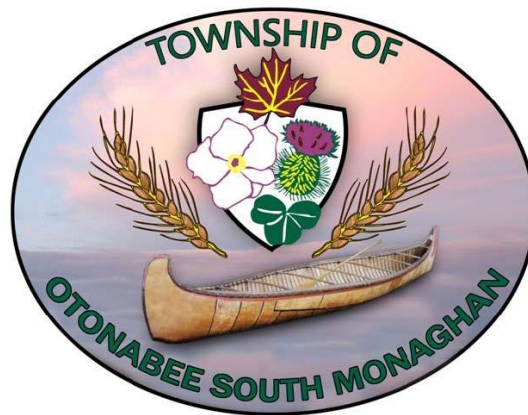


**TOWNSHIP OF OTONABEE-SOUTH
MONAGHAN COMPREHENSIVE ZONING
BY-LAW**



BY-LAW NO. 2010-65

OCTOBER 2010

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**THE CORPORATION OF THE TOWNSHIP OF
OTONABEE-SOUTH MONAGHAN**

BY-LAW NO. 2010-65

BEING A BY-LAW to regulate the use of land and the character, location and use of buildings and structures in the Township of Otonabee-South Monaghan

WHEREAS authority is granted under the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law;

AND WHEREAS the Council of the Corporation of the Township of Otonabee-South Monaghan considers it desirable to repeal By-law No. 12-79 of the former Township of Otonabee and By-law No. 74-8 of the former Township of South Monaghan in their entirety, together with all amendments thereto;

AND WHEREAS the Council of the Corporation of the Township of Otonabee-South Monaghan further deems it necessary in the public interest to regulate the use of land in the Township;

NOW THEREFORE the Council of the Corporation of the Township of Otonabee-South Monaghan hereby enacts as follows:

SECTION 1 – BY-LAW INTERPRETATION AND ADMINISTRATION

1.1 TITLE OF BY-LAW

This By-law may be cited as "The Township of Otonabee-South Monaghan Comprehensive Zoning By-law".

1.2 SCOPE

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Township of Otonabee-South Monaghan.

1.3 APPLICATION CONFORMITY

Except as provided by the *Planning Act*, R.S.O. 1990, as amended, no building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged within the limits of the Municipality as now hereafter legally constituted except in conformity with this By-law.

No lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

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

1.4 MINIMUM AND MAXIMUM REQUIREMENTS

In their interpretation and application, the provisions of this By-law are held to be the minimum and maximum requirements adopted for the promotion of public health and safety, land use compatibility and general welfare.

1.5 INTERPRETATION

Unless the contrary intention appears in this By-law, words importing

the singular number or the masculine gender only, include more persons, parties or things of the same kind than one, and females as well as males, and the converse. Words used in the present tense include the future, and the word "shall" is mandatory and not directory.

"Illustrations" and "Notes" contained in this document are provided for information and convenience, and do not form part of this By-law.

1.6 COMMITTEE OF ADJUSTMENT

Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, buildings or structures for any purpose that, in the opinion of the Committee, conforms to the uses permitted in this By-law.

1.7 ZONING ADMINISTRATION

This By-law shall be administered and enforced by the By-law Enforcement Officer, as appointed by Council.

1.8 BUILDING PERMITS

Notwithstanding the provisions of the Ontario Building Code or the Corporation's Building By-law or any other By-law of the Corporation, no building permit shall be issued where the proposed building, structure, or use would be in violation of any of the provisions of this By-law.

1.9 INSPECTION

(a) Conditions of Entry: Subject to clause (b) of this subsection, the By-law Enforcement Officer, Chief Building Official, or any other authorized officer or employee of the Corporation, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law;

(b) Restrictions for Entry of Dwelling:

Notwithstanding any provision of clause (a) of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to the *Provincial Offences Act*.

1.10 APPLICATION OF OTHER STATUTES AND BY-LAWS

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the *Ontario Building Code Act* or of any By-law of the Township of Otonabee-South Monaghan in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Township of Otonabee-South Monaghan.

1.11 VALIDITY

If any section, clause or provision of this By-law, including anything contained in the Zone Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions thereof shall have been declared to be valid.

1.12 LITIGATION

This By-law does not affect the rights of any party in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceedings.

1.13 APPLICATION FOR BUILDING PERMITS

In addition to the requirements of the Building By-law, every application for a building permit shall be accompanied by a site plan in duplicate, drawn to scale and showing the following:

- (a) The true shape and dimension of the lot to be used or upon which it is proposed to erect any building or structure;
- (b) The proposed location, height and dimensions of any building, structure or use proposed for such lot;
- (c) Proposed location and dimensions of any yards, setbacks, landscaping, off-street parking spaces or off-street loading facilities required by this

By-law;

(d) The location of all existing buildings or structures on the lot; and

(e) A statement signed by the owner or his agent duly authorized thereunto in writing, filed with the building inspector, disclosing the current and intended

use of each building and structure or part thereof, the sanitary facilities available and all information necessary to determine whether or not such proposed or existing buildings structure or use conforms to the requirements of the By-law.

1.14 METRIC VALUES AND IMPERIAL CONVERSIONS

This By-law has been prepared in metric with imperial conversion (rounded) provided for information only. The metric value shall be utilized for any specific provision or regulation contained in this By-law or as it may relate to another provision or regulation contained in this By-law.

SECTION 2 - ZONE CLASSIFICATION AND INTERPRETATION

2.1 ZONES

For the purposes of this By-law, the whole of the Township of Otonabee-South Monaghan is divided into various zones as named and described in the following sections, the boundaries of which are shown on the Zone Schedules which are attached to and form part of this By-law.

2.2 ZONE CLASSIFICATION

For the purposes of this By-law, reference may be made to individual zones or categories of zones as set out below:

Rural/Agricultural Zones Zone Symbol

Rural Zone RU Agricultural Zone A

Residential Zones

Rural Residential Zone RR Hamlet Residential Zone HR Shoreline
Residential Zone SR Estate Residential Zone ER Limited Service
Residential Zone LSR

Commercial Zones

General Commercial Zone GC Local Commercial LC Tourist Commercial
Zone TC

Industrial ZonesEnvironmental Zones

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces

Environmental Protection Zone EP

2.3 ZONE SYMBOLS

The Symbols listed in Section 2.2 may be used to refer to buildings and structures, the use of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word "zone" is used, preceded by any of the said symbols, such reference shall mean any area within the Corporation within the scope of this By-law, delineated on a Schedule and designated thereon by the said symbol.

2.4 INTERPRETATION OF ZONE SCHEDULES

For the purpose of this By-law all land within the Township of Otonabee-South Monaghan is hereby divided into use zones as set out in Section 2 and Schedule "A" (Maps 1 to 13) inclusive and the zone boundaries are:

- (a) The centreline of any road, right-of-way, or watercourse; or,
- (b) The lot line as indicated on a registered plan of subdivision, or a Township survey plan; except that,
- (c) In the absence of either of the above, the zone boundary is the distance as scaled from the Zoning Schedule.

2.5 ROAD ALLOWANCES AND RIGHTS-OF-WAY

A road allowance, utility transmission right-of-way or watercourse is, unless otherwise indicated, included within the zone of the adjoining property on either side thereof. Where such road allowance, right-of-way or watercourse serves as a boundary between two or more different zones, a line midway in such road allowance, 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.

2.6 ROAD AND RIGHT-OF-WAY CLOSINGS

In the event a dedicated road or right-of-way shown on the map is closed, the property formerly in said road or right-of-way shall be included within the zone of the adjoining property on either side of the said closed road or right-of-way and the zone boundary shall be the former centre line of said road or right-of-way.

2.7 SPECIAL ZONES AND PROVISIONS

Where the zone symbol shown on certain lands on a Schedule is followed by a dash and a number, for example, "RU-1", then special provisions apply to such lands. Lands zoned in this manner shall be subject to all of the provisions of the By-law except as otherwise provided by the special provisions of the special zone.

SECTION 3 - DEFINITIONS

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

ABATTOIR means a slaughter-house designed for the purpose of killing animals, skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage, and may include indoor confinement of animals while awaiting slaughter, but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.

ACCESSORY BUILDING OR STRUCTURE means a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

ACCESSORY USE means a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.

ADULT ENTERTAINMENT ESTABLISHMENT means any premises or part thereof in which is provided, on a commercial basis, erotic services, goods or entertainment as defined in Section 154 Subsection 2 of the *Ontario Municipal Act*, R.S.O. 2006 c.32, Schedule A.s.82.

AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act*.

AGGREGATE PROCESSING PLANT means equipment for the crushing, screening or washing of aggregate, but does not include a concrete batching plant or an asphalt plant.

AGRICULTURE/AGRICULTURAL USE means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

ALTER means, when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, 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 decrease the width, depth, or area thereof or to decrease 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 public highway or laneway, whether such alteration is made by conveyance of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

ARENA means a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate hereto.

ASPHALT PLANT means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

ASSEMBLY HALL means a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club, auditorium, arena, gymnasium or other similar facility or use.

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

ATTIC means the portion of a building situated between the roof and the ceiling of the top storey, which is not a one-half storey.

AUCTION BARN means any premises used predominantly as a livestock auction facility and may include the auction of agriculturally related chattels on an incidental or accessory basis only.

AUDITORIUM means a building, structure or premises where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, community centre, gymnasium, stadium, theatre or similar use.

BASEMENT means one or more storeys of a building located below the first storey.

BED AND BREAKFAST ESTABLISHMENT means a single detached dwelling in which a maximum of three (3) guest rooms are made available for rent to the travelling or vacationing public. Such establishment may offer meals to those persons patronizing the establishment. A bed and breakfast establishment shall not include an eating establishment, hotel, motel or any other form of tourist establishment.

BOARDING, LODGING OR ROOMING HOUSE means a single detached dwelling house, containing not more than four guest rooms, in which the proprietor supplies lodging, with or without meals, in return for monetary compensation. For the purposes of this By-law a boarding or rooming house shall not include a motel, hotel, bed and breakfast establishment, group home, hospital or any other similar use defined or classified herein. A Boarding, Lodging or Rooming House shall be permitted only by amendment to this By-law.

BOAT DOCKING AND LAUNCHING FACILITY means a structure used to take a boat into or out of a waterbody or watercourse or to moor a boat. This definition shall include a boat launching ramp, boat lift or dock but shall not include a boat house nor any building used for human habitation or any boat servicing, repair or sales facility.

BOAT HOUSE means a detached accessory building, or structure which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential use permitted on the lot but shall not include any areas for human habitation.

BUILDING means a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

BUILDING BY-LAW means a By-law passed by the Corporation pursuant to the *Ontario Building Code Act*, and Regulations passed thereunder, as amended.

BUILDING PERMIT means a building permit issued under the authority of the *Ontario Building Code Act* by the Chief Building Official of the Corporation of the Township of Otonabee-South Monaghan under the Building By-law.

BUILDING SUPPLY OUTLET means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail or wholesale and may include the fabrication of certain products related to home improvements and also includes a lumber yard.

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

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

BY-LAW means the Corporation of the Township of Otonabee-South Monaghan Comprehensive Zoning By-law.

BY-LAW ENFORCEMENT OFFICER means an officer or employee of the Corporation of the Township of Otonabee-South Monaghan for the time being charged with the duty of enforcing the provisions of this By-law of the Corporation.

CABIN means a detached accessory building or structure, located on the same lot as the principal building or structure, the accessory use being for sleeping accommodation in

which sanitary facilities may be provided, but shall not contain cooking facilities.

CAMPING PARK means a tourist trailer park owned and operated by the Corporation or the County, any local board of either the Corporation or the County, any Conservation Authority established by the Government of Ontario, or any Ministry or Commission of the Government of Ontario or Canada.

CAMPING SITE means that part of a trailer park or camp which is intended to be occupied by a single trailer, motor home, truck camper, camper or tent.

CARPORT means a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40 percent of the total perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed.

CARTAGE OR TRANSPORT DEPOT means a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded warehouse.

