residential Dwelling Unit;

Accessory Uses.

8.14.17.4 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**8.14.18**

8.14.18.1 **Defined Area**

AR-18 as shown on Schedule “A”, Map 11 to this By-law

8.14.18.2 **Permitted Uses**

The breeding, caring and selling of chinchillas in addition to all other uses permitted in the AR Zone.

8.14.18.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

8.14.18.4 **Minimum Lot Size**

0.75 hectares

**8.14.19**

**8.14.19.1 Defined Area**

AR-19 as shown on Schedule “A”, Map 44 to this By-law

**8.14.19.2 Permitted Uses**

A storage garage as a main use in addition to all other uses permitted in the AR Zone.

**8.14.19.3 Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**8.14.20**

**8.14.20.1 Defined Area**

AR-20 as shown on Schedule “A”, Map 23 to this By-law

**8.14.20.2 Minimum Lot Area**

6,000 m<sup>2</sup>

**8.14.21**

**8.14.21.1 Defined Area**

AR-21 as shown on Schedule “H” to this By-law

**8.14.21.2 Minimum Lot Frontage**

4.8 metres

**8.14.22**

**8.14.22.1 Defined Area**

AR-22 as shown on Schedule “A”, Map No. 30 to this By-law

**8.14.22.2 Permitted Uses**

An indoor riding arena;

A maximum of three (3) livestock units to be kept on the property at any time;

All other uses permitted in the AR Zone.

**8.14.23**

**8.14.23.1 Defined Area**

AR-23 as shown on Schedule “A”, Map No. 72 to this By-law

**8.14.23.2 Development Regulations**

No development shall be permitted and no fill shall be placed or removed in the AR-23 Zone, except where such development or fill placement is approved by the Catfish Creek Conservation Authority.

**8.14.24**

**8.14.24.1 Defined Area**

AR-24 as shown on Schedule “A”, Map No. 5 to this By-law

**8.14.24.2 Minimum Lot Area**

1600 m<sup>2</sup>

**8.14.24.3 Minimum Lot Frontage**

24 metres

**8.14.25**

**8.14.25.1 Defined Area**

AR-25 as shown on Schedule “A”, Map No. 103 to this By-law.

**8.14.25.2 Minimum Building Setback**

No building or structure shall be located closer than 15 metres from the top-of-bank as identified by the Catfish Creek Conservation Authority

**8.14.26**

**8.14.26.1 Defined Area**

AR-26 as shown on Schedule “A”, Map No. 117 to this By-law.

**8.14.26.2 Permitted Uses**

The storage, maintenance, and repair of a maximum of two (2) transport trucks and trailers, within an existing building, in addition to all other uses permitted in the AR Zone.

8.14.26.3 **Prohibited Uses**

Outdoor storage, maintenance, or repair of any transport trucks and trailers.

**8.14.27**

8.14.27.1 **Defined Area**

AR-27 as shown on Schedule “A”, Map No. 1 to this By-law

8.14.27.2 **Minimum Setback from a Livestock Facility**

120 metres

**8.14.28**

8.14.28.1 **Defined Area**

AR-28 as shown on Schedule “A”, Map No. 55 to this by-law

8.14.28.2 **Permitted Uses**

High yield water well in addition to all other uses permitted in the AR Zone.

**8.14.29**

8.14.29.1 **Defined Area**

AR-29 as shown on Schedule “A”, Map No. 125 to this By-law.

**By-law 05-39**

8.14.29.2 **Minimum Lot Frontage**

15 metres

**8.14.30**

8.14.30.1 **Defined Area**

AR-30 as shown on Schedule “A”, Map No. 82 to this By-law.

**By-law 05-40**

8.14.30.2 **Supplemental Regulations**

Notwithstanding Section 4.45.1 or Section 8.13 to the contrary, all buildings and structures located on the subject lands shall be setback 100.0 metres from the existing livestock facility and 113.0 metres from the existing manure storage facility located in the northwest quadrant of Part Lot 34, Concession 6, S.S.T.R

**8.14.30**

8.14.30.3 **Defined Area**

**By-law 05-52**

AR-30 as shown on Schedule “A”, Map 15 to this By-law

8.14.30.4 **Prohibited Uses**

The keeping, raising, or propagation of livestock

**8.14.31**

8.14.31.1 **Defined Area**

**By-law 06-43**

AR-31 as shown on Schedule “A”, Map No. 11 to this by-law

8.14.31.2 **Maximum Lot Depth to Lot Frontage Ratio**

3.3:1

**8.14.32**

8.14.32.1 **Defined Area**

**By-law 07-60**

AR-32 as shown on Schedule “A”, Map No. 84 to this by-law

8.14.32.2 **Exterior Side Yard Width**

7.3 metres

**8.14.33**

8.14.33.1 **Defined Area**

**By-law 09-09**

AR-33 as shown on Schedule “A”, Map No.5 to this by-law

8.14.33.2 **Minimum Setback from a Livestock Building**

90 metres

**8.14.34**

8.14.34.1 **Defined Area**

**By-law 09-10**

AR-34 as shown on Schedule “A”, Map No.35 to this by-law

8.14.34.2 **Minimum Front Yard Depth**

10 metres

**8.14.35**

8.14.35.1 **Defined Area**

**By-law 09-35**

AR-35 as shown on Schedule “A”, Map No.35 to this by-law

8.14.35.2 **Maximum Floor Area for Accessory Buildings**

145 m<sup>2</sup>

**8.14.36**

8.14.36.1 **Defined Area**

**By-law 10-78**

AR-35 as shown on Schedule “A”, Map No. 23 to this By-law

8.14.36.2 **Supplemental Regulations - Accessory Buildings**

Maximum Floor Area - 311m<sup>2</sup>

Maximum Height - 6.7 metres

**8.14.37**

8.14.37.1 **Defined Area**

**By-law 11-85**

AR-37 as shown on Schedule “A”, Map No. 7 to this By-law

8.14.37.2 **Supplemental Regulations - Accessory Buildings**

Existing Accessory Building (Barn)

Maximum Floor Area - 441m<sup>2</sup>

**8.14.38**

8.14.38.1 **Defined Area**

**By-law 12-03**

AR-38 as shown on Schedule “A”, Map No. 78 to this By-law

8.14.38.2 **Supplemental Regulations - Accessory Buildings**

- a. Existing Supplementary Farm Dwelling  
Maximum Floor Area - 85m<sup>2</sup>
- b. Existing Accessory Building  
Maximum Floor Area – 109 m<sup>2</sup>
- c. Agricultural Home Occupation (existing Engine Repair Shop)  
Maximum Floor Area – 109 m<sup>2</sup>



**8.14.39**

8.14.39.1

**Defined Area**

AR-39 as shown on Schedule “A”, Map No. 114 to this by-law

**By-law 12-04**

8.14.39.2

**Permitted Uses**

An existing greenhouse as a market garden operation and farm produce outlet, and two existing barns and one shed in addition to all other uses permitted in the AR Zone.

8.14.39.3

**Maximum Accessory Building Floor Areas**

Existing Greenhouse	331.5 m <sup>2</sup>
Two Existing Barns	509 m <sup>2</sup>
Existing Shed	60 m <sup>2</sup>

**8.14.40**

8.14.40.1

**Defined Area**

AR-40 as shown on Schedule “A”, Map No. 33 to this By-law

**By-law 12-06**

8.14.40.2

**Front Yard Depth**

13.5 m

8.14.40.3

**Supplemental Regulations – Existing Accessory Buildings**Combined Maximum Floor Area 286.6 m<sup>2</sup>**8.14.41**

8.14.41.1

**Defined Area**

AR-41 as shown on Schedule “A”, Map No.12 to this by-law

**By-law 12-23**

8.14.41.2

**Maximum Lot Depth to Lot Frontage Ratio**

5:1

8.14.41.3

**Side Yard Width, Existing Accessory Building**

3 metres

8.14.41.4

**Rear Yard Width, Existing Accessory Building**

1 metre

**8.14.42**

**By-law 12-46**

8.14.42.1

**Defined Area**

AR-42 as shown on Schedule “A”, Map No.116 & 117 to this By-law

8.14.42.2

**Supplementary Regulations**

Existing accessory building maximum floor area of 260m<sup>2</sup> (westerly building) & 547m<sup>2</sup> (easterly building)

**8.11.43**

**By-law 12-52**

8.11.43.1

**Defined Area**

AR-43 as shown on Schedule “H”, to this By-law

8.11.42.2

**Minimum Frontage**

15.0 metres

**8.11.44**

**By-law 12-52**

8.11.44.1

**Defined Area**

AR-44 as shown on Schedule “H”, to this By-law

8.11.44.2

**Permitted Uses**

Day Care Facility, in addition to all other uses permitted in the AR Zone

**8.14.45**

8.14.45.1

**Defined Area**

AR-43 as shown on Schedule “A”, Map115 to this By-law

**By-law 12-73**

8.14.45.2

**Additional Permitted Uses**

Commercial Green House, Farm Produce Outlet and Market Garden Operation

8.14.53.3

**Supplemental Regulations**

Maximum floor area for the additional permitted uses is existing as the date of passing of the By-law.

**8.14.46**

8.14.46.1

**Defined Area**

AR-44 as shown on Schedule “A”, Map No. 55 to this By-law

**By-law 12-92**

8.14.46.2 **Minimum Front Yard Depth**

5.2 metres

**8.14.47**

8.14.47.1 **Defined Area**

AR-47 as shown on Schedule “A”, Map No. 73 to this By-law

**By-law 13-18**

8.14.47.2 **Minimum Lot Area**

1,380 square metres

**8.14.48 (AR-48 as shown on Schedule “A”)**

**By-law 13-32**

8.14.48.1 **Permitted Buildings and Structures**

Buildings and structures existing as of the date of passing of this By-Law in addition to the buildings and structures permitted in Section 8.2

**SECTION 9      HAMLET RESIDENTIAL (HR) ZONE REGULATIONS**

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**9.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Hamlet Residential (HR) Zone except for the following purposes:

One single-detached dwelling on one lot;

Bed and breakfast establishment or tourist home;

Converted dwelling on one lot;

Private garages or carports as an accessory use;

Group home;

Grouped housing;

Home occupation;

Senior citizens home.

**9.2            PROHIBITED USES**

The establishment of new livestock agricultural uses, livestock-related buildings and structures, and mushroom farms will not be permitted in the Hamlet Residential (HR) Zone.