CEMETERY means land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried, within the meaning of the *Cemeteries Act*, as amended. A cemetery may include such accessory uses as mausoleums, crematoriums and columbariums.

CERTIFICATE OF OCCUPANCY means a certificate issued by the Chief Building Official for the occupancy of any building or structure associated with a Building Permit to the effect that the proposed occupancy complies with this By-law.

CHIEF BUILDING OFFICIAL means the officer employed by the Corporation of the Township of Otonabee-South Monaghan as is appointed under the Building By-law.

COMMERCIAL CLUB means a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

COMMUNITY CENTRE means any tract of land, or building, or any part of a

building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the *Community Recreation Centres Act*. Ancillary uses may include meeting rooms and a banquet hall and related kitchen facilities.

CONCRETE BATCHING PLANT means a building or structure designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process, and which is of permanent construction.

CONCRETE BATCHING PLANT, PORTABLE means a concrete batching plant which is not of permanent construction, and which is designed to be dismantled at the completion of a construction project.

CONDOMINIUM means the ownership of individual units in a multiple-unit building or multiple-unit development, with common elements, established under the provisions of the *Condominium Act*.

CONSERVATION means the preservation, protection and improvement of the components of the natural environment through comprehensive management and maintenance for both the individual or public uses both in the present and in the future.

CONSERVATION AUTHORITY means the Otonabee Region Conservation Authority.

CONTRACTOR OR TRADESMAN'S YARD means a yard of any building trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work, but does not include any other yard or establishment otherwise defined or classified herein. This definition includes any building or shop situated on the same property.

CONVENIENCE STORE means a retail commercial establishment supplying groceries and other daily household conveniences to the immediate surrounding area.

CORPORATION means the Corporation of the Township of Otonabee-South Monaghan.

COTTAGE, HOUSEKEEPING means one of a group of buildings in a tourist establishment designed for human habitation and equipped with a kitchen, which has a common private piped water supply with other such buildings in the group.

COUNCIL means the Municipal Council of the Corporation of the Township of Otonabee-South Monaghan.

COUNTY means the Corporation of the County of Peterborough.

COUNTY ROAD means a street or road under the jurisdiction of the Corporation of the County of Peterborough.

CRAFT SHOP means a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public.

DAY CARE CENTRE means a building or part thereof which receives for temporary custody for a continuous period not exceeding twenty-four hours, more than three children under 10 years of age and not of common parentage.

DAY NURSERY means a facility operated for pre-school age children within the meaning of the *Day Nurseries Act*, as amended.

DEVELOPMENT means the construction, erection or placing of one or more buildings or structures of any kind on land or the making of an addition or alteration to a building or structure which has the effect of increasing the size or usability thereof, and includes such related activities as site grading and placing or dumping of fill and the laying out and establishment of a commercial parking lot.

DRIVEWAY SETBACK means the least horizontal distance permitted between a lot line of a lot and the nearest portion of any driveway on such lot.

DRY CLEANING ESTABLISHMENT means a building or portion thereof where dry cleaning, dying, cleaning or pressing of articles or goods of fabric is carried on.

DRY CLEANING OR LAUNDRY OUTLET means a building or portion thereof used for the purpose of receiving and distributing articles or goods or fabric to be subjected to the process of dry cleaning or cleaning elsewhere, and shall not include a Dry Cleaning Establishment as defined in this By-law.

DWELLING means a building or part thereof containing one or more dwelling units but does not include a tent, tourist trailer, park model trailer, camper, mobile home, houseboat or a room or suite of rooms in a rooming house, hotel, motel, tourist home or institution.

DWELLING, ACCESSORY means a single detached dwelling where such dwelling is ancillary to a permitted non-residential use and is occupied by the owner, operator, manager, caretaker, or other similar person, and family, as are employed on the lot on which such dwelling house is located.

DWELLING, CONVERTED means a dwelling originally constructed as a single detached dwelling which has been subsequently altered, converted or enlarged so as to provide therein not more than two dwelling units.

DWELLING, DUPLEX means the whole of a dwelling that is divided horizontally into two separate dwelling units, each of which has a separate independent entrance either directly from the outside or through a common vestibule.

DWELLING, MULTI-UNIT means the whole of a dwelling that contains three or more dwelling units that are horizontally and vertically attached, and each dwelling unit has an independent entrance either from the outside or

through a common corridor.

DWELLING, ROW means a series of three (3) to six (6) attached dwelling units under a common roof, which may be staggered, with each dwelling unit being attached above and below finished grade to another dwelling unit or units by a continuous fully attached unpierced vertical party wall without openings from basement or cellar to roof, with each dwelling unit having a separate, independent entrance directly from the outside.

DWELLING, SEASONAL means a single detached dwelling used for recreation purposes but not occupied continuously or as a principal or permanent residence.

DWELLING, SEMI-DETACHED means two vertically attached dwelling units having a continuous, fully-attached common masonry wall where the units overlay, above and below finished grade connecting the two dwellings, each of which has a separate independent entrance directly from outside.

DWELLING, SINGLE DETACHED means a detached dwelling containing not more than one dwelling unit.

DWELLING, TRIPLEX means the whole of a dwelling that is divided horizontally into three (3) separate dwelling units, each of which has a separate independent entrance either directly from the outside or through a common vestibule.

DWELLING UNIT means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities. The word "suite" in this definition means a single room or series of rooms of complementary use, and operating under a single tenancy.

DWELLING UNIT, ACCESSORY means a dwelling unit located in a portion of a non-residential building, except as noted herein, which is ancillary to a permitted non-residential use located on the same property, and is occupied by the owner, operator, manager, caretaker, or other similar person, as are employed in an activity permitted on the property. An accessory dwelling unit for farm-related use may be located as a second-dwelling unit within a farm-related dwelling.

DWELLING UNIT, BACHELOR means a dwelling unit consisting of one bathroom and not more than two (2) habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

DWELLING UNIT AREA means the habitable area contained within the inside walls, excluding the thickness of the outside walls, of a dwelling unit, excluding any private garage, carport, porch, veranda, cellar, the unfinished portion of any attic or basement or sunroom (unless such sunroom is habitable in all seasons of the year); and, excluding public or common hall

areas or stairways in dwelling houses containing more than one dwelling unit.

EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a bed and breakfast establishment.

EATING ESTABLISHMENT, TAKE-OUT means a building or part of a building designed, intended or used for the sale of food and refreshments to the general public but which

does not include any provision for consumption of the food by the customer while in his vehicle, within the building or elsewhere on the site.

EAVE means a roof overhang, free of enclosing walls, without supporting columns.

ELDERLY PERSONS CENTRE means any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic or recreational activities, and shall include any centre established under the *Elderly Persons Centres Act*.

ENTRANCE, when used as a reference to a lot, means an unobstructed passageway used to provide vehicular access from the travelled portion of a street or lane to a driveway.

ENTRANCE SEPARATION means the least horizontal distance permitted between the nearest portions of any entrances on a lot.

ENTRANCE SETBACK means the least horizontal distance permitted between an intersection of street lines and the nearest portion of any entrance, measured along the limit of the travelled portion of the street or lane.

ENTRANCE WIDTH means the horizontal distance permitted between the extremities of an entrance, measured along the limit of the travelled portion of the street or lane.

EQUIPMENT SALES, RENTAL AND REPAIR ESTABLISHMENT means a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery and equipment, are serviced or repaired and may be offered or kept for rent, lease or hire under agreement for compensation.

ERECT means setting up, building, constructing, reconstructing and relocating and, without limiting the generality of the work, also includes:

- (a) any preliminary physical operation, such as excavating, filling or drainage;
- (b) altering any existing building or structure by an addition, enlargement, extension, relocation or other structural change;
- (c) any work for the undertaking of which a building permit is required under

the Building By-law or the *Building Code Act* and Regulations, as amended;
and

(d) erect, erected and erection shall have a corresponding meaning.

ESTABLISHED BUILDING LINE means the average setback from the street line (or navigable waterway as the case may be) of existing buildings located on one side of the street where three (3) or more of the lots having street access, and located within 300 metres (984.25 ft.) of each other, have been built upon.

EXISTING means, unless otherwise described, legally existing on the date of passing of this By-law.

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

FARM means land used for agriculture and includes a single detached dwelling and buildings and structures, such as barns and silos, which are incidental to the operation of the farm.

FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT

means a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

FARM PRODUCE RETAIL OUTLET means a building, or part of a building or a structure, in which farm produce is offered for sale at retail on a seasonal basis, and which sells produce which is predominantly produced on the farm where the outlet is located. A farm produce retail outlet shall not include the sale of farm produce or other agricultural products which have been processed or reprocessed at other locations and supplies or returned to the outlet for sale, nor shall it include the transient roadside sales of non-farm products, or an abattoir.

FEED MILL means a full farm service centre including a feed manufacturing/processing plant, grain elevators, grain or feed storage silos or bins, a retail farm supply store including the sale of farm chemicals and storage tanks and equipment for handling liquid nitrogen and fertilizers, gasoline and diesel fuel tanks to service the vehicles and equipment of the operator.

FLEA MARKET means a building or open area in which stalls or sales areas are set aside for use by various unrelated individuals to sell articles that are either homemade, home-grown, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

FLOOD PLAIN means the area, usually low land, adjoining a watercourse which has been or may be subject to flooding hazards.

FLOOR AREA, GROUND means the floor area of the first storey of a building, measured between the exterior faces of the exterior walls of such storey, but excluding, in the case of a dwelling, any private garage, carport, porch, veranda, sunroom (unless such sunroom is habitable at all seasons of the year), and any finished or unfinished basement.

FLOOR AREA, NET means that portion of the total floor area of a building which is used by a non-residential use as defined herein or specifically named elsewhere in this By-law, but excluding:

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

FLOOR AREA, TOTAL means the total floor area of all storeys of a building, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, or the centre lines of partitions where applicable, but excludes any finished or unfinished basement.

FOOD SUPERMARKET means a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.

FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.

FRATERNAL LODGE means a building or part of a building used for the purposes of a club, society or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purposes.

FUEL REFILL ISLAND means a private outlet as defined in the *Technical Standards and Safety Act*. This definition shall only apply to an establishment permitted in Section 17.6.7 of this By-law.

FUNERAL HOME means a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

GARAGE, COMMERCIAL means an establishment or premises where vehicles owned by the general public are repaired or maintained.

GARAGE, PRIVATE means a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law a private garage excludes a carport or other

open shelter.

GARDEN NURSERY SALES AND SUPPLY ESTABLISHMENT means a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

GOLF COURSE means a public or private area operated for the purpose of playing golf, inclusive of club house facilities and driving ranges, but excludes a miniature golf course.

GRADE, FINISHED when referenced to a building or structure means the average elevation of the ground immediately surrounding such building or structure but excluding any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway.

GREENHOUSE, COMMERCIAL means a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, and, which are sold directly from such lot at wholesale or retail.

GROUP HOME means a single detached dwelling for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical condition or legal status, require a group living environment. A Group Home shall be licensed and/or approved under Provincial or Federal statutes, and in compliance with municipal by-laws. A Group Home shall not include a foster home.

GUEST means a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

GUEST ROOM means a room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

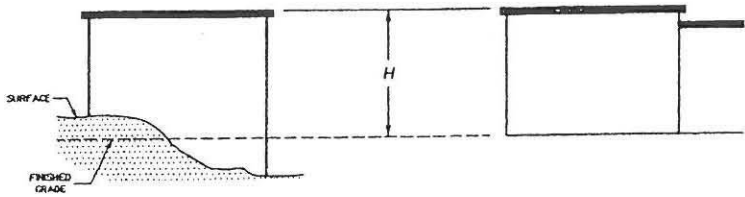
HABITABLE ROOM means a room designed for living, sleeping, eating or food preparation, including a den, library, sewing-room or enclosed sunrooms

but not including any space in a dwelling used as a lobby, hallway, closet, or bathroom or any room having floor space of less than 4.6 m² (49.52 ft.²).

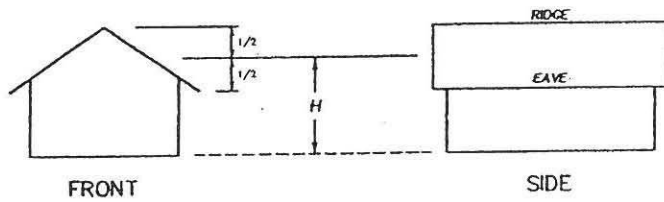
HEIGHT AND HEIGHT OF BUILDING means the vertical distance, measured between the finished grade at the front of the building, and:

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

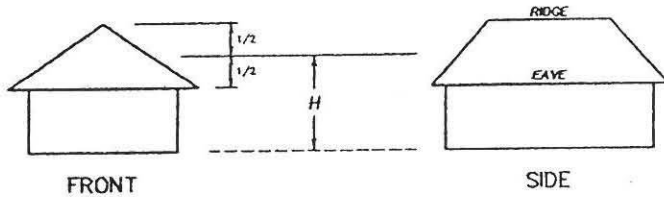
ILLUSTRATION OF BUILDING HEIGHT DEFINITIONS



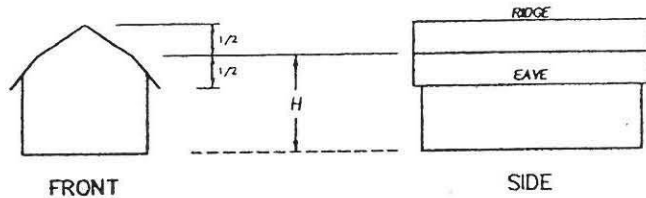
FLAT ROOF



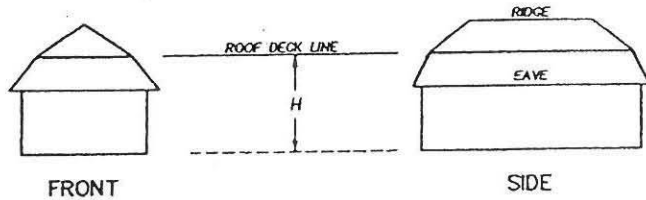
GABLE ROOF



HIP ROOF



GAMBREL ROOF



MANSARD ROOF

H = HEIGHT OF BUILDING

THE ILLUSTRATION OF BUILDING HEIGHT DEFINITIONS DOES NOT FORM PART OF THIS BY-LAW BUT IS PROVIDED FOR CONVENIENCE

Accessory roof fixtures and facilities, such as chimneys, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

HIGHWAY means a highway within the meaning of the *Municipal Act*, as amended, and the *Highway Traffic Act*, as amended.

HOME FOR THE AGED means a home for the aged within the meaning of the *Homes for the Aged and Rest Homes Act*, as amended.

HOME INDUSTRY means a small-scale commercial or industrial establishment that operates entirely within a separate accessory building on the same lot as the home of the proprietor. Home industries include uses such as a carpentry shop, a metal/welding shop, an electrical shop, a plumbing shop, small engine repair, a landscaping or landscape contracting business, a nursery greenhouse, and a bus-truck parking and maintenance facility.

HOME OCCUPATION means an occupation or business conducted for gain or profit within a dwelling unit by a person residing therein. Home occupations include uses such as an office for a professional or trades person, an art or photographic studio, a work room for a dressmaker, seamstress, hairstylist, art or music teacher or similar activity, and a private-home day care operation in a dwelling unit that does not require a licence under the *Day Nurseries Act*.

HOSPITAL means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the *Public Hospitals Act* as a public hospital.

HOTEL means a tourist establishment containing five or more guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff, dining rooms, beverage rooms, meeting rooms or similar uses.

INDUSTRIAL FACILITY means a facility or activity relating to: the assemblage and/or storage of substances/goods, raw materials; their processing and/or manufacturing; and/or the packaging and shipping of finished products. Industrial facilities are further defined as being either Class I, II or III, as follows:

Class I Industrial Facility means a place of business for a small scale, self contained plant or building which produces/stores a product that is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.

Class II Industrial Facility means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e., it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

Class III Industrial Facility means a place of business for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

KENNEL, COMMERCIAL means a “Kennel” or a “Kennel, Commercial Boarding or Commercial Breeding” as defined in By-law No. 2009-31 of the Township of Otonabee-South Monaghan, being a By-law to regulate and govern kennels in the Township of Otonabee-South Monaghan.

LANDFILL GAS ELECTRICITY GENERATING STATION means an electrical generation facility that uses landfill gas comprised of methane and other gases produced by garbage disposed of at an active and/or closed sanitary landfill site to produce electricity.

LANDSCAPED OPEN SPACE means the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, shrubs and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb retaining wall, parking area or any open space beneath or within any building or structure.

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

LAUNDROMAT means a building or structure or part thereof where self-service or coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning. This definition does not include dry-cleaning, dyeing or pressing.

LEASE SITE, for the purposes of the CT-2 and CT-3 Zones only, means a parcel of land owned by an individual or organization and leased to another individual or individuals for a specified period of time. The boundaries of the lease site shall be the description of the property as defined in the lease agreement executed between the Owner and the leasee and illustrated on an approved Site Plan.

LIBRARY means a public library within the meaning of the *Public Libraries Act*, as amended.

LIQUOR LICENCED PREMISES means any building, structure or premises licensed under the Liquor Licence Board of Ontario.

LIVESTOCK FACILITY means one or more barns or permanent structures with livestock-occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or material storages and anaerobic digesters.

LIVESTOCK HOUSING CAPACITY means the maximum livestock capacity for all facilities on a lot at one time, even if currently empty but able to house livestock.

LOADING SPACE means an off-street space on the same lot as the building or contiguous to a group of buildings for the temporary parking of a commercial vehicle, while loading or unloading merchandise or materials, which space abuts a street, lane, road, highway or other appropriate means of access.

LODGE means a tourist establishment containing five or more guest rooms served by a common building entrance or with separate entrances directly from outside the building. Accessory uses may include rental cabins or rental cottages, accommodations for permanent staff, dining rooms, beverage rooms, meeting rooms, recreational facilities and similar uses.

LOT means a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title and:

(a) which is a whole lot within a registered plan of subdivision, other than a registered plan of subdivision which has been deemed not to be registered plan of subdivision under a By-law passed pursuant to Section 50 of the *Planning Act*, 1990, as amended; or

(b) which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity of redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or

(c) the description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 53 of the *Planning Act*, 1990, as amended; or

(d) is the whole remnant remaining to an owner or owners after a consent to sever has been granted pursuant to Section 53 of the *Planning Act*, 1990, as

amended, with respect to all other adjoining lands of the owner or owners provided that the consent or consents mentioned above have not lapsed under Subsection 53 (43) of the *Planning Act*, 1990, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Township of Otonabee-South Monaghan, the County of Peterborough, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada; or,

(e) which is the subject of an order of the Minister of Municipal Affairs and Housing pursuant to the provisions of Section 50 of the *Planning Act*, 1990, as amended.

LOT AREA means the total horizontal area bounded by the lot lines of a lot. In the case of corner lots having a road line rounding at the corner of a radius of 6.1 metres (20 ft.) or less the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

LOT, CORNER means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than one hundred and thirty-five (135) degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that 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.

LOT COVERAGE means that percentage of the lot area covered by buildings and structures above ground level and excludes that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level.

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

LOT FRONTAGE means the horizontal distance between parallel side lot lines measured along a straight front lot line. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage shall be measured perpendicular to a line joining the mid-points of the front and rear lot lines measured back from the front lot line a distance equivalent to the minimum front yard depth as specified in this By-law. In the case where there is no rear lot line, the lot frontage shall be measured by a line perpendicular to the line joining the mid-point of the front lot line to the apex of the triangle formed by the side lot lines.

In the case of a standard waterfront lot, the lot frontage shall be the straight

line horizontal distance between the two most widely separated points on any one shoreline of a lot, unless the standard waterfront lot abuts a public street, in which case the lot frontage shall be deemed to be along the public street. In the case of a through waterfront lot, the lot frontage shall be measured in the same way as a standard waterfront lot, unless the through waterfront lot abuts a public street, in which case the lot frontage shall be deemed to be along the public street.

SHORELINE FRONTAGE means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.

LOT, INTERIOR means a lot other than a corner lot.

LOT LINE means any boundary of a lot or the vertical projection thereof.

LOT LINE, FRONT means in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and an improved public street, the lot line abutting the street shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and which does not abut an improved public street, the lot line abutting the navigable waterway shall be deemed to be the front lot line. For lots in the Limited Service Residential (LSR) Zone that do not abut a navigable waterway, the front lot line shall be the lot line dividing the lot from a private right-of-way.

LOT LINE, REAR means the lot line farthest from and opposite to the front lot line.

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

LOT, STANDARD WATERFRONT means a lot that may or may not have street access, but has water access on one shoreline only on a navigable waterway.

LOT, THROUGH means a lot bounded on two opposite sides by streets.

LOT, THROUGH WATERFRONT means a lot that may or may not have street access, but has water access on one or more shorelines of a navigable waterway.

MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT means a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.

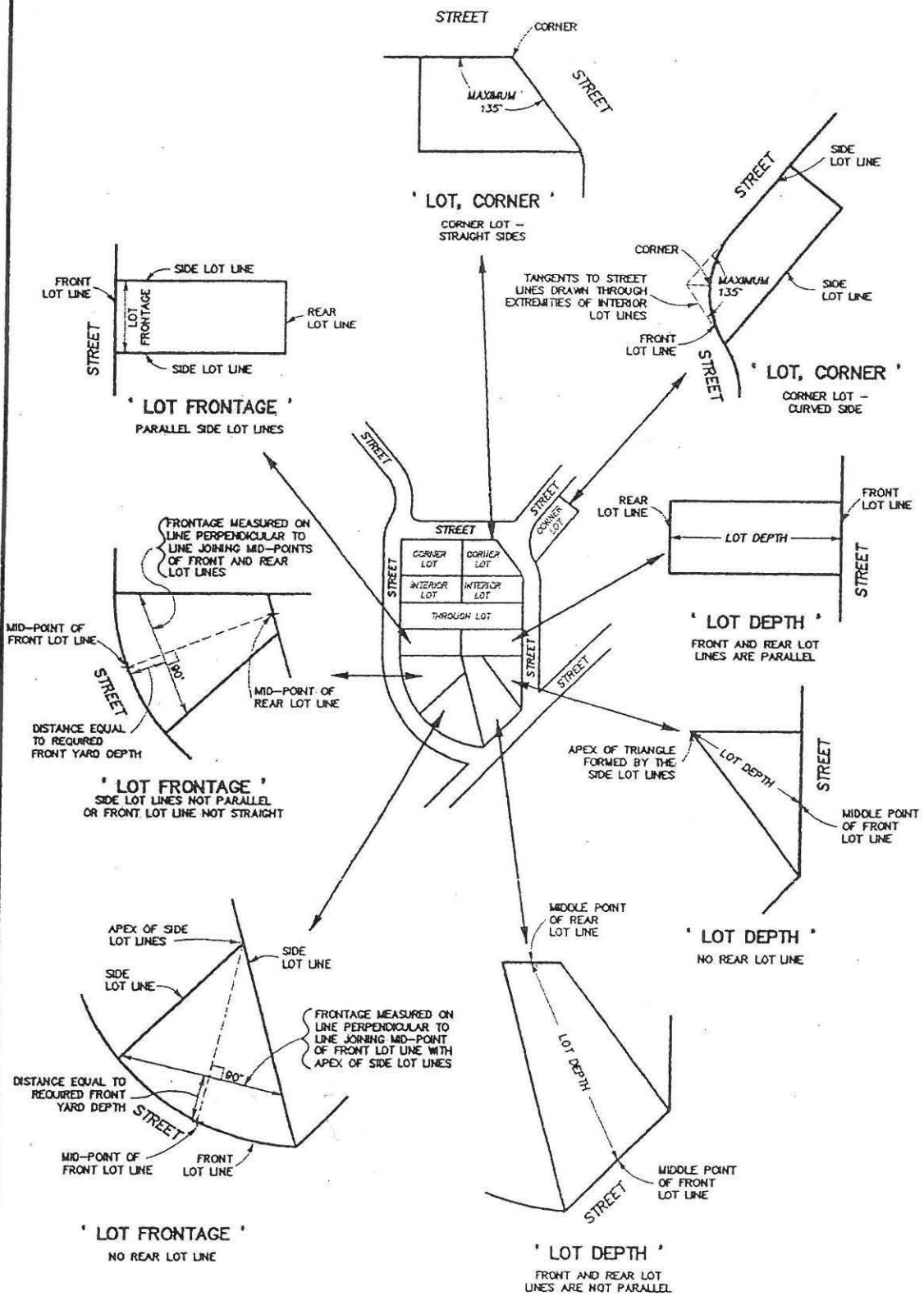
MAINTENANCE DEPOT, MUNICIPAL, DISTRICT OR PROVINCIAL means any land, building or structure owned by the Corporation of the Township of Otonabee-South Monaghan, the County of Peterborough or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery

or motor vehicles used in connection with civic works and shall include a public works yard.