**9.3            MINIMUM LOT AREA**

1850 m<sup>2</sup>

**9.4            MINIMUM LOT FRONTAGE**

25.0 m

**9.5            MAXIMUM LOT COVERAGE**

30 %

**9.6            MAXIMUM BUILDING HEIGHT**

10.5 metres

**9.7            MINIMUM FLOOR AREA**

90.0 m<sup>2</sup>



9.11.3.2 **Permitted Uses**

- One single detached dwelling on one lot;
- Converted dwelling;
- Home occupation;
- Private garage or carport as and accessory use;
- One access lane from Weldon Street to the dwelling.

9.11.3.3 **Minimum Lot Area for the Permitted Uses**

4.9 hectares

9.11.3.4 **Minimum Setback**

7.5 metres from all existing lot lines

**9.11.4**

9.11.4.1 **Defined Area**

HR-4 as shown on Schedule “L” to this By-law

9.11.4.2 **Permitted Uses**

- One single detached dwelling;
- Private garage or carport as and accessory use;
- Market Garden Farm Outlet accessory to a Market Garden Farm;
- Farm Produce Outlet accessory to a Market Garden Farm.

9.11.4.3 **Minimum Lot Area**

3.4 hectares

**9.11.5**

9.11.5.1 **Defined Area**

HR-5 as shown on Schedule “F” to this By-Law

9.11.5.2 **Minimum South Side Yard Requirements**

- 112 metres from a railway right of way;
- 22 metres from a provincial highway right of way

**9.11.6**

9.11.6.1 **Defined Area**

HR-6 as shown on Schedule “C” to this By-law

9.11.6.2 **Permitted Uses**

Truck top manufacturing in addition to all other uses permitted in the HR Zone.

**9.11.7**

9.11.7.1 **Defined Area**

HR-7 as shown on Schedule “E” to this By-law

9.11.7.2 **Minimum Rear Yard**

90.0 metres

**9.11.8**

9.11.8.1 **Defined Area**

HR-8 as shown on Schedule “E” to this By-law

9.11.8.2 **Minimum Rear Yard**

40.0 metres

**9.11.9**

9.11.9.1 **Defined Area**

HR-9 as shown on Schedule “E” to this By-law

9.11.9.2 **Minimum Rear Yard**

68.0 metres

**9.11.10**

9.11.10.1 **Defined Area**

HR-10 as shown on Schedule “E” to this By-law

9.11.10.2 **Minimum Rear Yard**

82.0 metres

**9.11.11**

9.11.11.1 **Defined Area**

**By-law 06-27**

HR-11 as shown on Schedule 'I' to this By-law.

9.11.11.2 **Supplemental Regulations**

The total ground floor area for accessory buildings and structures shall not exceed 196 m<sup>2</sup>

**9.11.12**

9.11.12.1 **Defined Area**

**By-law 07-21**

HR-12 as shown on Schedule 'N' to this By-law.

9.11.12.2 **Additional Building Setbacks**

15.0 metres from the top-of-bank as identified by the Catfish Creek Conservation Authority

~~9.11.13~~

9.11.13.1 **Defined Area**

**By-law 07-40**

~~HR-13 as shown on Schedule "K" to this By-law~~

9.11.13.2 **Minimum Lot Frontage**

~~1 metre~~

9.11.13.3 **Supplemental Regulations**

~~No building or structure shall be located closer than 6.0 metres from the top of bank.~~

~~Vehicular access to the property shall be provided through the OS Zone.~~

**9.11.13**

9.11.13.1 **Defined Area**

**By-law 10-63**

HR-13(h) as shown on Schedule "K" to this by-law

9.11.13.2 **Minimum Lot Frontage**

20.0 metres along Hacienda Road;  
25.0 metres along any future internal road

9.11.13.3 **Holding Regulations**

The holding (h) symbol may be removed upon satisfying specific servicing and financial



conditions related to the provision of a future road access and appropriate individual lot servicing to be established in a development agreement with the Township.

**9.11.14 9.11.14**

**9.11.14.1 Defined Area**

**By-law 07-41**

HR-14 as shown on Schedule “L” to this By-law

**9.11.14.2 Other Permitted Uses**

The sorting and storage of scrap metals within a 98.1 m<sup>2</sup> building as an accessory use.

**9.11.14.3 Prohibited Uses**

No scrap metals or materials associated with the business shall be stored outside, with the exception of temporary storage within a maximum of 3 trailers each having a maximum volume of 17 m<sup>3</sup>.

**9.11.14.4 Supplemental Regulations**

The operator of the “other permitted uses” must reside on the subject lands and may employ up to one (1) additional person.

**9.11.15**

**9.11.15.1 Defined Area**

**By-law 09-57**

HR-12 as shown on Schedule “K” to this by-law

**9.11.15.2 Minimum Lot Frontage**

20 metres

**9.11.16**

**9.11.16.1 Defined Area**

**By-law 13-67**

HR-16 as shown on Schedule “A”

**9.11.16.2 Permitted Uses**

Motor vehicle body shop as an accessory use in addition to all other permitted uses in the HR zone.

**9.11.16.3 Prohibited Uses**

Outside Storage

**9.11.16.4 Maximum Floor Area**

Motor vehicle body shop as an accessory use 237.8 square metres

**9.11.16.5 Maximum Number of Off-site Employees**

Motor vehicle body shop as an accessory use 3

**9.11.16.6 Minimum Yard Requirements**

Notwithstanding Section 9 to the contrary, the following requirements shall apply to a motor vehicle body shop as an accessory use.

a) Minimum Front Yard Depth 33m

b) Minimum Side Yard Width  
(westerly side lot line) 14 m

c) Minimum Rear Yard Depth 3.0 m

**9.11.16.7 Minimum Number of Parking Spaces**

Motor vehicle body shop as an accessory use 3

**9.11.16.8 Maximum Height**

Notwithstanding Section 4.2 g) and Section 4.37 to the contrary, an exhaust stack ancillary to a motor vehicle body shop as an accessory use shall not exceed a maximum height of 7.62 m.

**9.11.16.9 Garbage and Material Storage**

All garbage and material storage shall be located indoors.



**SECTION 10 VILLAGE RESIDENTIAL ZONE (VR) REGULATIONS**

---

**10.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Village Residential (VR) Zone except for the following purposes:

One single detached dwelling, one duplex dwelling, one semi-detached dwelling or one unit of a semi-detached dwelling on one lot;

Block townhouse dwelling;

Group home;

Home occupations;

Accessory uses.

**10.2 PROHIBITED USES**

The establishment of new livestock agricultural uses, livestock-related buildings and structures, and mushroom farms will not be permitted in the Village Residential (VR) Zone.

**10.3 MINIMUM LOT AREA**

800 m<sup>2</sup>

**10.4 MINIMUM LOT FRONTAGE**

20.0 m

**10.5 MAXIMUM BUILDING COVERAGE**

30 %

**10.6 MAXIMUM BUILDING HEIGHT**

10.5 m

**10.7 MINIMUM FLOOR AREA**

80 m<sup>2</sup>

**10.8 FRONT YARD DEPTH**

6.0 m

**10.9**      **SIDE YARD WIDTH**

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

Where the lot line is the dividing wall of a semi-detached dwelling: nil

**10.10**      **REAR YARD DEPTH**

7.5 m

**10.11**      **EXCEPTIONS - VILLAGE RESIDENTIAL (VR) ZONE****10.11.1****10.11.1.1** **Defined Area**

VR-1 as shown on Schedule "D", Map 2 to this By-law

**10.11.1.2** **Other Permitted Uses**

Motorcycle shop in addition to all other uses permitted in the VR Zone

**10.11.1.3** **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

~~**10.11.2**~~~~**10.11.2.1** **Defined Area**~~~~VR-2 as shown on Schedule "D", Map 2 to this By-law~~Deleted by By-law  
06-17~~**10.11.2.2** **Other Permitted Uses**~~~~Welding shop in addition to all other uses permitted in the VR Zone~~~~**10.11.2.3** **Permitted Buildings and Structures**~~~~Existing buildings and structures for the permitted uses~~**10.11.3****10.11.3.1** **Defined Area**

VR-3 as shown on Schedule "D", Map 2 to this By-law

10.11.3.2 **Other Permitted Uses**

Construction and woodworking shop in addition to all other uses permitted in the VR Zone

10.11.3.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**10.11.4**

**By-Law 13-42**

10.11.4.1 **Defined Area**

VR-4 as shown on Schedule “A”

10.11.4.2 **Maximum Floor Area**

Accessory building                      270 m<sup>2</sup>

10.11.4.3 **Location of Accessory Building**

An accessory building shall be located to the rear of an existing single-detached dwelling.

10.11.4.4 **Maximum Separation Distance**

Between the front of an accessory building and the rear of an existing single-detached dwelling                      30m<sup>2</sup>



## **SECTION 11      MOBILE HOME PARK (MH) ZONE REGULATIONS**

---

### **11.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Mobile Home Park (MH) Zone except for the following purposes:

Mobile home park;

One mobile home on one mobile home site;

Private garage or carport as an accessory use.

### **11.2            MINIMUM LOT AREA**

4.0 ha

#### **11.2.1        Minimum Lot Area for a Mobile Home Site**

Where a public or communal water supply is not available	1200.0 m <sup>2</sup>
--	-----------------------

Where a public or communal water supply is available	464.0 m <sup>2</sup>
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### **11.3            MINIMUM LOT FRONTAGE**

50.0 m

#### **11.3.1        Minimum Lot Frontage for a Mobile Home Site**

Without a public or communal water supply	30.0 m
---	--------

With a public or communal water supply	20.0 m
--	--------

### **11.4            MAXIMUM COVERAGE**

40 %

### **11.5            MAXIMUM BUILDING HEIGHT**

6.0 m

### **11.6            MINIMUM FLOOR AREA**

56.0 m<sup>2</sup>

### **11.7            FRONT YARD DEPTH FOR A MOBILE HOME PARK**

6.0 m



**11.8 SIDE YARD DEPTH FOR A MOBILE HOME PARK**

6.0 m

**11.9 REAR YARD DEPTH FOR A MOBILE HOME PARK**

7.5 m

**11.10 MINIMUM SEPARATION DISTANCE**

From buildings or structures used for livestock or mushroom farming:	200.0 metres or the distance determined on application of M.D.S. Formula I, whichever is greater
From the edge of a sewage disposal lagoon or a solid waste disposal site:	300.0 m
From the edge of a railroad right-of-way:	50.0 m

**11.11 EXCEPTIONS - MOBILE HOME PARK (MH) ZONE**

**11.11.1**

**11.11.1.1 Defined Area**

MH-1 as shown on Schedule "C" to this By-law

**11.11.1.2 Minimum Lot Frontage for a Mobile Home Site**

15.2 metres where there is a public or communal water supply

**11.11.1.3 Minimum Separation Distance**

185.0 metres to the edge of a sewage disposal lagoon or a solid waste disposal site

## SECTION 12 RECREATION RESIDENTIAL (RR) ZONE REGULATIONS

---

### 12.1 PERMITTED USES

No land shall be used and no buildings or structures shall be erected, used, or altered in the Recreation Residential (RR) Zone except for the following purposes:

One single-detached dwelling on one lot;

One converted dwelling on one lot;

One mobile home on one lot;

One seasonal dwelling on one lot;

Group home;

Home occupation;

Accessory use.