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

MARINE DEALER means any building, lot or structure where boats and marine equipment is kept for sale at retail and may include the servicing of boats and marine equipment.

ILLUSTRATION OF LOT DEFINITIONS



THE ILLUSTRATION OF LOT DEFINITIONS DOES NOT FORM PART OF THIS BY-LAW BUT IS PROVIDED FOR CONVENIENCE

MARINE FACILITY means an accessory building or structure which is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, or a dock, but shall not include a boathouse or any building used for human habitation or any boat service, repair or sales facility.

MEDICAL OR DENTAL CLINIC means a building where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians or occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices for consultation, x-ray and minor operating rooms, a pharmaceutical dispensary and a coffee shop, provided that all such uses have access only from the interior of the building.

MOBILE CANTEEN means any vehicle, whether mechanically propelled, or otherwise, from which food refreshments or merchandise is sold, or offered for sale to the public.

MOBILE HOME means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer.

MOBILE HOME PARK means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

MOBILE VENDOR means any operator of a mobile canteen as defined herein who has received a licence to operate such mobile canteen, and may include an employee, agent, or servant of the licensee.

MOTEL means an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation, and may or may not be licensed under the *Liquor Licence Act*.

MOTOR HOME means a self-propelled vehicle designed for the temporary living, sleeping or eating accommodation of persons, including a truck camper.

MOTOR VEHICLE means a motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

MOTOR VEHICLE, COMMERCIAL means a commercial motor vehicle within the meaning of the *Highway Traffic Act*, as amended.

MOTOR VEHICLE, DERELICT means a motor vehicle within the meaning of the *Highway Traffic Act*, as amended, whether or not same is intended for use as a private passenger motor vehicle, which is inoperable, does not have current licence plates, and has no value as a means of transportation.

MOTOR VEHICLE, SNOW means a motorized snow vehicle within the meaning of the *Motorized Snow Vehicle Act*, as amended.

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

MOTOR VEHICLE DEALERSHIP means a building or structure where a licensed dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop.

MOTOR VEHICLE FUEL ESTABLISHMENT means one or more pump islands, each consisting of one or more fuel pumps, and a shelter having a floor area of not more than 9.0 square metres, and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of accessories, antifreeze and additives.

MOTOR VEHICLE RENTAL ESTABLISHMENT means a building or structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

MOTOR VEHICLE REPAIR GARAGE means a building or structure where the services performed or executed on motor vehicles for completion shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rust-proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar uses. There may also be, in conjunction with these services, a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

MOTOR VEHICLE SERVICE CENTRE means a building or structure to accommodate the travelling public by providing an eating establishment and supplying fuel, grease and oil and in conjunction may include a motor vehicle fuel establishment, motor vehicle service station and a motor vehicle repair garage.

MOTOR VEHICLE SERVICE STATION means a building where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

MOTOR VEHICLE WASH means a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purpose of this By-law may include a

motor vehicle fuel establishment.

NON-COMPLYING USE means an existing use which is a permitted use in the zone in which the said use is situated, but which does not meet the standards set for some other provision or regulation required by this By-law such as minimum frontage, depth, area, setbacks, etc.

NON-CONFORMING USE means an existing use which is not a permitted use in the zone in which the said use is situated.

NOXIOUS means, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk waste or other materials, a condition which may become hazardous or injurious in regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

NURSING HOME means any premises maintained and operated for persons requiring nursing care, which is licensed under the *Nursing Homes Act*, as amended.

OPEN STORAGE AREA means land used for the outside storage of equipment, goods, or materials. This definition shall not include a storage use located in a building, a salvage yard, a parking area, a delivery space, or a parking space. This definition shall only apply to a use permitted in Sections 15.7.7 and 17.6.7 of this By-law.

OUTSIDE DISPLAY OR SALES means the outdoor display and sale of goods or merchandise as an accessory activity to a permitted use that is carried out within a building on the same lot, and which shall not extend onto any adjoining lot.

OUTSIDE STORAGE means an accessory storage area outside of the principal or main building on the lot.

PARK, PRIVATE means any park other than a public park.

PARK, PUBLIC means any open space area, owned or controlled by the Corporation or by any Board, Commission or other Authority established

under any statute of the Province of Ontario or Government of Canada and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, refreshment rooms, fair grounds, golf courses, or similar uses including accessory buildings, but for the purpose of this By-law shall not include a trailer park or camp.

PARK MODEL TRAILER means a recreational unit which is built on a single chassis, mounted on wheels designed to facilitate relocation from time to time, is designed as

living quarters for temporary/seasonal living accommodations, as per CSA Z241 standards, and may be connected to those utilities necessary for operation of installed fixtures and appliances, and it has a gross floor area, including lofts not exceeding 50 square metres (538.21 sq. ft.) when in the set up mode, and having a width no greater than 3.66 metres (12 ft.) in the transit mode.

PARKING ANGLE means the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

PARKING AREA means an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

PARKING LOT means any parking area other than a parking area accessory to a permitted use.

PARKING SPACE means an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles and may include a private garage.

PERSON means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

PIT means land or land under water from which unconsolidated aggregate including gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, or other material prescribed under the *Aggregate Resources Act*, is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site. A pit does not include a wayside pit as defined in this By-law.

PIT OR QUARRY, WAYSIDE means a temporary pit or quarry opened under the authority of a wayside permit issued under the *Aggregate Resources Act* and used by or for a public authority solely for the purposes of a particular project or contract of road construction, and not located on the road right-of-way.

PLACE OF ENTERTAINMENT means a motion picture or other theatre,

public hall, billiard or pool room, a bowling alley, ice or roller skating rink, dance hall or music hall or any similar use intended for entertainment functions. A place of entertainment shall not include an adult entertainment establishment as defined herein.

PLACE OF WORSHIP means a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school of religious education, convent, monastery or parish hall.

PLANTING SCREEN means a continuous hedgerow of evergreen trees or shrubs, not less than 1.5 metres (4.92 ft.) in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

PORTABLE ASPHALT PLANT means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but is designed to be dismantled and moved to another location as required.

PORTABLE PROCESSING PLANT means equipment for the crushing, screening or washing of sand and gravel aggregate materials, but does not include a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.

POST OFFICE means a building or structure or part thereof used for the sale of postal products and/or the distribution, collection and sorting of mail.

POSTAL OUTLET means a building or structure or part thereof authorized by Canada Post to provide over-the-counter postal services and agency services to the public.

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

PRIVATE CLUB means a building or part of a building used for the purposes of a nonprofit, non-commercial organization which includes social, cultural, athletic or recreational activities.

PRIVATE HOME DAYCARE means the temporary care for compensation of five (5) children or less who are under ten (10) years of age, where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four (24) hours. Private home day care shall not include a Day Care Centre as defined in the By-law.

PROVINCIAL HIGHWAY means a street or road under the jurisdiction of the Province of Ontario.

PUBLIC AUTHORITY means Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

PUBLIC WORKS YARD - See "Maintenance Depot"

QUARRY means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or structure on the excavation site. A quarry does not include a wayside quarry as defined in this By-law.

RECREATIONAL USE, ACTIVE means a recreational use or activity with buildings or which requires alterations of soil or topography and includes such activities as golf

courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.

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

RECREATIONAL ESTABLISHMENT means a billiard or pool hall, bowling alley, curling or skating rink or similar use.

RECREATIONAL VEHICLE DEALERSHIP means a building or structure where a licensed dealer displays new recreational vehicles, including motorcycles, all terrain vehicles and snowmobiles, for sale or rent in conjunction with which there may be a recreational vehicle repair garage and gasoline bar.

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

RENTAL CABIN OR RENTAL COTTAGE ESTABLISHMENT means a tourist establishment designed to accommodate one family in a detached building or in one of two such buildings which have a common wall, in accordance with all regulations set out in this By-law.

REPAIR means the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall be in good condition. "Repair" shall be synonymous with the terms "reconstruct" and "renovate".

RESIDENTIAL USE means a dwelling or dwelling unit as defined herein.

RESORT means a tourist establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishing equipment, supplies or services to persons in connection with recreational purposes.

RETAIL COMMERCIAL ESTABLISHMENT means a building, or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis.

RIDING SCHOOL OR BOARDING STABLE means an area of land or buildings which is/are used as an education centre for horse training, handling, care or for the lodging of horses. It may include accessory buildings for human habitation.

RIGHT-OF-WAY, PRIVATE means a private road which affords access to abutting lots and does not include a lane, street, road or highway as herein defined, or a railway right-of-way.

SALVAGE YARD means a place where goods, wares, merchandise, 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. This definition may include a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises. A Salvage Yard shall not include an establishment where the principal or main use of a lot is the storage and/or recycling of use vehicle tires.

SANITARY LANDFILL SITE or SOLID WASTE LANDFILL SITE means a place or facility where garbage, refuse or domestic or other waste is disposed of or processed under controlled circumstances, but does not include the treatment or disposal of liquid industrial or hazardous waste.

SANITARY SEWER means an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment.

SATELLITE DISH means a device designed to receive communication signals from a satellite.

SAW AND/OR PLANING MILL means a building, structure or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

SCHOOL, PUBLIC means a school under the jurisdiction of a Board as defined by the Ministry of Education.

SEASONAL CAMP means an establishment that is owned and operated by a private club or organization for the boarding and lodging of children during the summer months only, and may include such activities as boating, riding and archery.

SENSITIVE LAND USE means a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect(s) such as noise, vibration, odours and other air emissions, litter, dust and other particulates, and other contaminants, generated by a nearby industrial facility or land use. The sensitive land use may be a part of the natural or built environment. Depending upon the particular facility or land use involved, a sensitive land

use and associated activities may include, but are not limited to, one or a combination of:

(a) residences, uses or facilities where people sleep, for example, dwellings, nursing homes, hospitals, trailer parks, camp grounds, mobile home parks, etc. These uses are considered to be sensitive 24 hours/day;

(b) permanent institutional uses such as schools, churches, municipal offices, libraries, community centres, and day care centres); and

(c) community and neighbourhood parks and playgrounds.

SERVICE SHOP means a building or part of a building for the servicing or repairing of articles, goods or materials other than heavy machinery or equipment, or motor vehicles.

SERVICE SHOP, PERSONAL means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, hairdressing establishment or other similar services.

SETBACK means the horizontal distance from the property line, measured at right angles to such property line, to the nearest part of any building or structure on the lot. Setback requirements to street centrelines shall be accordance with Section 4.30 of this By-law.

SEWAGE TREATMENT FACILITY means a building or structure approved by the Ministry of Environment, where domestic and/or industrial waste is treated.

SHOPPING CENTRE means a group of commercial uses, which has been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses.

SIGHT TRIANGLE means the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres (29.53 ft.) measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines. This definition shall also include the sight triangle formed on a corner lot at the intersection of a rail line and a street.