### 12.2 MINIMUM LOT AREA

1850.0 m<sup>2</sup>

### 12.3 MINIMUM LOT FRONTAGE

25.0 m

### 12.4 MAXIMUM LOT COVERAGE

30 %

### 12.5 MAXIMUM BUILDING HEIGHT

10.5 m

### 12.6 FRONT YARD DEPTH

6.0 m

### 12.7 SIDE YARD WIDTH

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

### 12.8 REAR YARD DEPTH

7.5 m

**12.9 MINIMUM FLOOR AREA FOR A MOBILE HOME**

62.0 m<sup>2</sup>

**12.10 EXCEPTIONS - RECREATION RESIDENTIAL (RR) ZONE**

**12.10.1**

**12.10.1.1 Defined Area**

RR-1 as shown on Schedule “O”, Map 2 to this By-law

**12.10.1.2 Permitted Uses**

One single detached dwelling on one lot;

Home occupation;

Accessory use

**12.10.1.3 Minimum Lot Area**

2950 m<sup>2</sup>

**12.10.1.4 Minimum Floor Area**

90 m<sup>2</sup>

**12.10.1.5 Front Yard Depth**

7.5 m

**12.10.1.6 Setback from Top of Bank**

7.5 m

**12.10.1.7 Minimum Rear Yard Depth**

Notwithstanding any other provision of this By-law, no permanent buildings, structures or swimming pools shall be erected or used, and no fill shall be placed within 9 metres from the top of bank as identified by the Catfish Creek Conservation Authority.

**12.10.2**

**12.10.2.1 Defined Area**

RR-2 as shown on Schedule “O”, Map 1 to this By-law

**12.10.2.2 Permitted Uses**

One single detached dwelling on one lot;

Home occupation;

Accessory use.

**12.10.2.3 Minimum Lot Area**

Lot1: 1.0 hectares

Lot 2: 1.5 hectares

Lot 3: 3.0 hectares

**12.10.2.4 Special Yard Regulations**

Notwithstanding any other provision of this By-law, septic tile beds may be located within any required yard.

**12.10.2.5 Setback from Top of Bank**

Notwithstanding any other provision of this By-law, no permanent buildings, structures or swimming pools shall be erected or used, and no fill shall be placed within 8 metres from the top of bank as identified by the Catfish Creek Conservation Authority, or the OS-7 Zone, whichever is greater.

**12.10.3**

**12.10.3.1 Defined Area**

RR-3 as shown on Schedule “O”, Map 3 to this by-law.

**12.10.3.2 Permitted Uses**

32 seasonal dwelling units;

1 single-detached dwelling unit for permanent occupation by a caretaker;

Accessory uses;

Accessory commercial uses associated with the seasonal dwelling units

**12.10.3.3 Regulations for Buildings**

No buildings or structures may be erected, enlarged, extended or redeveloped and no fill shall be placed without written approval of the Conservation Authority and Health Unit having jurisdiction over human habitation of the subject lands.



**SECTION 13 RURAL COMMERCIAL (RC) ZONE REGULATIONS**

---

**13.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Rural Commercial (RC) Zone except for the following purposes:

Animal clinic;

Auction sales facilities;

Bulk sales establishment;

Farm equipment sales and service;

Farm fuel sales;

Garden centre;

Retail store;

Service shop;

Public garage;

One dwelling unit as an accessory use

**13.2 MINIMUM LOT AREA**

2000.0 m<sup>2</sup>

**13.3 MINIMUM LOT FRONTAGE**

30.0m

**13.4 MAXIMUM LOT COVERAGE**

40%

**13.5 MAXIMUM BUILDING HEIGHT**

12.0m

**13.6 FRONT YARD DEPTH**

15.0m

**13.7 SIDE YARD WIDTH**

Interior side yard width:

5.0m

Exterior side yard width: 9.0m

**13.8 REAR YARD DEPTH**

7.5m

**13.9 MINIMUM SEPARATION DISTANCE**

200.0 metres from livestock buildings or structures, or the distance determined on application of M.D.S. Formula I, whichever is greater

**13.10 EXCEPTIONS - RURAL COMMERCIAL (RC) ZONE**

**13.10.1**

**13.10.1.1 Defined Area**

RC-1 as shown on Schedule "A", Map No. 20 to this By-law

**13.10.1.2 Permitted Uses**

Motor vehicle sales establishment restricted to a maximum number of ten (10) vehicles on site at any given time in addition to all other uses permitted in the RC Zone

**13.10.2**

**13.10.2.1 Defined Area**

RC-2 as shown on Schedule "G" Map 4 to this By-law

**13.10.2.2 Permitted Uses**

Private social club and restaurant in addition to all other uses permitted in the RC Zone

**13.10.3**

**13.10.3.1 Defined Area**

RC-3 as shown on Schedule "G" Map 4 to this By-law

**13.10.3.2 Permitted Uses**

Furniture stripping and repair, car wash and motor vehicle sales establishment, in addition to all other uses permitted in the RC Zone

**13.10.4**

**13.10.4.1 Defined Area**

RC-4 as shown on Schedule "A", Map 20 to this By-law

13.10.4.2 **Permitted Uses**

Public garage and motor vehicle sales establishment restricted to a maximum number of eight (8) vehicles on site at any given time in addition to all other uses permitted in the RC Zone

13.10.4.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.5**

13.10.5.1 **Defined Area**

RC-5 as shown on Schedule "G" Map 1 to this By-law

13.10.5.2 **Permitted Uses**

Restaurant and motor vehicle service station in addition to all other uses permitted in the RC Zone

13.10.5.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.6**

13.10.6.1 **Defined Area**

RC-6 as shown on Schedule "H" to this By-law

13.10.6.2 **Other Permitted Uses**

Trucking and haulage business in addition to all other uses permitted in the RC Zone

**13.10.7**

13.10.7.1 **Defined Area**

RC-7 as shown on Schedule "A" Map 64 to this By-law

13.10.7.2 **Other Permitted Uses**

Restaurant and motor vehicle service shop in addition to all other uses permitted in the RC Zone

13.10.7.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses



**13.10.8**

13.10.8.1 **Defined Area**

RC-8 as shown on Schedule "A" Map 64 to this By-law

13.10.8.2 **Other Permitted Uses**

Tire storage in addition to all other uses permitted in the RC Zone

13.10.8.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.9**

13.10.9.1 **Defined Area**

RC-9 as shown on Schedule "A" Map 84 to this By-law

13.10.9.2 **Other Permitted Uses**

Pottery shop and restaurant in addition to all other uses permitted in the RC Zone

13.10.9.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.10**

13.10.10.1 **Defined Area**

RC-10 as shown on Schedule "A" Map 80 to this By-law

13.10.10.2 **Other Permitted Uses**

Restaurant, motor vehicle service shop and motor vehicle sales establishment in addition to all other uses permitted in the RC Zone

13.10.10.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.11**

13.10.11.1 **Defined Area**

RC-11 as shown on Schedule "A" Map 77 to this By-law

13.10.11.2 **Other Permitted Uses**

Bakery;

Food processing;

Retail store and wholesale outlet accessory to the “Bakery” and “Food processing” uses.

13.10.11.3 **Prohibited Uses**

Restaurants and snack bars;

Retail uses which are not related to the permitted uses.

13.10.11.4 **Maximum Lot Coverage**

15%

**13.10.12**

13.10.12.1 **Defined Area**

RC-12 as shown on Schedule "G" Map 4 to this By-law

13.10.12.2 **Other Permitted Uses**

Motor vehicle sales establishment in addition to all other uses permitted in the RC Zone

**13.10.13**

13.10.13.1 **Defined Area**

RC-13 as shown on Schedule "A" Map 85 to this By-law

13.10.13.2 **Other Permitted Uses**

Cable T.V. operation including related towers, antennae and facilities

13.10.13.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**13.10.14**

13.10.14.1 **Defined Area**

RC-14 as shown on Schedule "A" Map 43 to this By-law

13.10.14.2 **Other Permitted Uses**

Furniture warehouse in addition to all other uses permitted in the RC Zone

13.10.14.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.15**

13.10.15.1 **Defined Area**

RC-15 as shown on Schedule "A", Map 24 to this By-law

13.10.15.2 **Permitted Uses**

Public Garage in addition to all other uses permitted in the RC Zone

13.10.15.3 **Permitted Buildings and Structures**

Existing building and structures for the permitted uses

**13.10.16**

13.10.16.1 **Defined Area**

RC-16 as shown on Schedule "A", Map 23 to this By-law

13.10.16.2 **Permitted Uses**

A remote digital telephone switching station

13.10.16.3 **Maximum Building Size**

42.0 m<sup>2</sup>

13.10.16.4 **Front Yard Depth**

2 1.0 metres

13.10.16.5 **Side Yard Width**

Exterior side yard 20.0 metres.

Interior side yard 8.0 metres.

**13.10.17**

13.10.17.1 **Defined Area**

RC-17 as shown on Schedule "A", Map 19 to this By-law

13.10.17.2 **Permitted Uses**

Public Garage in addition to all other uses permitted in the RC Zone

13.10.17.3 **Permitted Buildings and Structures**

Existing buildings and structures

**13.10.18**

13.10.18.1 **Defined Area**

RC-18 as shown on Schedule "A", Map 22 to this By-law

13.10.18.2 **Permitted Uses**

Retail sales of flowers in addition to all other uses permitted in the RC Zone

13.10.18.3 **Permitted Buildings and Structures**

Existing buildings and structures

**13.10.19**

13.10.19.1 **Defined Area**

RC-19 as shown on Schedule "A", Map 4 to this By-law

13.10.19.2 **Permitted Uses**

Antique Shop in addition to all other uses permitted in the RC Zone

13.10.19.3 **Permitted Buildings and Structure**

Existing buildings and structures

**13.10.20**

13.10.20.1 **Defined Area**

RC-20 as shown on Schedule "G", Map 4 to this By-law

13.10.20.2 **Permitted Uses**

Commercial aviary in addition to all other uses permitted in the RC Zone

**13.10.21**

13.10.21.1 **Defined Area**

RC-21 as shown on Schedule "A", Map 44 to this By-law

13.10.21.2 **Permitted Uses**

A restaurant in addition to all other uses permitted in the RC Zone

13.10.21.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**13.10.22**

13.10.22.1 **Defined Area**

RC-22 as shown on Schedule "G", Map 3 to this By-law.

13.10.22.2 **Other Permitted Uses**

Motor vehicle sales establishment in addition to all other uses permitted in the RC Zone

**13.10.23**

13.10.23.1 **Defined Area**

RC-23 as shown on Schedule "H" to this By-law

13.10.23.2 **Permitted Uses**

Motor vehicle sales establishment restricted to a maximum number of eight (8) vehicles on site at any given time;

Public garage, excluding a motor vehicle service station

**13.10.24**

13.10.24.1 **Defined Area**

RC-24 as shown on Schedule "A", Map 39 to this By-law

13.10.24.2 **Permitted Uses**

Farm Equipment Sales and Service;

Service Shop;

Motor vehicle storage for up to 20 vehicles;

Public Garage;

Aircraft hangar;

One (I) dwelling unit as an accessory use.

13.10.24.3 **Permitted Buildings and Structures**

Existing buildings and structures;

One (1) dwelling unit.

**13.10.25**

13.10.25.1 **Defined Area**

RC-25 as shown on Schedule "A" Map 75 to this By-law

13.10.25.2 **Permitted Uses**

Motor vehicle sales establishment restricted to a maximum number of twenty (20) vehicles on site at any given time in addition to all other uses permitted in the RC Zone.

**13.10.26**

13.10.26.1 **Defined Area**

RC-26 as shown on Schedule "A" Map 1 14 to this By-law

13.10.26.2 **Permitted uses**

Motor vehicle sales establishment restricted to a maximum number of forty (40) vehicles on site at any given time in addition to all other uses permitted in the RC Zone.

**13.10.27**

13.10.27.1 **Defined Area**

RC-27 as shown on Schedule "A", Map No. 94 to this By-law

13.10.27.2 **Permitted Uses**

Motor vehicle sales establishment ancillary to a motor vehicle service establishment to a maximum of six (6) vehicles on site at any given time, in addition to all other uses permitted in the RC Zone

**13.10.28**

13.10.28.1 **Defined Area**

RC-28 as shown on Schedule "G", Map No. 2 to this By-law

13.10.28.2 **Permitted Uses**

Sale and service of pneumatic and hydraulic pumps in addition to all other uses permitted in the RC Zone

13.10.28.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses



## **SECTION 14     HIGHWAY COMMERCIAL (HWC) ZONE REGULATIONS**

---

### **14.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Highway Commercial (HWC) Zone except for the following purposes:

Accessory use;

Animal clinic;

Antique store;

Auction sales facilities;

Drive-in restaurant;

Existing residential uses and buildings;

Retail furniture store;

Retail floor covering store;

Lumber (building materials) yard, retail or wholesale;

Motel, hotel;

Motor vehicle service station;

Motor vehicle sales establishment;

Public garage;

Restaurant;

One (1) dwelling unit as an accessory use;

Retail store as an accessory use.

### **14.2            MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **14.3            MINIMUM LOT FRONTAGE**

30.0 m

### **14.4            MAXIMUM LOT COVERAGE**

40 %



**14.5**      **MAXIMUM BUILDING HEIGHT**

12.0 m

**14.6**      **FRONT YARD DEPTH**

15.0 m

**14.7**      **SIDE YARD WIDTH**

Interior side yard width: 5.0 m

Exterior side yard width: 9.0 m

**14.8**      **REAR YARD DEPTH**

7.5 m

**14.9**      **MINIMUM SEPARATION DISTANCE**

From livestock buildings or structures:	200.0 metres or the distance determined on application of M.D.S. Formula I, whichever is greater
From a sewage disposal lagoon or solid waste disposal site:	300.0 m
From the edge of a railroad right-of-way:	30.0 m

**14.10**      **EXCEPTIONS - HIGHWAY COMMERCIAL (HWC) ZONE****14.10.1****14.10.1.1** **Defined Area**

HWC-1 as shown on Schedule "H" to this By-law

**14.10.1.2** **Other Permitted Uses**

Petroleum sales and storage in addition to all other uses permitted in the RC Zone

**14.10.1.3** **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**14.10.2****14.10.2.1** **Defined Area**

HWC-2 as shown on Schedule "H" to this By-law

14.10.2.2 **Other Permitted Uses**

Cable T.V. and telephone operation including related towers, antennae and facilities;

Contractor's yard and shop

14.10.2.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**14.10.3**

14.10.3.1 **Defined Area**

HWC-3 as shown on Schedule "A", Map 57 to this By-law

14.10.3.2 **Permitted Uses**

Motor vehicle service station;

Public garage;

Motor vehicles sales establishment;

A residence as an accessory use;

Agricultural use

14.10.3.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**14.10.4**

14.10.4.1 **Defined Area**

HWC-4 as shown on Schedule "H" to this By-law;

14.10.4.2 **Permitted Uses**

Truck terminal in addition to all other uses permitted in the HWC Zone.

14.10.4.3 **Storage and Parking Restrictions for Commercial Vehicles**

Notwithstanding any other regulation of this By-law, a maximum of 35 commercial vehicles are permitted to be stored, parked or serviced in the HWC-4 Zone at any one time. Commercial vehicles shall include, but not be limited to; transport truck cabs or trailers, and each truck cab or each trailer shall count as one commercial vehicle.

**14.10.5**

**14.10.5.1 Defined Area**

HWC-5 as shown on Schedule “A”, Map 54 to this By-law

**14.10.5.2 Permitted Uses**

Transfer site for recycled materials in addition to all other uses permitted in the HWC Zone

**14.10.6**

**14.10.6.1 Defined Area**

HWC-6 as shown on Schedule “G”, Map No. 4 to this By-law

**14.10.6.2 Permitted Uses within a Yard**

A drive through vehicle lane within the required west side yard and within the required front yard

**14.10.7**

**14.10.7.1 Defined Area**

HWC-7 as shown on Schedule “A”, Map No. 63 to this By-law.

**14.10.7.2 Permitted Uses**

Duplex dwelling in addition to all other uses permitted in the HWC Zone.

**14.10.7.3 Minimum Lot Area**

Existing at the date of passing of this by-law.

**14.10.7.4 Front Yard Depth and Westerly Side Yard Width for Main Use**

Existing at the date of passing of this by-law

**14.10.7.5 Rear Yard Depth and Side Yard Width for Accessory Buildings**

Existing at the date of passing of this by-law

**14.10.8**

**14.10.8.1 Defined Area**

HWC-8 as shown on Schedule “A”, Map No. 63 to this by-law

14.10.8.2 **Additional Permitted Uses**

Retail food store including catering and take-out restaurant;

One (1) residential dwelling unit.

14.10.8.3 **Maximum Floor Area for Permitted Commercial Uses**

330 m<sup>2</sup>



## **SECTION 15      HAMLET COMMERCIAL (HC) ZONE REGULATIONS**

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### **15.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Hamlet Commercial (HC) Zone except for the following purposes:

Bed and breakfast establishment or tourist home;

Boarding house or rooming house;

Bus depot;

Clinic;

Convenience plaza;

Convenience store;

Farm supplies;

Funeral home;

Hotel, motel, or tavern;

Laundry establishment;

Library;

Motor vehicle body shop;

Motor vehicle sales establishment;

Motor vehicle service station;

Offices, general or professional;

One dwelling unit as an accessory use;

Parking lot;

Place of entertainment;

Post office;

Public garage;

Publishing establishment, publishing (newspaper);

Restaurant;

Restaurant, drive-in or take-out;

Retail store;

Service shop;

Shopping centre;

**15.2 MINIMUM LOT AREA**

1850.0 m<sup>2</sup>

**15.3 MINIMUM LOT FRONTAGE**

25.0 m

**15.4 MAXIMUM LOT COVERAGE**

40 %

**15.5 MAXIMUM BUILDING HEIGHT**

12.0 m

**15.6 FRONT YARD DEPTH**

6.0 m

**15.7 SIDE YARD WIDTH**

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

**15.8 REAR YARD DEPTH**

Where the rear yard abuts a residential zone: 7.5 m

All other cases: 3.0 m

**15.9 EXCEPTIONS - HAMLET COMMERCIAL (HC) ZONE**

**15.9.1**

**15.9.1.1 Defined Area**

HC-1 on Schedule "J" to this By-law

**15.9.1.2 Permitted Uses**

Garden centre

**15.9.2**

15.9.2.1 **Defined Area**

HC-2 as shown on Schedule “C” to this By-law

15.9.2.2 **Permitted Uses**

Cable T.V. equipment and facilities

15.9.2.3 **Maximum Building Size**

13.3 m<sup>2</sup>

**15.9.3**

15.9.3.1 **Defined Area**

HC-3 as shown on Schedule “O”, Map No. 4 to this By-law

15.9.3.2 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

15.9.3.3 **Prohibited Uses**

Parking of commercial motor vehicles, or travel trailers;

Overnight parking of motor vehicles, boats, or boat accessories;

Outdoor storage of any materials.





## **SECTION 16 VILLAGE GENERAL COMMERCIAL (VC1) ZONE REGULATIONS**

---

### **16.1 PERMITTED USES**

No land shall be used and no buildings shall be erected, used, or altered in the Village General Commercial (VC1) Zone except for the following purposes:

Animal clinics;

Auction sales facilities;

Bakeries;

Bus depot;

Caterer's establishment;

Farm equipment sales and service;

Financial institutions;

Funeral homes;

Hospitals and nursing homes (rest homes);

Hotels, motels, taverns;

Motor vehicle service station, motor vehicle sales establishment, taxi establishment;

Publishing establishments, publishing (newspaper);

Recreation facilities;

Restaurants;

Retail stores or service shops;

Accessory residential and institutional uses;

Accessory tourist homes and boarding / rooming houses;

Buildings accessory to the foregoing use.

### **16.2 MINIMUM LOT AREA**

800 m<sup>2</sup>

### **16.3 MINIMUM LOT FRONTAGE**

20.0 m

**16.4**      **MAXIMUM BUILDING COVERAGE**

60 %

**16.5**      **MAXIMUM BUILDING HEIGHT**

12.0 m

**16.6**      **FRONT YARD DEPTH**

6.0 metres, except along Main Street (Ron McNeil Line) between Inverness Street and Springfield Road where no front yard is required.