SIGN means any identification, description, illustration or device illuminated or non-illuminated including any supporting structure that is visible from any public place or located on private property and exposed to the public which directs attention to a product, service, place, activity, person, institution, business or solicitation. Without limiting the generality of the foregoing, a sign includes any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, but sign does not include window displays and flags or emblems of patriotic, civic, educational, religious organizations or

private clubs.

STOREY means that portion of a building or structure, other than an attic or basement, which is situated between the top of any floor and the top of the floor, ceiling or roof next above it.

STOREY, FIRST means the lowest storey of a building closest to finished grade having its ceiling 1.8 metres (5.9 feet) or more above average finished grade.

STOREY, ONE-HALF means that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres (3.94 ft.) below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.0 metres (6.56 ft.) over a floor area equal to at least 50 percent, but less than 75 percent, of the floor area of the storey next below.

STOREY, SECOND means that portion of a building situated above the first storey and in which there is a vertical dimension of at least 2.0 metres (6.56 feet), measured from finished floor to finished ceiling, over a floor area equal to at least 75 percent of the floor area of the storey next below.

STORM SEWER means a sewer which carries storm sewage or surface runoff but excludes any sanitary sewer or any combination of sanitary sewers and storm sewers.

STREET OR ROAD means a highway as defined by the *Municipal Act*, as amended, and the *Highway Traffic Act*, as amended, which affords the principal means of access to abutting lots and does not include a lane or private right-of-way as defined in this By-law.

STREET OR ROAD, IMPROVED PUBLIC means a public street, road or highway under the jurisdiction of the Province of Ontario, the County or the Corporation, which is constructed to current design standards of the Province, County or Corporation, and which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

STREET LINE means the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

STRUCTURE means anything that is erected, built or constructed or parts joined together, the use of which requires location on or in the ground, or attached to something having location on or in the ground but does not include a sign or tourist trailer.

TILLABLE HECTARES means the total area of land including pasture that can be worked or cultivated.

TOURIST ESTABLISHMENT means a building, area or facilities designed or used for the accommodation of the travelling or vacationing public, and shall include a lodge, resort, hotel, motel, and a rental cabin or rental cottage

establishment, but shall not include a trailer park or camp.

TOURIST HOME means a private dwelling that is not part of or used in conjunction with any other tourist establishment, and in which there are more than three (3) rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

TOURIST TRAILER means any portable living unit having no permanent foundation and supported by wheels, jacks or similar supports, used or so constructed as to permit its

being used as a conveyance upon public streets or highways and duly licensable as such, and designed and constructed to permit occupancy for temporary living, eating and sleeping accommodation of persons therein, and shall be deemed to include a tent and shall not be occupied continuously or as a principle residence. This definition does not include appurtenances to a trailer or park model trailer or land-based vehicles originally designed, used or intended for water use.

TOURIST VEHICLE means any self-propelled vehicle including a bus, motor home, truck or van, which is equipped for the temporary living, sleeping or eating accommodation of persons. For the purposes of this By-law, "Tourist Vehicle" shall include a Tourist Trailer.

TOWNSHIP STREET OR ROAD means a street or road under the jurisdiction of the Corporation of the Township of Otonabee-South Monaghan.

TRAILER means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle; which shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, and, for the purposes of this By-law does not include a mobile home dwelling as defined herein.

TRAILER PARK OR CAMP means a tourist establishment consisting of at least five (5) camping sites and comprising land used or maintained as grounds for the camping or temporary parking of tourist trailers, motor homes, park model trailers, truck campers, campers or tents, but does not include parks or camping grounds maintained by any department of the Government of Ontario or of Canada; or any crown corporation, commission or board.

TRUCK TRANSPORT TERMINAL means any land, building or structure or part thereof, where trucks or tractor trailers are rented, leased, kept for hire, or stored, parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers. This definition shall only apply to a use permitted in Sections 15.7.7 and 17.6.7 of this By-law.

USE means, when used as a noun, the purpose for which a lot or building or

structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

VEHICLE means an automobile, all terrain vehicle, snowmobile, motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry, and any other vehicle propelled or driven other than by muscular power, but not including a railroad car or other motor vehicle running only upon rails.

VETERINARIAN means a person registered under the provisions of the *Veterinarians Act*, as amended.

VETERINARY CLINIC means a building or part of a building in which facilities are

provided for the prevention, cure and alleviation of disease and injury to animals, and in conjunction with which there may be temporary sheltering of animals during the treatment period. A Veterinary Clinic shall not include a Commercial Kennel.

WAREHOUSE means a building or part of a building used for the storage of goods, wares, merchandise, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

WASTE TRANSFER PROCESSING FACILITY means a facility where off-specification products, recyclable materials and wastes are received, sorted, bulked, stored, processed to facilitate shipping (but not disposed of on-site), transferred and/or offered for transport for off-site disposal, re-use, recycling or use as waste-derived fuel. Such facility shall be approved under the *Environmental Protection Act*. This definition shall only apply to a use referenced in Section 15.7.7 of this By-law and to a use permitted in Section 17.6.7 of this By-law.

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

WATER BODY means any bay, lake, canal or natural watercourse, but excludes a drainage or irrigation channel.

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

WATER FRONTAGE means a piece of land fronting on and providing access to a watercourse, bay or lake.

WATER SUPPLY SYSTEM, PUBLIC means an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment and/or any public utilities commission for public use.

WATER SUPPLY PLANT means a building or structure, approved by the Ministry of the Environment where water is treated for human consumption.

WELL means an underground source of water which has been rendered

accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

WETLANDS means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or other water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are

not considered to be wetlands for the purpose of this definition.

WORKSHOP means a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welders shop, or similar uses.

YARD means a space, appurtenant to a building or structure, located on the same lot as the building or structure, which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in the By-law.

YARD, FRONT, means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot, the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

YARD, FRONT DEPTH, means the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

YARD, REAR, means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

YARD, REAR DEPTH, means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

YARD, REQUIRED, means the minimum yard required by the provision of this By-law.

YARD, SIDE, means a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or the edge or rim of an excavation on the lot.

YARD, SIDE EXTERIOR, means a side yard immediately adjoining a public street.

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

YARD, SIDE WIDTH, means the least horizontal dimensions between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot, or edge or rim of an excavation on the lot.

YARD, WATER, means the yard extending from the high water mark on any body of water to the nearest wall of any building or structure on the lot.

ZONE means a designated area of land shown on Schedule "A" hereto and includes any

special zone used in this By-law.

ZONE PROVISIONS means the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.

SECTION 4 - GENERAL ZONE PROVISIONS

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4.1 ABANDONED EQUIPMENT AND MOTOR VEHICLES WITHOUT A CURRENT VALIDATION STICKER

Notwithstanding the provisions of Section 4.25.7 to the contrary, no person may use any lot in any zone for the parking, storage, or locating of unused or discarded equipment or motor vehicles without a current validation sticker except that:

4.1.1 One such vehicle may be stored inside a private garage.

4.1.2 Commercial vehicles normally licensed for only part of the year may be stored on the same lot from which the business they are used in conjunction with is operated, provided that in any Residential Zone such commercial vehicle shall not exceed 1.0 tonne capacity.

4.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

4.2.1 Permitted Uses

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

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

4.2.2 Relation to Street

4.2.2.1 Hamlet Residential (HR) Zone

An accessory building or structure, which is not part of the principal or main building on the lot, shall not be erected closer to the street line than the principal or main building on the lot and shall further be erected in conformity with the yard and setback requirements of the Hamlet Residential (HR) Zone, except as may otherwise be provided

for herein.

4.2.2.2 Other Residential and Non-Residential Zones

No accessory building or structure shall be erected closer to the street line than the minimum required yard and setback requirements of the respective Residential or Non-Residential

Zone and, further, shall not be erected closer than 3.0 metres (9.84 ft.) to an interior side or rear lot line except as may otherwise be provided for herein. Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory structure shall be permitted within a required front or side yard or within the area between the street line and the required setback.

4.2.3 Relation to Principal or Main Building

The separation distance between any accessory building or structure which is not part of a principal or main building, and a principal or main building on the same lot, shall be governed by the provisions of the *Ontario Building Code Act*.

4.2.4 Lot Coverage and Height

Except as otherwise provided herein, the total lot coverage of all accessory buildings and structures of a lot, except swimming pools, shall not exceed five (5) percent of the lot area and shall be considered in addition to any other lot coverage regulations as specified in this By-law. [Refer to Section 4.2.12 regarding coverage regulations for swimming pools.]

Notwithstanding the foregoing, within the General Industrial (MG) Zone, the total lot coverage of all accessory buildings or structures shall not exceed ten percent (10%) of the lot area.

Except as otherwise provided herein, the height of any accessory building or structure shall not exceed 7.5 metres (24.60 ft.) in the Rural (RU) Zone or Agricultural (A) Zone and 5.0 metres (16.40 ft.) in any other zone.

4.2.5 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with the licensing and/or regulatory By-laws of the Corporation, shall be permitted in any required yard or in the area between the street line

and the required setback.

4.2.6 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may project into any required yard a maximum distance of 1.2 metres (3.94 ft.).

4.2.7 Location

Except as otherwise provided herein, in any Residential zone category any accessory building or structure which is not part of the main building shall be erected:

- (a) to the rear of any required front yard;
- (b) with a minimum rear yard of 1.2 metres (3.94 ft.); and
- (c) with a minimum side yard of 1.2 metres (3.94 ft.).

4.2.8 Garages

4.2.8.1 Notwithstanding the yard and setback provisions of this By-law to the contrary, an attached or detached private garage may be located in a front yard, exterior side yard, interior side yard or rear yard in accordance with the following:

- (a) where such accessory building is located in an interior side yard, it shall not be closer than 1.2 metres (3.94 ft.) to the interior side lot line;
- (b) where such accessory building is located in a rear yard it shall not be located closer than 1.2 metres (3.94 ft.) to the interior side lot line or rear lot line;
- (c) where such accessory building is located in a front yard or exterior side yard, whether attached to and forming part or the principal or main building or detached therefrom, such accessory building shall not be located closer to the lot line than the required front or exterior side yard of the respective zone.

4.2.9 Pump House or Dock

Notwithstanding any other provision of this By-law to the contrary, a pump house, a dock or other marine facility, or other structure that is permitted by Section 4.29.1 may be erected and used in the yard of a lot fronting on a navigable waterway, provided, such accessory buildings or structures are located no closer than 1.2 metres (3.94 ft.) to the side lot line.

4.2.10 Railway Spur in Industrial Zone

Notwithstanding the yard and setback provisions of this By-law to the

contrary, in an Industrial zone, a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area

except for ingress and egress.

4.2.11 Ornamental Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental structures may project into any required yard or the area between the street line and the required setback a maximum distance of 0.76 metres (2.5 ft.).

4.2.12 Swimming Pools

The provisions of Section 4.2.12 shall only apply to swimming pools that are regulated by the Municipality's regulatory by-law for such uses.

Notwithstanding the yard provisions of this By-law to the contrary, an outdoor swimming pool shall only be permitted in an interior side yard or a rear yard of a lot. Such outdoor swimming pool shall not be located within

1.2 metres (3.94 ft.) of the rear or interior side lot lines, and shall not be closer than 3.0 metres (9.84 ft.) to that portion of a rear lot line that adjoins a side lot line of an adjoining lot.

Notwithstanding the above, an outdoor swimming pool shall be permitted in an exterior side yard of a corner lot provided that such outdoor pool shall not be located closer than 3.0 metres (9.84 feet) from an exterior side lot line.

No water circulating or water treatment equipment such as pumps, filters or heaters shall be located closer than 3.0 metres (9.84 feet) to any side lot line or rear lot line.

The maximum area covered by an outdoor swimming pool shall not exceed 15 percent (15%) of the total lot area.

4.2.13 Unenclosed Porches, Steps, Patios, Decks and Balconies

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, steps, patios, decks and balconies, may project into any required yard a maximum distance of 1.5 metres (4.92 ft.) but not closer than 1.2 metres (3.94 ft.) to any lot line, provided that in the case of porches, steps or patios such uses are not more than 1.8 metres

(5.9 ft.) above grade (measured at the floor surface elevation).