**16.7**      **SIDE YARD WIDTH**

Where a yard abuts a residential zone: 4.5 m

Where there is communal wall: nil

All other cases: 1.0 m

**16.8**      **REAR YARD DEPTH**

Where a yard abuts a residential zone: 7.5 m

All other cases: 3.0 m

**16.9**      **SUPPLEMENTARY REGULATIONS FOR USES PERMITTED IN SECTION 16.1****16.9.1**      **Lot Area per Dwelling Unit for Accessory Residential Uses:**

460.0 m<sup>2</sup> in addition to the requirements established in Section 16.2.

**16.9.2**      **Floor Area for Accessory Residential Uses:**

<u>Type of Dwelling</u>	<u>Minimum Floor Area</u>
Bachelor Unit:	46.5 m <sup>2</sup>
One-bedroom Unit:	55.5 m <sup>2</sup>
Two or more bedrooms:	69.5 m <sup>2</sup>

16.9.3      Accessory residential, institutional, tourist home, and boarding/rooming house uses shall be connected to and form an integral part of the commercial building, and shall be located over the first storey commercial use, to a maximum of two storeys above the permitted commercial use.

16.9.4      Retail stores or service shops shall not be engaged in manufacturing on the premises unless such manufacturing is incidental to the associated retail business; does

not exceed 50% of the total floor area of the establishment; and the products manufactured are primarily for sale on the premises.

**16.10 EXCEPTIONS - VILLAGE GENERAL COMMERCIAL (VC1) ZONE**

**16.10.1**

**16.10.1.1 Defined Area**

VC1-1 as shown on Schedule “D”, Map No. 2 to this By-law.

**16.10.1.2 Permitted Uses**

**By-law 09-13**

Three (3) ground floor dwelling units in addition to all other uses permitted in the VC1 Zone

**16.10.1.3 Minimum Lot Area**

971.0 m<sup>2</sup>

**16.10.1.4 Minimum Floor Area**

<u>Type of Dwelling</u>	<u>Minimum Floor Area</u>
One-bedroom apartment:	45.7 m <sup>2</sup>
Two-bedroom apartment:	55.0 m <sup>2</sup>

**16.10.2**

**16.10.2.1 Defined Area**

**By-law 06-26**

VC1-2 as shown on Schedule “D”, Map No. 1 to this By-law.

**16.10.2.2 Permitted Uses**

One (1) single-detached dwelling in addition to all other uses permitted in the VC1 Zone.

**16.10.2.3 Minimum Rear Yard Depth**

20.0 metres

**16.10.2.4 Minimum Westerly Side Yard Width**

6.0 metres



## SECTION 17 VILLAGE LOCAL COMMERCIAL (VC2) ZONE REGULATIONS

---

### 17.1 PERMITTED USES

No land shall be used and no buildings shall be erected, used, or altered in the Village Local Commercial (VC2) Zone except for the following purposes:

Motor vehicle service station;

Personal service shop;

Restaurant;

Retail store;

One dwelling unit connected to and forming an integral part of the commercial building and provided with a separate access;

Accessory uses.

### 17.2 MINIMUM LOT AREA

Springfield: 800.0 m<sup>2</sup>

Port Bruce: 1850.0 m<sup>2</sup>

### 17.3 MINIMUM LOT FRONTAGE

20 m

### 17.4 MAXIMUM BUILDING COVERAGE

40 %

### 17.5 MAXIMUM BUILDING HEIGHT

10.5 m

### 17.6 FRONT YARD DEPTH

6.0 m

### 17.7 SIDE YARD WIDTH

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

**17.8**      **REAR YARD DEPTH**

Abutting a residential zone, or where building contains residential accommodations: 7.5m

All other cases: 3.0 m

**17.9**      **REGULATIONS FOR ACCESSORY RESIDENTIAL USES PERMITTED IN SECTION 17.1****17.9.1**      **Lot Area per Dwelling Unit:**

460.0 m<sup>2</sup> in addition to the requirements established in Section 17.2

**17.9.2**      **Floor Area:**

<u>Type of Dwelling</u>	<u>Minimum Floor Area</u>
Bachelor Unit:	46.5 m <sup>2</sup>
One-bedroom Unit:	55.5 m <sup>2</sup>
Two or more bedrooms:	69.5 m <sup>2</sup>

**17.10**      **EXCEPTIONS - VILLAGE LOCAL COMMERCIAL (VC2) ZONE**

## **SECTION 18 LOCAL ENTERPRISE (LE) ZONE REGULATIONS**

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### **18.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Local Enterprise (LE) Zone except for the following purposes:

Bed and breakfast establishment;

Caterer's establishment;

Light assembly and fabrication;

Personal service shop;

Restaurant;

Accessory office and accessory commercial or retail uses associated with any other existing, main permitted use;

One dwelling unit as a main or accessory use to any other existing permitted use.

### **18.2 MINIMUM LOT AREA**

1850.0 m<sup>2</sup>

### **18.3 MINIMUM LOT FRONTAGE**

30.0 m

### **18.4 MAXIMUM LOT COVERAGE**

40 %

### **18.5 MAXIMUM BUILDING SIZE**

i) Height: 10.5 m

ii) Floor Area (all floors): 929 m<sup>2</sup>

### **18.6 FRONT YARD DEPTH**

Located within village, hamlet, or suburban area: 6.0 m

Located within a rural area: 15.0 m

### **18.7 SIDE YARD WIDTH**

Interior side yard width (village, hamlet, suburban area): 2.0 m

Exterior side yard width (village, hamlet, suburban area): 6.0 m



Interior side yard width (rural area): 5.0 m

Exterior side yard width (rural area): 9.0 m

**18.8**      **REAR YARD DEPTH**

7.5 m

**18.9**      **MINIMUM SEPARATION DISTANCE FROM LIVESTOCK BUILDINGS AND STRUCTURES**

The distance determined on application of the M.D.S. Formula I.

**18.10**     **EXCEPTIONS - LOCAL ENTERPRISE (LE) ZONE**

## **SECTION 19 FARM INDUSTRIAL (M1) ZONE REGULATIONS**

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### **19.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Farm Industrial (M1) Zone except for the following purposes:

Abattoir;

Animal and poultry health and breeding service;

Commercial grain handling and storage facilities;

Feed mill;

Fertilizer plant;

Livestock sales barns and marketing yards;

A commercial use as an accessory use;

One (1) dwelling unit or one (1) mobile home as an accessory use.

### **19.2 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **19.3 MINIMUM LOT FRONTAGE**

30.0 m

### **19.4 MAXIMUM LOT COVERAGE**

40 %

### **19.5 MAXIMUM BUILDING HEIGHT**

12.0 m

### **19.6 FRONT YARD DEPTH**

15.0 m

### **19.7 SIDE YARD WIDTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**19.8 REAR YARD DEPTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**19.9 MINIMUM SEPARATION DISTANCE**

From livestock buildings and structures: 200.0 m or the distance determined on application of M.D.S. Formula I whichever is greater

**19.10 EXCEPTIONS - FARM INDUSTRIAL (M1) ZONE****19.10.1****19.10.1.1 Defined Area**

M1-1 as shown on Schedule "A", Map 46 to this By-law

**19.10.1.2 Permitted Uses**

Public garage in addition to all other uses permitted in the M1 Zone

**19.10.2****19.10.2.1 Defined Area**

M1-2 as shown on Schedule "A", Map 88 to this By-law

**19.10.2.2 Side Yard Width**

No side yard shall be required on the north and east side yards of the subject lands

**19.10.2.3 Buffer Strip**

Notwithstanding subsection 4.27.4 of the By-law, no buffer strip shall be required with respect to the Agricultural Residential (AR) Zone situated to the immediate north of the subject lands.

**19.10.2.4 Loading Space Separation**

Notwithstanding subsection 4.28 of the By-law, no vehicular parking restrictions, no loading space restrictions and no buffer strip requirements shall apply to the north and east side yards of the subject lands.

**19.10.3****19.10.3.1 Defined Area**

M1-3 as shown on Schedule "A" Map No. 70 to this by-law

19.10.3.2 **Permitted Uses**

Metal fabricating shop for agricultural equipment;

Commercial welding and machine shop;

A commercial use as an accessory use;

One dwelling unit as an accessory use

19.10.3.3 **Outdoor Storage Restrictions**

Outdoor storage of any products or materials shall be permitted only in that portion of the rear yard which does not form part of the minimum required rear yard as prescribed by Section 19.8 of the By-law, as amended.

19.10.3.4 **Buffer Strip**

A buffer strip in accordance with subsections 4.27 of this by-law, as amended, shall be required within the east side yard adjacent to the Springer Hill Road.

19.10.3.5 **Parking Requirements**

Notwithstanding Section 4.29 of this by-law, as amended, a minimum of thirty (30) off-street parking spaces shall be provided.

**19.10.4**

19.10.4.1 **Defined Area**

M1-4 as shown on Schedule “A” Map No. 59 to this by-law

**By-law 10-57**

19.10.4.2 **Permitted Uses**

Agricultural Processing Establishment



**SECTION 20 RURAL INDUSTRIAL (M2) ZONE REGULATIONS**

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**20.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Rural Industrial (M2) Zone except for the following purposes:

Abattoir or meat packing operation;  
Animal kennel;  
Commercial grain handling and storage facilities;  
Commercial welding and machine shop;  
Contractor's yard or shop;  
Lumber (building materials) yard;  
Farm equipment sales and service  
Feed mill;  
Food processing plant;  
High yield water well;  
Industrial, general;  
Industrial, light;  
Livestock sales barn and marketing yard;  
Truck terminal;  
Welding and machine shop;  
A commercial use as an accessory use;  
One dwelling unit as an accessory use.

**20.2 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

**20.3 MINIMUM LOT FRONTAGE**

30.0 m

**20.4 MAXIMUM LOT COVERAGE**

40 %

**20.5**      **MAXIMUM BUILDING HEIGHT**

12.0 m

**20.6**      **FRONT YARD DEPTH**

15.0 m

**20.7**      **SIDE YARD WIDTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**20.8**      **REAR YARD DEPTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**20.9**      **BUFFER STRIP**

In accordance with Section 4.27 of this By-law.

**20.10**      **MINIMUM SEPARATION DISTANCE**

From livestock buildings and structures:	200.0 or the distance determined on application of M.D.S. Formula I whichever is greater.
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**20.11**      **EXCEPTIONS - RURAL INDUSTRIAL (M2) ZONE****20.11.1****20.11.1.1** **Defined Area**

M2-1 as shown on Schedule "G", Map G3 to this By-law.

**20.11.1.2** **Permitted Uses**

An establishment for the painting and restoration of portable propane tanks.

**20.11.1.3** **Permitted Buildings and Structures**

Existing buildings and structures

**20.11.1.4** **Building Regulations**The area to be utilized for the painting and restoration of propane tanks shall be contained entirely with the existing building on the site and shall not exceed 930 m<sup>2</sup> of floor space.**20.11.1.5** **Minimum Lot Area**

Existing Lot Area

**20.11.2**

20.11.2.1 **Defined Area**

M2-2 as shown on Schedule "A" Map 49 to this By-law.

20.11.2.2 **Other Permitted Uses**

The manufacturing of cookstoves in addition to all other uses permitted in the M2 Zone.

20.11.2.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses.

**20.11.3**

20.11.3.1 **Defined Area**

M2-3 as shown on Schedule 'A', Map 78 to this By-law.

20.11.3.2 **Permitted Uses**

Plastic products manufacturing;

One mobile home as an office or as supplementary housing to the industrial use;

Accessory uses.

20.11.3.3 **Maximum Lot Area for the Permitted Uses**

1.6 hectares

**20.11.4**

20.11.4.1 **Defined Area**

M2-4 as shown on Schedule 'E' to this By-law.

20.11.4.2 **Permitted Uses, Buildings and Structures**

Welding shop with a maximum floor area of 853 m<sup>2</sup>;

Accessory office space to welding shop with maximum floor area of 102 m<sup>2</sup>.

**20.11.5**

20.11.5.1 **Defined Area**

M2-5 as shown on Schedule 'A', Map 118 to this By-law.

20.11.5.2 **Other Permitted Uses**

Wood products manufacturing



20.11.5.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**20.11.6**

20.11.6.1 **Defined Area**

M2-6 as shown on Schedule 'A', Map 49 to this By-law.

20.11.6.2 **Other Permitted Uses**

Salvage yard

20.11.6.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses.

**20.11.7**

20.11.7.1 **Defined Area**

M2-7 as shown on Schedule 'A', Map 51 to this By-law.

20.11.7.2 **Other Permitted Uses**

Salvage yard

20.11.7.3 **Permitted Buildings And Structures**

Buildings and structures for the permitted uses

**20.11.8**

20.11.8.1 **Defined Area**

M2-8 as shown on Schedule 'A', Map 77 to this By-law.

20.11.8.2 **Other Permitted Uses**

Woodworking shop;  
Truck storage and repair;  
Pepper grading terminal;  
Farm machinery parts and supply establishment;  
Storage and warehousing.

20.11.8.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses.

**20.11.9**

20.11.9.1 **Defined Area**

M2-9 as shown on Schedule 'A', Map 45 to this By-law.

20.11.9.2 **Permitted Uses**

Modular home and building plant;  
Truss plant;  
Wood foundation assembly plant;  
Showroom for modular homes and building materials;  
Material storage building;  
Repair garage;  
Parking building for tractor trailers;  
Caretaker's residence;  
Outdoor storage for modular buildings;  
Outdoor storage for trusses;  
Outdoor storage for building materials;  
Covered lumber storage;  
Display area of model homes.

20.11.9.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses.

**20.11.10**

20.11.10.1 **Defined Area**

M2-10 as shown on Schedule 'A', Map 60 to this By-law.

20.11.10.2 **Permitted Uses**

The manufacturing of nails in addition to all other uses permitted in the M2 Zone.

20.11.10.3 **Prohibited Uses**

Truck Terminal

**20.11.11**

20.11.11.1 **Defined Area**

M2-12 as shown on Schedule 'A', Map No. 33 to this By-law.

20.11.11.2 **Minimum Side Yard Depth**

Notwithstanding subsection 20.7 of this By-law, no side yard along the common lot line shall be required between the 0.56 hectare (square-shaped) parcel to the north and the 1.7

hectare (triangular-shaped) parcel to the south.

Existing Dwelling: 5.7 metres for the north side yard.

20.11.11.3 **Minimum Rear Yard Depth**

Machine shop / welding shop: Nil

20.11.11.4 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses;

Existing accessory buildings.

20.11.11.5 **Outdoor Storage**

Outdoor storage of manufactured products intended for retail sale shall be permitted within the required front yard as prescribed by Section 20.6 of this By-law, as amended.

20.11.11.6 **Minimum Separation Distance**

Notwithstanding subsection 20.10 of this By-law, the minimum separation distance from livestock buildings and structures shall be the distance as established with respect to existing buildings and structures within the M2-12 Zone as of the effective date of this By-law.

**20.11.12**

20.11.12.1 **Defined Area**

M2-13 as shown on Schedule 'A', Map 111 to this By-law.

20.11.12.2 **Prohibited Uses**

Outdoor storage of any products or materials.

20.11.12.3 **Buffer Strip**

A buffer strip consisting of a 2.0 metre high privacy fence of wood or steel is required in the yards along the north and west sides of the property.

20.11.12.4 **Loading and Parking Requirements**

The vehicular access for all industrial and commercial traffic including all truck traffic shall be situated along the east side yard of the M2-15 zone in order to facilitate all loading, unloading and truck turning movements on site.

20.11.12.5 **Front Yard Depth**

50 metres

**20.11.13**

20.11.13.1 **Defined Area**

M2-14 as shown on Schedule 'A', Map 6 to this By-law.

20.11.13.2 **Maximum Floor Area for Auto Body Shop Uses**

301 m<sup>2</sup>

**20.11.14**

20.11.14.1 **Defined Area**

M2-15 as shown on Schedule 'A', Map 14 to this By-law.

20.11.14.2 **Permitted Uses**

Wrecking yard

20.11.14.3 **Permitted Buildings and Structures**

Existing buildings and structures.

**20.11.15**

20.11.15.1 **Defined Area**

M2-16 as shown on Schedule 'A', Map 22 to this By-law.

20.11.15.2 **Permitted Uses**

Paving contractor and motor vehicle sales establishment

20.11.15.3 **Permitted Buildings and Structures**

Existing buildings and structures

**20.11.16**

20.11.16.1 **Defined Area**

**By-law 06-16**

M2-17 as shown on Schedule 'G', Map 3 to this By-law.

20.11.16.2 **Additional Permitted Uses**

The retail sale of motor vehicles, to a maximum of eight (8) vehicles, as an accessory use to a main industrial use permitted under Section 20.1 of this By-law.

**20.11.18**

**By-law 11-10**

20.11.18.1 **Defined Area**

M2-18 as shown on Schedule 'A', Map No. 54

20.11.18.2 **Minimum Rear Yard and Southerly Side Yard Depth**

0.0 metres for existing buildings



## **SECTION 21 VILLAGE INDUSTRIAL ZONE (M3) REGULATIONS**

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### **21.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Village Industrial (M3) Zone except for the following purposes:

General industrial uses;

Light industrial uses;

Motor vehicle body shops;

Offices and retail outlets related to industrial operations;

Buildings accessory to the foregoing uses;

One (1) dwelling unit in a portion of the non-residential building, in conformity with the floor space regulations for the VR Zone, for one caretaker or one person and his family employed in the manufacturing and industrial operations or uses permitted in this subsection.

### **21.2 MINIMUM LOT AREA**

800 m<sup>2</sup>

### **21.3 MINIMUM LOT FRONTAGE**

30.0 m

### **21.4 MINIMUM LOT DEPTH**

30.0 m

### **21.5 MAXIMUM LOT COVERAGE**

40 %

### **21.6 MAXIMUM BUILDING HEIGHT**

12.0 m

### **21.7 FRONT YARD DEPTH**

15.0 m

### **21.8 SIDE YARD WIDTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**21.9            REAR YARD DEPTH**

Abutting a residential zone: 15.0 m

All other cases: 7.5 m

**21.10          EXCEPTIONS - VILLAGE INDUSTRIAL (M3) ZONE**

**21.10.1**

21.10.1.1 **Defined Area**

M3-1 as shown on Schedule “D”, Map D3 to this By-law

21.10.1.2 **Permitted Uses**

Existing residential use in addition to all uses permitted in the Village Industrial (M3) Zone;

Accessory uses.

21.10.1.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses;

Existing buildings and structures;

Private garage as an accessory building

## **SECTION 22      EXTRACTIVE INDUSTRIAL (M4) ZONE REGULATIONS**

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### **22.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Extractive Industrial (M4) Zone except for the following purposes:

Pit;

Wayside pit;

Agricultural use;

Forestry use;

A commercial use as an accessory use.

### **22.2            MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **22.3            MINIMUM LOT FRONTAGE**

150.0 m

### **22.4            MAXIMUM LOT COVERAGE**

20 %

### **22.5            MAXIMUM BUILDING HEIGHT**

12.0 m

### **22.6            YARD DEPTHS/WIDTHS**

#### **22.6.1        For the excavation of a pit:**

From a lot line: 15.0 m

From a street or road allowance: 30.0 m

From any occupied dwelling, residential zone or institutional zone: 90.0 m

#### **22.6.2        For buildings, plants, structures or product stock piles accessory to the pit and located on the pit property:**

From a lot line: 30.0 m

From any occupied dwelling, residential zone or institutional zone: 90.0 m



**22.7**            **BUFFER STRIP**

Where an Extractive Industrial (M4) Zone abuts any residential zone, an Institutional (I) Zone, an Open Space (OS) Zone, any natural heritage area, or an opened road allowance, a buffer strip having a minimum width of 30 metres shall be provided.

**22.8**            **EXCEPTIONS - EXTRACTIVE INDUSTRIAL (M4) ZONE**

## **SECTION 23      INSTITUTIONAL (I) ZONE REGULATIONS**

---

### **23.1            PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Institutional (I) Zone except for the following purposes:

Clinic;

Cemetery;

Church;

Club;

Community centre;

Institutional use;

Library;

Nursing home or rest home;

School, private or public;

Senior citizens home;

One dwelling unit as an accessory use.