Balconies and decks that are greater than 0.61 metres (2.0 ft.) above grade (measured at the floor surface elevation) shall comply with the applicable minimum required yard of this By-law.

4.2.14 Signs

The provisions of this by-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with any By-laws of the Corporation regulating signs.

4.2.15 Temporary Buildings and Structures for Construction Uses

A construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Corporation on the lot where construction is being undertaken and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this By-law, "abandoned" shall mean the failure to proceed expeditiously with the construction work.

4.2.16 Outside Storage as an Accessory Use

The outside display and storage of goods and materials is permitted only where such a use is accessory to a permitted use, unless specifically stated otherwise in this By-law.

4.2.17 Height Exceptions for Accessory Building and Structures

Notwithstanding the height provisions herein contained, nothing in this Bylaw shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the principal use is a use permitted within the Zone in which it is located, namely: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a communications tower or antenna less than 30 metres (98.43 ft.) in height above average ground level, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing, and, external equipment associated with internal building equipment.

4.2.18 Satellite Signal Broadcast or Receiving Dishes

Notwithstanding any other provisions for accessory uses or structures set forth in this By-law, satellite signal broadcast or receiving dishes and their supporting towers shall be permitted in all zones.

A free-standing satellite dish with supporting tower shall only be permitted in a rear or side yard, and shall comply with the requirements of Section

4.2.7 of this By-law. Notwithstanding this provision, a satellite dish may be mounted on a building.

These requirements shall not apply to satellite signal broadcast or receiving dishes associated with communication towers, as set forth in Section 4.28 "Public Uses".

4.3 ACCESSORY RESIDENTIAL USES

- 4.3.1** A maximum of either one (1) accessory dwelling or one (1) accessory dwelling unit shall be permitted on a lot in Zones where an accessory residential use is permitted, except as otherwise permitted in this By-law.
- 4.3.2** An accessory dwelling unit shall be permitted in a non-residential building other than in a motor vehicle facility or any other non-residential building where the sale, handling or storage of gasoline or other fuels or similar flammable substances is undertaken.
- 4.3.3** Where an accessory dwelling unit is a permitted use in any Zone, the following minimum floor areas shall be provided:
- (a) Bachelor Dwelling Unit 37 m² (398.28 ft.²)
 - (b) 1 Bedroom Dwelling Unit 55 m² (592.03 ft.²)
 - (c) 2 Bedroom Dwelling Unit 65 m² (699.68 ft.²)
 - (d) 3 Bedroom Dwelling Unit 83 m² (893.43 ft.²)
 - (e) 3+ Bedroom Dwelling Unit 83 m² (893.43 ft.²) plus an additional 9 m² (96.88 ft.²) for each bedroom in excess of 3

4.4 BED AND BREAKFAST ESTABLISHMENTS

- 4.4.1** A Bed and Breakfast establishment shall be permitted in a single detached dwelling only and shall have a maximum of three (3) guest rooms per establishment.
- 4.4.2** Bed and Breakfast establishments shall be deemed a residential use and shall be permitted only in zones where specifically provided for as a permitted use.
- 4.4.3** Bed and Breakfast establishments shall conform to all regulations and requirements of the zone where permitted.
- 4.4.4** Parking shall be in accordance with Section 4.25 of this By-law.

4.5 BUILDING SPACING

Except as specifically provided for in this By-law, building spacing shall be in accordance with the applicable provisions of the Ontario Building Code.

4.6 BUFFER STRIP REGULATIONS

4.6.1 Contents

A “buffer strip” shall consist of a visual screen having a minimum height of 1.5 metres (4.92 ft.) above the surrounding ground level and which is uninterrupted for the length of the buffer strip except as described in 4.6.3. A buffer strip shall include a planting screen as defined in this By-law, a fence which provides a visual screen, an earth berm, or any combination of these features. The minimum width of a buffer strip shall be 3 metres (9.84 ft.). However, where an earth berm is to be constructed, the minimum width of the buffer strip shall be the width required to construct a stable earth berm having slopes no greater than a 3:1 horizontal to vertical ratio. The portion of the buffer strip not required for placement of the visual screen shall be used for no other purpose than the planting of shrubs, flower beds, grass or a combination thereof.

4.6.2 Location

Where the interior side or rear lot line in a Commercial Zone or an Industrial Zone abuts a Residential Zone or a Community/Open Space Zone, a buffer strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Commercial Zone or Industrial Zone where a new industrial building, structure or use is to be established. A buffer strip shall not be required for Commercial or Industrial buildings, structures or uses in existence prior to the date of passing of this By-law or for vacant land within a Commercial Zone or an Industrial Zone, unless the land is used for vehicle parking or storage purposes.

4.6.3 Interruption for Driveways or Pedestrian Walks

In all cases where ingress and egress driveways or walks extend through a buffer strip, it shall be permissible to interrupt the strip within 3 metres (9.84 ft.) of the edge of such driveway or within 1.5 metres (4.92 ft.) of the edge of such walk.

4.6.4 Maintenance

Where a buffer strip is required it shall be constructed and maintained by the owner or owners of the lot on which the strip is located.

4.6.5 Landscaped Open Space Supplement

A buffer strip may form part of any landscaped open space required by this By-law.

4.7 DWELLING UNIT UNDER CONSTRUCTION

Notwithstanding any other provisions of this By-law to the contrary, and only where approved by Council, where a building permit has been issued for a residential dwelling, a mobile home or a tourist trailer may be used for temporary human habitation for a maximum of six (6) months from the date of issuance of the building permit, or until such time as the construction is completed and the building occupied, or the building permit has been revoked, whichever is the lesser period of time.

Such mobile home or trailer shall be situated in conformity with the minimum yard requirements of this By-law, and a permit is obtained from the local Health Unit for an approved temporary sanitary waste disposal system.

4.8 ESTABLISHED BUILDING LINE

Notwithstanding the yard and setback provisions of the By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line, as defined in this By-law, extending on both sides of the lot, such permitted building or structure may be erected closer to the street line or the centreline of the street or navigable waterway, as the case may be, than required by this By-law provided such permitted building or structure is not erected closer to the street line or the centreline of the street or navigable waterway, as the case may be, than the established building line existing on the date of passing of the By-law.

4.9 EXISTING BUILDINGS, STRUCTURES AND USES

4.9.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on October 22, 1979 in the former Township of Otonabee or December 10, 1974 in the former Township of South Monaghan, so long as it continues to be used for that purpose. Any uses which were illegal prior to these dates shall remain illegal after the passing of this By-law.

4.9.2 Non-Conforming Buildings or Structures

The exterior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building or structure is thereafter

to be used for the purposes permitted within such zone, and complies with all requirements of this By-law for such Zone.

4.9.3 Permitted Interior Alteration

The interior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permitted within the Zone in which such building or structure is located, may be reconstructed or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used.

4.9.4 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure in such a manner as to contravene any provisions of this By-law.

4.9.5 Reconstruction of Damaged Existing Buildings or Structures

Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure which is damaged by causes beyond the control of the owner, provided such reconstruction does not increase the building height, size or volume or change the use of such building or structure.

4.9.6 Non-Complying Buildings or Structures

Nothing in this By-law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setback or one or more yards that is or are less than required under the provisions of this By-law provided that the setback or yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

4.9.7 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure, for a purpose prohibited by this By-law, for which a permit has been issued pursuant to the *Building Code Act* prior to the date of passing of this 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, provided further that the permit has not been revoked pursuant to the *Building Code Act*.

4.9.8 Change of Use

The use of a lot, building or structure which under the provisions hereof is not permissible within the Zone in which such lot, building or structure is located, shall not be changed, except to a conforming use.

4.9.9 Floor Area Less Than Required

Nothing in this By-law shall prevent an extension or an addition being made to an existing permitted dwelling house, which dwelling house has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

4.10 EXISTING UNDERSIZED LOTS

Where a vacant lot having a lesser lot area and/or lot frontage than required by this By-law is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Title Office, at the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used for a use permitted in the applicable Zone provided that:

- (a) the use complies with all other provisions of this By-law; and
- (b) the use of any existing undersized lot shall be permitted only if the lot can be provided with an adequate supply of potable water, and all relevant sewage disposal requirements under the Ontario Building Code are complied with.

4.11 EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the finished exterior vertical facing on any wall of any residential building within the Township of Otonabee-South Monaghan:

- (a) building paper/air barrier paper;
- (b) asphalt shingle;
- (c) asphalt roll-type siding; or
- (d) asphalt insulating siding.

4.12 FRONTAGE REQUIREMENTS

4.12.1 Public Street

No person shall erect any building or structure in any Zone unless the lot upon which such building or structure is to be erected fronts upon an improved public street, maintained year round, and further, that such building or structure complies with the setback provisions of this By-law.

4.12.2 Unassumed Road

Notwithstanding the provisions of 4.12.1 to the contrary, the provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Municipal Corporation whereunder the street or streets will not be assumed by the Municipality until such time as specified in the said agreement.

4.12.3 Navigable Waterway

Where access to any Residential Zone category is by navigable waterway only, no person shall erect any building or structure on a lot unless the lot has water frontage upon the navigable waterway.

4.12.4 Private Right-Of-Way

4.12.4.1 Notwithstanding the provisions of 4.12.1 hereof, where a building has been erected prior to the date of passage of this By-law on a lot which fronts on a private right-of-way registered on title and provides legal ingress and egress to an improved public street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure is permissible in the zone in which it is located and that all other applicable Zone Provisions of this By-law are complied with.

4.12.4.2 If an existing lot is located in a Limited Service Residential (LSR) Zone and if such lot does not abut a public road but does abut a private right-of-way providing access thereto, then the lot shall be exempt from the provisions of Section 4.12.1 hereof.

4.12.4.3 Notwithstanding the provisions of 4.12.1 to the

contrary, a lot that existed prior to October 22, 1979 for a lot in the former Township of Otonabee or December 10, 1974 for a lot in the former Township of South-Monaghan, which is in a Residential

zone classification other than the Limited Service Residential (LSR) Zone, but does not abut an improved public street or road, may be used for a use that is permitted by the applicable Zone, subject to the following:

- (a) All buildings and structures shall comply with the Zone Provisions of the Zone that applies to the lot; and
- (b) The use of the lot shall comply with all other General Provisions of Section 4 of this By-law.

4.13 GREATER RESTRICTIONS

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

4.14 GROUP HOMES

Group Homes, with the exception of Group Homes that are licensed under the *Ministry of Correctional Services Act* or secure custody children's residences shall be permitted only in the Zones in which a Group Home is identified as a permitted use.

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to group homes located within the Township of Otonabee-South Monaghan:

- (a) A maximum of one group home shall be permitted on a lot, and shall be permitted only in a single detached dwelling;
- (b) A maximum of 10 group home clients per 1,000 residents of the Municipality shall be permitted;
- (c) No group home shall be located within 1,000 metres (3,280.84 ft.) of another group home;
- (d) The establishment of a group home not in accordance with these special provisions shall require an amendment to this By-law.

4.15 HOLDING ZONE PROVISIONS

4.15.1 Permitted Uses

Where a zone symbol on “Schedule A” is followed by the Holding zone symbol “H” the permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the Holding zone symbol “H” is removed in accordance with the requirements of the *Planning Act*.

Prior to the removal of the Holding zone symbol “H” only uses that existed as of the date of the adoption of the Holding zone provisions shall be permitted.

4.15.2 Regulations for Permitted Uses

All regulations and provisions which apply in a zone category where there are no Holding zone provisions in effect shall also apply where a Holding zone has been established.

4.15.3 Removal of Holding Symbols

A Holding zone symbol shall only be removed in accordance with Section 36 of the *Planning Act*, 1990, as amended, and only when Council is satisfied that the criteria for the removal of the Holding zone symbol that are specified in the By-law that established the Holding zone symbol for the area have been met in a manner and form acceptable to Council.