### **23.2            MINIMUM LOT AREA**

1850.0 m<sup>2</sup>

### **23.3            MINIMUM LOT FRONTAGE**

30.0 m

### **23.4            MAXIMUM LOT COVERAGE**

40 %

### **23.5            MAXIMUM BUILDING HEIGHT**

12.0 m

### **23.6            FRONT YARD DEPTH**

Located within village, hamlet, or suburban area: 6.0 m

Located within a rural area: 15.0 m

**23.7**      **SIDE YARD WIDTH**

Interior side yard width (village, hamlet, suburban area):	2.0 m
Exterior side yard width (village, hamlet, suburban area):	6.0 m
Interior side yard width (rural area):	5.0 m
Exterior side yard width (rural area):	9.0 m

**23.8**      **REAR YARD DEPTH**

7.5 m

**23.9**      **MINIMUM SEPARATION DISTANCE**

From buildings and structures used for livestock or mushroom farming:	200.0 m or the M.D.S. Formula I, whichever is greater
From the lot line of a landfill site or sewage lagoon:	300.0 m
From a railway corridor right of way:	50.0 m

**23.10**      **BUFFER STRIP**

In accordance with Section 4.27 of this By-law.

**23.11**      **EXCEPTIONS - INSTITUTIONAL (I) ZONE****23.11.1****23.11.1.1** **Defined Area**

I-1 as shown on Schedule "A", Map 85 to this By-law

**23.11.1.2** **Other Permitted Uses**

Public garage and vehicle inspection station and contractors yard in addition to all other uses permitted in the (I) Institutional Zone

**23.11.2****23.11.2.1** **Defined Area**

I-2 as shown on Schedule "I" to this By-law.

**23.11.2.2** **Prohibited Uses**

Nursing home, rest home or senior citizen home

**23.11.2.3** **Supplemental Yard Regulations**

Permitted uses within the rear yard shall be restricted to parking, recreational, and open space uses that do

**23.11.3**

**23.11.3.1 Defined Area**

I-3 as shown on Schedule “A”, Map No. 63 to this By-law.

**23.11.3.2 Permitted Uses within Front and Easterly Side Yard**

Mutual driveway / vehicular access lane



## **SECTION 24 LAKESHORE RECREATION (LR) ZONE REGULATIONS**

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### **24.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Lakeshore Recreation (LR) Zone except for the following purposes:

Campground;

Conservation area;

Forestry use;

Marina;

Park, public or private;

A commercial use as an accessory use;

A dwelling unit as an accessory use

### **24.2 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **24.3 MINIMUM LOT FRONTAGE**

30.0 m

### **24.4 FRONT YARD DEPTH**

6.0 m

### **24.5 SIDE YARD WIDTH**

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

### **24.6 REAR YARD DEPTH**

7.5 m

### **24.7 ACCESSORY USES**

Notwithstanding any other provisions of this By-law, the following regulations shall apply to the establishment of an accessory use in the Lakeshore Recreation (LR) Zone:

**24.7.1 Maximum Lot Coverage**

20 %

**24.7.2 Maximum Floor Area**

100.0 m<sup>2</sup>

**24.7.3 Maximum Height**

10.5 m

**24.8 EXCEPTIONS - LAKESHORE RECREATION (LR) ZONE**

**24.8.1**

**24.8.1.1 Defined Area**

LR-1 as shown on Schedule "O", Map 11 to this By-law

**24.8.1.2 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**24.8.1.3 Prohibited Uses**

Parking of commercial motor vehicles, or travel trailers;

Overnight parking of motor vehicles, boats, or boat accessories;

Outdoor storage of any materials

**SECTION 25 OPEN SPACE (OS) ZONE REGULATIONS**

---

**25.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Open Space (OS) Zone except for the following purposes:

Campground;

Conservation area;

Fairgrounds;

Forestry use;

Game preserve;

Golf course;

Municipal sanitary sewage facilities;

Park, private or public;

Recreational facilities;

Recreational use;

Buildings and structures accessory to the above uses, including one dwelling unit as an accessory use;

**25.2 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

**25.3 MINIMUM LOT FRONTAGE**

150.0 m

**25.4 ACCESSORY USES**

Notwithstanding any other provisions of this By-law, the following regulations shall apply to the establishment of an accessory use in the Open Space (OS) Zone:

**25.4.1 Front Yard Depth**

6.0 m

**25.4.2 25.4.2 Side Yard Width**

7.5 m



**25.4.3 25.4.3 Rear Yard Depth**

7.5 m

**25.4.4 25.4.4 Maximum Lot Coverage**

20 %

**25.4.5 25.4.5 Maximum Building Height**

10.5 m

**25.4.6 25.4.6 Minimum Separation Distance**

From livestock buildings and structures: 200.0 m or the distance determined on application of M.D.S. Formula I, whichever is greater

**25.5 EXCEPTIONS - OPEN SPACE (OS) ZONE**

**25.5.1**

**25.5.1.1 Defined Area**

OS-1 as shown on Schedule “A”, Map 56 to this By-law

**25.5.1.2 Permitted Uses**

High yield water well in addition to all other uses permitted in the (OS) Zone

**25.5.1.3 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**25.5.2**

**25.5.2.1 Defined Area**

OS-2 as shown on Schedule “A”, Map 122 to this By-law

**25.5.2.2 Permitted Uses**

Campground;

Conservation area;

Fairgrounds;

Forestry use;

Game preserve;

Golf course;

Museum;

Park, public or private;

Recreational and support facilities;

Rifle range and trap shooting range;

Accessory uses

25.5.2.3 **Accessory Uses**

Accessory uses may include, but are not limited to, administration offices; a clubhouse; a snack bar; laundry

**25.5.3**

25.5.3.1 **Defined Area**

OS-3 as shown on Schedule “A”, Maps 52 and 53 to this By-law

25.5.3.2 **Permitted Uses**

Municipal sanitary sewage lagoon

25.5.3.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**25.5.4**

25.5.4.1 **Defined Area**

OS-4 as shown on Schedule “A”, Map 76 to this By-law

25.5.4.2 **Permitted Uses**

Sanitary sewage lagoon

25.5.4.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**25.5.5**

25.5.5.1 **Defined Area**

OS-5 as shown on Schedule “H” to this By-law

25.5.5.2 **Permitted Uses**

One single detached dwelling on one lot;

Home occupation;

Private garage or carport as an accessory use;

**25.5.5.3 Permitted Buildings and Structures**

Buildings and Structures for the permitted uses.

**25.5.5.4 Minimum Setback**

i) From the most westerly boundary of the OS-5. Zone: 124.0 m

ii) From the 228 metre contour line: 7.5 m

**25.5.5.5 Building Regulations**

No habitable living space or electrical utility, wiring or works may be located in that part of any permitted building or structure with openings below the following elevations in the OS-5 Zone - 228.5 m

**25.5.6**

**25.5.6.1 Defined Area**

OS-6 as shown on Schedule “O”, Map 1, 2 and 4 to this By-law

**25.5.6.2 Permitted Uses**

Existing Uses;

Public works pursuant to the approval of the Catfish Creek Conservation Authority

**25.5.6.3 Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**25.5.7**

**25.5.7.1 Defined Area**

OS-7 as shown on Schedule “A” Map 99 to this By-law

**25.5.7.2 Permitted Uses**

Conservation Area

**25.5.7.3 Permitted Buildings and Structures**

Buildings and structures for the permitted uses upon receipt of written approval from the Conservation Authority.

25.5.7.4 **Prohibited Buildings and Structures**

All forms of habitable buildings and structures.

**25.5.8**

25.5.8.1 **Defined Area**

**By-law 13-19**

OS-8(h) on Schedule “H” to this By-law

25.5.8.2 **Permitted Uses**

A maximum of 18 mobile home dwellings

25.5.8.3 **Holding Symbol (h)**

Removal of the holding (h) symbol is contingent upon execution of a site plan agreement and demonstration that adequate water and sanitary services are available.

**25.5.9**

25.5.9.1 **Defined Area**

OS-9 on Schedule “A”, Maps 103 and 104 to this By-law

25.5.9.2 **Permitted Uses**

Conservation area

25.5.9.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses upon receipt of written approval from the Conservation Authority

25.5.9.4 **Prohibited Buildings and Structures**

All forms of habitable buildings and structures

**25.5.10**

25.5.10.1 **Defined Area**

OS-10 as shown on Schedule “A”, Map 5 to this By-law

25.5.10.2 **Permitted Uses**

An agricultural use in addition to all other uses permitted in the OS Zone

25.5.10.3 **Permitted Buildings and Structures**

Existing buildings and structures

**25.5.11**

**25.5.11.1 Defined Area**

OS-11 as shown on Schedule “A”, Map 65 to this By-law

**25.5.11.2 Permitted Uses**

Rifle range and trap shooting range or club in addition to all other uses permitted in the OS Zone

**25.5.12**

**25.5.12.1 Defined Area**

OS-12 as shown on Schedule “K” to this By-law

**25.5.12.2 Prohibited Buildings and Structures**

The establishment of all buildings and structures is prohibited in the OS-12 Zone.

**25.5.13**

**25.5.13.1 Defined Area**

OS-13 as shown on Schedule “N” to this By-law

**By-law 07-21**

**25.5.13.2 Minimum Lot Area**

4000 m<sup>2</sup>

**25.5.14**

**25.5.14.1 Defined Area**

OS-14 as shown on Schedule “K” to this By-law

**By-law 08-32**

**25.5.14.2 Prohibited Uses**

Any development including:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere





## **SECTION 26 FLOODWAY (FW) ZONE REGULATIONS**

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### **26.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Floodway (FW) Zone except for the following purposes:

Agricultural uses;

Conservation area;

Flood and erosion control;

Commercial fishing operation;

Forestry use;

Campground;

Parking lot;

Public or private park;

Uses lawfully in existence as of the effective date of passing of this By-law

### **26.2 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **26.3 MINIMUM LOT FRONTAGE**

30.0 m

### **26.4 REGULATIONS FOR LOTS AND BUILDINGS**

26.4.1 No building may be erected, enlarged, extended, redeveloped or floodproofed on lands within the Floodway (FW) Zone and no fill shall be placed or removed without the written approval of the appropriate Conservation Authority.

26.4.2 Notwithstanding any other provisions of this By-law, the following regulations shall apply to the establishment of buildings and structures in the Floodway (FW) Zone:

Yard depths/widths: 15.0 m

Maximum lot coverage: 20 %

Maximum height: 12.0 m

Minimum separation distance from livestock buildings and structures: 200.0 m or the distance determined on application of M.D.S. Formula I, whichever is greater



**26.5**            **EXCEPTIONS - FLOODWAY (FW) ZONE**

**26.5.1**

26.5.1.1 **Defined Area**

FW-1 as shown on Schedule “O”, Map 1 to this By-law

26.5.1.2 **Permitted Uses**

Private Park for the rental of recreational watercraft

26.5.1.3 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses pursuant to receipt of written approval from the Conservation Authority

**26.5.2**

26.5.2.1 **Defined Area**

FW-2 as shown on Schedule “O”, Map 4 to this By-law

26.5.2.2 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

26.5.2.3 **Prohibited Uses**

Parking of commercial motor vehicles, or travel trailers;

Overnight parking of motor vehicles, boats, or boat accessories;

Outdoor storage of any materials

**SECTION 27 FLOOD FRINGE (FF) ZONE REGULATIONS**

---

**27.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Flood Fringe (FF) Zone except for the following purposes:

Campground;

Commercial fishing operation;

Conservation area;

Converted dwelling;

Flood and erosion control;

Forestry use;

One mobile home on one lot;

One single-detached dwelling on one lot;

Public or private park;

Uses lawfully in existence as of the effective date of this By-law

**27.2 MINIMUM LOT AREA**

1850.0 m<sup>2</sup>

**27.3 MINIMUM LOT FRONTAGE**

25.0 m

**27.4 MAXIMUM LOT COVERAGE**

30 %

**27.5 MAXIMUM BUILDING HEIGHT**

10.5 m

**27.6 MINIMUM FLOOR AREA FOR A MOBILE HOME**

62.0 m<sup>2</sup>

**27.7 FRONT YARD DEPTH**

6.0 m

**27.8**      **SIDE YARD WIDTH**

Interior side yard width: 2.0 m

Exterior side yard width: 6.0 m

**27.9**      **REAR YARD DEPTH**

7.5 m

**27.10**      **REGULATIONS FOR LOTS AND BUILDINGS**

27.10.1      No buildings or structures may be erected, enlarged, extended, redeveloped or floodproofed on lands within the Flood Fringe (FF) Zone without the written approval of the Conservation Authority.

27.10.2      No habitable living space or electrical utility, wiring, or works may be located in that part of any building or structure with openings below the following elevations in the Flood Fringe Zone:

<u>Zone Symbol</u>	<u>Minimum Elevation</u>	<u>Zone Symbol</u>	<u>Minimum Elevation</u>
FF1	177.0 m	FF8	179.2 m
FF2	177.2 m	FF9	243.3 m
FF3	177.4 m	FF10	242.6 m
FF4	177.8 m	FF11	241.5 m
FF5	178.0 m	FF12	240.3 m
FF6	178.4 m	FF13	239.6 m
FF7	178.8 m	FF14	238.3 m

**27.11**      **EXCEPTIONS - FLOOD FRINGE (FF) ZONE****27.11.1****27.11.1.1** **Defined Area**

FF1-1 as shown on Schedule "O", Map 4 to this By-law

**27.11.1.2** **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.2****27.11.2.1** **Defined Area**

FF1-2 as shown on Schedule "O", Map 4 to this By-law.

**27.11.2.2 Minimum Setback**

- i) The established building line;
- ii) Where no established building line exists, 14.5 metres from the edge of the established right-of-way.

**27.11.2.3 Side Yard Width**

1 metre or as it exists

**27.11.2.4 Rear Yard Width**

1 metre or as it exists

**27.11.2.5 Permitted Buildings and Structures**

- i) Buildings and structures for the permitted uses further to section 27.10.
- ii) Existing buildings and structures for the permitted uses, notwithstanding the provision of section 27.10 of the Flood Fringe (FF) Zone Regulations.

**27.11.3**

**27.11.3.1 Defined Area**

FF2-1 as shown on Schedule “O”, Map 4 to this By-law

**27.11.3.2 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.4**

**27.11.4.1 Defined Area**

FF3-1 as shown on Schedule “O”, Map 4 to this By-law

**27.11.4.2 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.5**

**27.11.5.1 Defined Area**

FF5-1 as shown on Schedule “O”, Map 2 and 4 to this By-law

**27.11.5.2 Permitted Uses**

Institutional uses in addition to all other uses permitted in the FF Zone

**27.11.5.3 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.6**

**27.11.6.1 Defined Area**

FF5-2 as shown on Schedule “O”, Map 2 and 4 to this By-law

**27.11.6.2 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.7**

**27.11.7.1 Defined Area**

FF7-1 as shown on Schedule “O”, Map 1 to this By-law

**27.11.7.2 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.8**

**27.11.8.1 Defined Area**

FF9-1 as shown on Schedule “D”, Map 1 to this By-law

**27.11.8.2 Permitted Uses**

The permitted uses listed in Section 25.1 of this By-law as amended, in addition to all other uses permitted in the FF Zone

**27.11.8.3 Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.9**

**27.11.9.1 Defined Area**

FF9-2 as shown on Schedule “D”, Map 1 to this By-law

**27.11.9.2 Permitted Uses**

The permitted uses listed in Section 23.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.9.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.10**

27.11.10.1 **Defined Area**

FF10-2 as shown on Schedule “D”, Map 2 to this By-law

27.11.10.2 **Permitted Uses**

The permitted uses listed in Section 16.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.10.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.11**

27.11.11.1 **Defined Area**

FF10-3 as shown on Schedule “D”, Map 2 to this By-law

27.11.11.2 **Permitted Uses**

The permitted uses listed in Section 23.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.11.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

27.11.11.4 **Front Yard Depth**

1.2 metres

27.11.11.5 **Permitted Encroachment in Yards**

Maximum projection of cornice, eaves and gutters from front wall not to exceed 0.6 metres

**27.11.12**

27.11.12.1 **Defined Area**

FF10-4 as shown on Schedule “D”, Map 2 to this By-law

27.11.12.2 **Permitted Uses**

The permitted uses listed in Section 25.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.12.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.13**

27.11.13.1 **Defined Area**

FF10-5 as shown on Schedule “D”, Map 2 to this By-law.

27.11.13.2 **Permitted Uses**

A retail store for carpeting and home furniture in addition to all other uses permitted in the FF Zone.

27.11.13.3 **Side Yard Width**

Existing side yard on the east side of the property.

27.11.13.4 **Rear Yard Depth**

15 metres

27.11.13.5 **Front Yard Depth**

3 metres

27.11.13.6 **Permitted Buildings and Structures**

Buildings and structures for the permitted uses

**27.11.14**

27.11.14.1 **Defined Area**

FF10-6 as shown on Schedule “D”, Map 2 to this By-law

27.11.14.2 **Permitted Uses**

The permitted uses listed in Section 21.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.14.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.15**

27.11.15.1 **Defined Area**

FF11-1 as shown on Schedule “D”, Map 3 to this By-law

27.11.15.2 **Permitted Uses**

The permitted uses listed in Section 21.1 of this By-law, as amended, in addition to all other uses permitted in the FF Zone

27.11.15.3 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

**27.11.16**

<b>By-law 12-83</b>
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27.11.16.1 **Defined Area**

FF10-7 as shown on Schedule "A", Map No. D2 to this By-law

27.11.16.2 **Minimum Lot Area**

1,348 square metres





## **SECTION 28 HAZARD LAND (HL) ZONE REGULATIONS**

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### **28.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Hazard Land (HL) Zone except for the following purposes:

Agricultural uses;

Conservation area;

Forestry use;

Private park;

Public park;

Public utility and transmission facilities and works;

Recreational uses;

Flood and erosion control facilities and works

### **28.2 PERMITTED BUILDINGS AND STRUCTURES**

Buildings and structures for the permitted uses which have been approved by the Conservation Authority

### **28.3 PROHIBITED BUILDING AND STRUCTURES**

All habitable buildings and structures

### **28.4 MINIMUM LOT AREA**

4000.0 m<sup>2</sup>

### **28.5 MINIMUM LOT FRONTAGE**

150.0 m

### **28.6 SUPPLEMENTAL REGULATIONS**

Notwithstanding any other provisions of this By-law, the following regulations shall apply to the establishment of any buildings or structures in the Hazard Lands (HL) Zone:

Yard depths/widths:	15.0 m
Maximum lot coverage:	20 %
Maximum height;	12.0 m

Minimum separation distance from livestock buildings and structures: 200.0 m or the distance determined on application of M.D.S. Formula I, whichever is greater

28.7

**EXCEPTIONS - HAZARD LAND (HL) ZONE**

## **SECTION 29      TEMPORARY (T) ZONE**

---

### **29.1            GENERAL USE REGULATIONS**

#### **29.1.1        Permitted Temporary Uses**

The following temporary uses will be permitted subject to a site-specific Zoning By-law amendment for the time period ending as listed in Section 29.2:

**T1:**One (1) mobile home for temporary residential accommodation until such time as a permanent dwelling

**T2:**One (1) mobile home or one (1) travel trailer to be used as a site office or for accommodation for a car

#### **29.1.2        Supplementary Regulations**

Temporary uses will be subject to the main use zoning provisions of this By-law for the applicable zone in which the temporary use is located.

#### **29.1.3        Expiration of Temporary Zoning**

Upon expiration of a Temporary (T) Zone, the lands subject to the temporary zoning will be revert to the regulations of the underlying zone prior to temporary rezoning.

### **29.2            DEFINED AREA AND END DATES**

29.2.1                    **AR-T1** as shown on Schedule "A", Map 73, for a period not exceeding three (3) year(s) ending **November 15<sup>th</sup>, 2004**.



**SECTION 30 WIND FARM (WF) ZONE REGULATIONS**

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**30.1 PERMITTED USES**

No land shall be used and no buildings or structures shall be erected, used, or altered in the Wind Farm (WF) Zone except for the following purposes:

Wind farm;

Accessory uses

**30.2 PERMITTED BUILDINGS AND STRUCTURES**

Buildings and structures for the permitted uses.

**30.3 MINIMUM YARD WIDTH/DEPTH**

1.25 times the height of the wind turbine from the base of the tower to the common wind farm zone boundary or public right-of-way limit, whichever is greater.

**30.4 MINIMUM SETBACKS**

From an on-site residential use:	1.25 times the height of the wind turbine
From an off-site residential dwelling or institutional building:	300 metres
From a Village Residential (R1/R2), Central Business District (C1), Local Commercial (C2) or Tourist Commercial (C3) Zone in the Village of Vienna as shown on Schedule “H”:	450 metres
From a Village Residential (R1/R2), Central Business District (C1), Local Commercial (C2) or Tourist Commercial (C3) Zone in the Village of Port Burwell as shown on Schedule “I”, and a Hamlet Residential (HR) and Hamlet Commercial (HC) Zone:	600 metres

**30.5 EXCEPTIONS – WIND FARM (WF) ZONE**