4.15.4 Removal of Holding Symbols – Landfill Sites

In addition to the requirements of Section 4.15.3, where a Holding zone symbol has been applied to lands adjacent to an open or closed Sanitary Landfill Site or a Solid Waste Landfill Site in the Waste Disposal Industrial (MD) Zone, the Holding provision shall only be removed when the Municipality, in consultation with the Ministry of the Environment, is satisfied that the following matters have been addressed in an appropriate manner:

- (a) Studies have been carried out to the satisfaction of the Municipality that show that the proposed development or land use is compatible with the open or closed landfill site and can safely take place;
- (b) A qualified professional engineer shall carry out studies of gas, leachate and hydrogeology;
- (c) The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by engineering studies; and

(d) The Municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of the structure.

4.16 HOME INDUSTRIES

A home industry shall only be permitted in the Rural Residential (RR) Zone, Rural (RU) Zone and Agricultural (A) Zone, providing such home industry complies with the following provisions:

4.16.1 Relationship to Principal Use

The home industry may be operated or located in any part of an accessory building or on any part of a lot subject to the applicable provisions of this By-law. A home industry shall not be permitted to operate or locate in any part of a dwelling house on a lot.

The maximum number of accessory buildings used for a home industry on a lot shall be one (1).

4.16.2 Occupancy

A home industry shall only be operated by the occupant of a dwelling which is located on the same lot.

Not more than three (3) persons, other than the occupants of the premises, shall be employed in the home industry.

4.16.3 Size

The maximum floor area of a home industry shall be 100 square metres (1,076.43 square feet) on a lot in a Rural Residential (RR) Zone, or 230 square metres (2,475.8 square feet) on a lot in any other Zone where permitted.

4.16.4 Lot and Yard Requirements

A home industry shall only be permitted on a lot with the following minimum lot area and which meets the following yard and setback provisions:

(a) A home industry shall not be permitted on a lot with an area less than 3,000 square metres (0.75 acres).

(b) Notwithstanding any other provision of this By-law, a home industry shall not be permitted to locate in a front yard in a Rural Residential (RR) Zone;

4.16.5 Advertising Signage

There shall be no external display or advertisement other than a sign which is a maximum size of 1.0 square metre (10.76 square feet).

4.16.6 Buffering

Any area used for any outdoor activity or parking associated with the home industry shall be screened from view from a public street or road, or from adjacent properties.

4.16.7 Parking

Any vehicles associated with such a home industry shall be parked in an area other than a public street or a required front yard. Parking spaces shall be provided in accordance with the requirements of Section 4.25.

4.16.8 Display of Goods and Outside Storage

There shall be no outside storage or display of materials, supplies, equipment, tools, products or goods which are used for, or result from, the home industry.

4.17 HOME OCCUPATIONS

A home occupation shall be permitted in any Zone where a dwelling or dwelling unit is a permitted use, provided the home occupation complies with the following provisions:

4.17.1 Relationship to Principle Use

The home occupation shall be clearly secondary to the main use on the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located.

4.17.2 Occupancy

Any dwelling containing a home occupation shall be occupied as a residence by the operator of such home occupation. No person other than a resident of the dwelling shall be engaged

in a home occupation, plus a maximum of one (1) employee.

4.17.3 Size

A home occupation may be operated or located in any part of a dwelling, provided that the area devoted to such use shall not occupy more than a floor area equivalent to 25 percent of the gross floor area of the dwelling or 50 square metres (538.21 square feet) of floor area, whichever is the lesser.

4.17.4 Advertising Signage

There shall be no external display of advertising other than a non-illuminated sign not exceeding 0.4 square metres (4.31 square feet) in area and the highest point of the sign or supporting post shall not be higher than 1.8 metres (5.91 ft.) above the surrounding average grade level to indicate to persons outside that any part of the dwelling or lot is being used for a purpose other than residential.

4.17.5 Display of Goods and Outside Storage

There shall be no outside storage or outside display of materials, supplies, equipment, tools, products or goods which are used for, or result from, the home occupation.

4.17.6 Sales or Rentals

Only those goods, wares, merchandise or services that are directly related to the permitted home occupation and are produced on the premises may be offered or exposed for sale or rent.

4.17.7 Public Nuisance

The operation of a home occupation shall not create nor become a public nuisance, in particular in regard to traffic or parking, or through the use of equipment or processes that create noise, vibration, glare, fumes, odours, or electrical interference in excess of that normally experienced in a residential neighbourhood.

4.17.8 Parking

All parking spaces shall be provided on the same lot as the home occupation, and shall be provided in accordance with the requirements of Section 4.25.

4.18 ILLUMINATION

Lighting fixtures designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots.

4.19 KENNELS

Commercial kennels shall be located and operated in accordance with the Municipality's Kennel By-law.

4.20 LOADING SPACE REGULATIONS

4.20.1 Loading Space

Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table and the owner of every building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of goods, wares, merchandise or raw materials shall provide and maintain on the lot loading and unloading spaces accordingly. Each loading or unloading space shall be at least 9.0 metres (29.53 ft.) long, 3.5 metres (11.48 ft.) wide and have a vertical clearance of at least 5.0 metres (16.40 ft.). In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading spaces.

LOADING SPACE REQUIREMENT TABLE

General Industrial Zone Extractive Industrial Zone Waste Disposal Industrial Zone MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space Zone Future Development Zone CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part

4.20.2 Access

Access to loading spaces shall be by means of a driveway at least 6.0 metres (19.69 ft.) in width contained on the lot on which the spaces are located and leading to an improved public street as defined herein.

4.20.3 Loading Space Surface

Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust.

4.20.4 Location

The loading space or spaces required herein shall be located on the lot occupied by the building, structure or use for which the loading spaces are required, and shall be located in a side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres (49.21 ft.) as measured from the street line to the nearest part of the loading space. No loading space shall be located closer than 7.5 metres (24.6 feet) to any other lot line.

4.20.5 Additions to or Changes in Use of Existing Buildings

The loading space requirements referred to herein shall not apply to any existing building so long as the gross floor area, as it exists, is not increased. If an addition is made to the building or structure which increases the gross floor area, then additional loading spaces shall be provided in accordance with 4.20.1 hereof and in accordance with the provisions of the Loading Space Requirement Table for such addition.

4.21 LOTS CONTAINING MORE THAN ONE USE

Where a lot contains more than one use which is not an accessory use as defined herein, except for an accessory dwelling or dwelling unit, the lot area requirement shall be the sum of the requirements for the separate uses thereof; however, the lot frontage requirement shall be the greatest of the lot frontage requirements for each individual use in the zone where such lot is located.

4.22 LOTS DIVIDED INTO MORE THAN ONE ZONE

Where an existing lot is divided into more than one zone the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each portion of such lot provided the lot as a whole has a minimum frontage of 15 metres (49.21 ft.). In such instances, the zone boundary shall be considered a lot line for the purposes of interpreting and applying the provisions and regulations of this By-law.

Notwithstanding the foregoing, no lot shall be created within any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone.

Notwithstanding any other provision of this By-law to the contrary, where a portion of a lot is zoned Environmental Protection (EP), those lands zoned Environmental Protection (EP) may be used in calculating the minimum lot area and minimum lot frontage requirements.

4.23 MINIMUM DISTANCE SEPARATION REQUIREMENTS -AGRICULTURAL USES

All development shall comply with the Minimum Distance Separation Formulae contained in the publication “Minimum Distance Separation (MDS) Formulae, Implementation Guidelines”, Publication 707, Ministry of Agriculture, Food and Rural Affairs, Queen’s Printer, Toronto, 2006, as amended from time to time.

Notwithstanding the above, the Minimum Distance Separation I (MDS I) shall not apply to lots existing at the date of passing of this By-law which are less than 4.0 hectares (9.88 acres) in area.

Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility shall be erected or expanded within the Agricultural (A) Zone or the Rural (RU) Zone unless it complies with the guidelines of the “Minimum Distance Separation II (MDS II) or its calculations.

4.24 MOBILE VENDORS

The operation of a mobile canteen or a mobile vendor operation shall not be permitted within the Township of Otonabee-South Monaghan.

4.25 PARKING AREA REGULATIONS

4.25.1 Parking Space Requirements

The owner of every building or structure erected or used for

any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises, from time to time, one or more parking spaces in accordance with the following Parking Space Requirements Table. The minimum number of off-street parking spaces required shall be calculated to the nearest whole number.

PARKING SPACE REQUIREMENTS TABLE 4.25.2 Parking Area Surface

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop	One (1) parking space for each 28 m ² (301.4 ft. ²) of total floor area of building directly related to the specified permitted use
Hospital, Home for the Aged, Nursing Home	One (1) parking space for each four (4) dwelling units, or four (4) beds, or fraction thereof
Hotel, Motel, Tourist Establishment, Trailer Camp or Park, Camping Park	1.2 parking spaces for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the Liquor Licence Act, as amended
Manufacturing, Processing, Assembly/ Fabricating Plant, Wholesale Establishment, or Workshop	One (1) parking space per 37 m ² (398.28 ft. ²) of total floor area or portion thereof
Medical or Dental Clinic	Six (6) parking spaces per doctor, plus one parking space for each examination room exceeding five (5) such rooms per office
Bed and Breakfast Establishments and	Two (2) parking spaces per dwelling unit plus

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

4.25.3 Parking Space Size and Access

Parking spaces and areas shall be designed and constructed in accordance with the following:

- (a) Each required parking space shall have a minimum width of 3.0 metres (9.84 ft.) and a minimum length of 6.0 metres (19.68 feet).
- (b) Access to the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres (9.84 ft.), but not more than 9 metres (29.53 ft.) in perpendicular width.
- (c) The aisles between parking spaces within a parking area shall have a minimum width of 5.5 metres (18.04 ft.).
- (d) The maximum width of any combined ingress and egress driveway ramp measured along the street line shall be 9 metres (29.53 ft.).
- (e) The minimum distance between any two driveways on one lot, or, between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres (24.60 ft.).
- (f) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (g) Every lot shall be limited to the following number of driveways, namely:
 - (i) up to the first 30 metres (98.42 ft.) of lot frontage, not more than two driveways with a combined width not exceeding thirty percent of the lot frontage; and
 - (ii) for each additional 30 metres (98.42 ft.) of frontage, not more than one additional driveway.

4.25.4 More Than One Use on a Lot

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use, unless otherwise specified herein.

4.25.5 Yards Where Permitted

Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in all yards provided that no part of any parking area, other than a driveway, is located closer than 1 metre (3.28 ft.) to any street or lot line, or, for parking areas located within Non-Residential Zones, closer than 7.5 metres (24.60 ft.) to any Residential Zone.

4.25.6 Additions to or Change in Use of Buildings

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table.

4.25.7 Use of Spaces and Areas – General Provision and Residential Zones

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

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

- (a) Not more than one (1) vehicle per dwelling unit shall be a commercial motor vehicle as defined in the *Highway Traffic Act*; and
- (b) The manufacturer's rated capacity of any such commercial motor vehicle shall not exceed 1.0 tonne.

4.26 PROHIBITED HABITATION

No truck, bus, coach or streetcar body, or structure of any kind other than a dwelling unit or dwelling house erected and used in accordance with this By-law and all other By-laws of the Corporation, shall be used for human habitation whether or not the same is mounted on wheels.

4.27 PROHIBITED USES

The following uses are prohibited in any Zone:

- (a) A track for the racing of motor vehicles, motorcycles, snowmobiles or recreational vehicles. Notwithstanding this provision, a track for the racing of motor vehicles, motorcycles, snowmobiles or recreational vehicles for a special event may be permitted where an application is made to the Municipality and where such application is approved by Council.
- (b) Any facility for manufacturing, processing, otherwise using or storing, that presents an emergency-response hazard.
- (c) Any facility containing a process that presents an emergency-response hazard.
- (d) Except as otherwise specifically provided for herein, any mobile home or any rented site for a mobile home or any mobile home park which constitutes a "residential complex" as defined in the *Tenant Protection Act*.
- (e) Any use by a tax-exempt non-government organization on a lot larger than 5.0 hectares (12.35 acres), excluding lands regulated, covenanted, or otherwise limited to not-for-profit environmental protection, conservation or community benevolent purposes.
- (f) Any meat by-product processing plant, such as a rendering plant.

For the purposes of this section, an "emergency-response hazard" includes the following:

- (i) Substances that have to be handled by first responders donning special personal protective clothing that would put an undue burden on the emergency-response services of the Municipality (for example, Level “A” or “B” suits which meet NFPA 1991 *Standard on Vapour-Protective Suits for Hazardous Chemical Emergencies*, or *Standard on Liquid Splash Protective Suits for Hazardous Chemical Emergencies*, respectively, as referenced in the second edition *Hazardous Materials for First Responders*, published by the International Fire Service Training Association and distributed by the U.S. National Fire Prevention Association);
- (ii) Substances that have to be handled in special ways, such as fire suppression other than with water or spill control other than with granular absorbent, that would put an undue burden on the emergency-response services of the Municipality;
- (iii) Substances that inherently cause highly undesirable effects such as catastrophic explosions or gas/vapour clouds, that would unjustifiably put people at risk; and
- (iv) Substances in quantities that pose risks of events that would be unmanageable by the Municipality without sophisticated emergency planning and response systems.

4.28 PUBLIC USES

4.28.1 General

Except as provided for in Section 4.28.2 hereof, the provisions of this Bylaw shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Township of Otonabee-South Monaghan or any Public Authority including any department of the County of Peterborough or any Department or Ministry of the Government of Canada or Ontario, or any Conservation Authority, and for the purposes of this section shall include Hydro One; any telephone or telecommunication, cable television or telegraph company; and, any natural gas distribution system operated by a company which possesses all the necessary powers, rights, licenses and franchises.

Solid waste landfill sites and sewage treatment facilities shall not be considered to be a public use for the purposes of this section.

4.28.2 Location Restrictions

Notwithstanding the provisions of Section 4.28.1 hereof to the contrary, where a particular use is specifically authorized in a zone category or categories, such use shall not be permitted in any other zone category for which it is not specifically authorized regardless of whether such use is to be carried on by a public authority.

4.28.3 Streets and Installations

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, telephone or other supply and/or communication line, provided that the location of such main or line has been approved by the Corporation of the Township of Otonabee-South Monaghan. Such approval should not be required for any electric power facility authorized under the *Environmental Assessment Act*.

4.29 SETBACKS FROM WATER BODIES, WATERCOURSES AND WETLANDS

4.29.1 General Setback Provision

Except as otherwise specifically provided for herein, no new building or structure, or sewage system leaching bed, shall be erected within 30.0 metres (98.43 feet) of the normal high water mark of any water body and watercourse. This provision shall not apply to marinas; docks and other marine facilities; and pump houses and other minor accessory buildings or structures having an area of less than 10.0 square metres, and that are permitted by this By-law.

Where it is not possible to achieve the 30-metre setback on an existing vacant lot of record, new buildings or structures shall be set back as far as possible from the high water mark. In this regard, a minor variance for a reduced setback for an existing vacant lot may be permitted provided that the variance maintains the general intent and purpose of the Official Plan of the Township of Otonabee-South Monaghan and this By-law, is minor in nature, and is desirable for the

appropriate development or use of the land. Minor variances or amendments to this By-law to accommodate proposed expansions of a structurally-permanent nature to existing buildings or structures and/or septic systems that further reduce the 30-metre high water mark setback shall not be permitted unless it is a matter of public health and/or safety.

Notwithstanding any other provisions of this By-law to the contrary, the setback requirements of Section 4.29.1 shall not apply to lands within a "Hamlet" area as identified in the Official Plan of the Township of Otonabee-South Monaghan.

4.29.2 Wetlands

New development within 30 metres (98.43 feet) of the boundary of a wetland within the Environmental Protection (EP) Zone shall only be permitted with the approval of the local Conservation Authority. An approved Environmental Impact Study (EIS) may require a greater setback.

4.29.3 Special Provisions for Rice Lake Shoreline

Section 4.29.1 also applies to lots adjacent to the shoreline of Rice Lake including lots on islands in Rice Lake, and further, no new development shall be permitted below an elevation of 187.9 metres GSC, which is the regulatory flood elevation of Rice Lake, without the written approval of the local Conservation Authority.

4.30 SETBACKS ON PROVINCIAL HIGHWAYS, COUNTY ROADS AND TOWNSHIP ROADS

No person shall erect any building or structure unless such building or structure complies with the setback requirements of the authority having jurisdiction for the road, as follows:

- (a) The minimum setback from the centreline of all Provincial highways shall be as required by the Ontario Ministry of Transportation.
- (b) The minimum setback from the centreline of all County roads shall be as required by the County.
- (c) The minimum setback from the centreline of all Township roads shall be the distance required by the applicable zone, as measured from the abutting lot line.

4.31 SPECIAL SEPARATION DISTANCE - INDUSTRIAL AND SENSITIVE LAND USES

Notwithstanding the minimum yard provisions of this By-law to the contrary, the following separation distances shall apply for industrial and sensitive land uses:

- 4.31.1** Industrial uses as defined herein shall be separated from sensitive land uses based on the following minimum setbacks:

- (a) Class I Industrial Facility 20 m (65.62 ft.)
- (b) Class II Industrial Facility 70 m (229.66 ft.)
- (c) Class III Industrial Facility 300 m (984.25 ft.)

4.31.2 Notwithstanding subsection 4.31.1 to the contrary, the minimum setbacks from sensitive land uses may be reduced where mitigation at the industrial source is possible. Any reduction in the minimum setbacks required by Section 4.31.1 shall require an amendment to this By-law.

4.32 SPECIAL SEPARATION DISTANCES - PITS AND QUARRIES AND SENSITIVE LAND USES

Notwithstanding the minimum yard provisions of this By-law to the contrary, the following separation distances shall apply for Extractive Industrial and sensitive land uses:

4.32.1 The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone of a pit operating above the ground water table shall be 150 metres (492.13 feet).

The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone of a pit operating below the ground water table shall be 300 metres (984.25 feet).

The minimum separation distance between a sensitive land use and the boundary of an Extractive Industrial (ME) Zone of a quarry shall be 500 metres (1,640.42 feet).

4.32.2 No sensitive land use shall be permitted within the separation distances set out in Section 4.32.1, and no pit or quarry shall be permitted within the separation distances set out in Section 4.32.1, unless appropriate measures have been undertaken to mitigate adverse or potential adverse impacts from the pit or quarry use such as visual impacts, noise, dust, traffic, or groundwater quality or quantity. Adverse impacts may be addressed by means that are acceptable to Council in

consultation with the appropriate authority such as the Ministry of Natural Resources and the Ministry of Environment. An amendment to this By-law shall be required to reduce the separation distances of Section 4.32.1.

4.33 SPECIAL SEPARATION DISTANCES - RAILWAY CORRIDORS

Notwithstanding the minimum yard provisions of this By-law to the contrary,
the

minimum setback for any dwelling or dwelling unit from a railway right-of-way shall be 60 metres (196.85 ft.).

4.34 SPECIAL SEPARATION DISTANCES - WASTE DISPOSAL AREAS

Notwithstanding the minimum yard provisions or other separation distances of this By-law to the contrary, the minimum separation distance between a sensitive land use shall be:

- (a) 500 metres (1,640.42 feet) to a Waste Disposal Industrial (MD) Zone for a sanitary landfill site or a solid waste landfill site; and
- (b) 120 metres (393.7 feet) to a Waste Disposal Industrial (MD) Zone for a waste transfer station, recycling facility, sewage treatment facility, or salvage yard;

except where the provisions of Section 4.31 would require a greater minimum setback.

4.35 SIGHT TRIANGLES

Notwithstanding any other provisions of this By-law to the contrary, no person shall, within a sight triangle park a motor vehicle, as defined in the *Highway Traffic Act*, or erect any building or structure which would obstruct the vision of drivers of motor vehicles or use any land for the purposes of growing shrubs or trees in excess of 1.0 metre (3.28 ft.) in height.

4.36 SOLID-FUEL BURNING APPLIANCES

Outdoor solid-fuel burning appliances shall comply with the Municipality's By-law to Regulate the Location and Installation of Outdoor Solid-Fuel Burning Appliances. For the purpose of this provision, an outdoor solid-fuel burning appliance shall mean an appliance that is intended to heat, using solid fuels for combustion.

4.37 THROUGH LOTS

Where a lot, which is not a corner lot, has lot frontage on more than one street, the setback and front yard requirements contained herein

shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

Where a through lot does not abut an improved public street, and instead abuts a private right-of-way on two or more lot lines, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

4.38 WAYSIDE PITS AND QUARRIES

Notwithstanding the minimum yard provisions of this By-law to the contrary the following provisions shall apply for a wayside pit or quarry use:

4.38.1 No wayside pit or wayside quarry use may be established or made within 100 metres (328.08 ft.) of any Residential, Commercial or Community/Open Space Zone.

4.38.2 No new use in a Residential, Commercial or Community/Open Space Zone shall be permitted within 100 metres (328.08 ft.) of an existing wayside pit or wayside quarry for the length of time that such wayside pit or quarry is in operation.

4.38.3 No wayside pit or wayside quarry use may be established or made within 100 metres (328.08 ft.) of any waterbody or watercourse.

4.38.4 A portable asphalt plant and/or portable processing plant may be permitted within the area of such pit or quarry as an accessory use thereto.

SECTION 5 – RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

5.1 PERMITTED USES

- 5.1.1 a single detached dwelling
- 5.1.2 a converted dwelling containing a maximum of two dwelling units
- 5.1.3 an abattoir
- 5.1.4 an agriculture or farm use
- 5.1.5 a bed and breakfast establishment
- 5.1.6 a commercial kennel
- 5.1.7 a commercial greenhouse
- 5.1.8 a conservation area including recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 5.1.9 a day nursery
- 5.1.10 a farm produce outlet
- 5.1.11 a feed mill
- 5.1.12 forestry
- 5.1.13 a garden nursery sales and supply establishment
- 5.1.14 a grain cleaning plant
- 5.1.15 a grain drying and storage facility
- 5.1.16 a group home
- 5.1.17 a home industry
- 5.1.18 a home occupation
- 5.1.19 a livestock sales barn
- 5.1.20 a riding or boarding stable
- 5.1.21 a veterinary clinic
- 5.1.22 a wayside pit or quarry

5.2 REGULATIONS FOR USES PERMITTED IN SECTION 5.1

5.2.1 Minimum Lot Area:

(a) Abattoir, Feed Mill, Garden Nursery Sales and Supply Establishment, Grain Cleaning Plant, Grain Drying and Storage Facility, Veterinary Clinic
2.0 ha (4.94 ac.)

(b) Livestock Sales Barn 4.0 ha (9.88 ac.)

(c) Conservation Area Not Applicable

(d) Other Permitted Uses 10.0 ha (24.7 ac.)

5.2.2 Minimum Lot Frontage:

(a) Abattoir, Feed Mill, Garden Nursery Sales and Supply Establishment, Grain Cleaning Plant, Grain Drying and Storage Facility, Veterinary Clinic
60.0 m (196.85 ft.)

(b) Livestock Sales Barn 60.0 m (196.85 ft.)

(c) Other Permitted Uses 90.0 m (295.27 ft.)

5.2.3 Minimum Front Yard Depth 18.0 m (59.05 ft.)

5.2.4 Minimum Exterior Side Yard Width 18.0 m (59.05 ft.)

5.2.5 Minimum Interior Side Yard Width 15.0 m (49.21 ft.)

5.2.6 Minimum Rear Yard Depth 12.0 m (39.37 ft.)

5.2.7 Minimum Dwelling Unit Floor Area 93.0 m² (1,001.08 ft.²)

5.2.8 Maximum Building Height 11.0 m (36.09 ft.)

5.2.9 Maximum Lot coverage of All Buildings 15%

5.2.10 Minimum Landscaped Open Space 10%

5.2.11 Maximum Number of Single Detached Dwellings Per Lot 1

5.2.12 Maximum Number of Dwelling Units Per Lot 2

5.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural (RU) Zone shall apply.

5.4 SPECIAL RURAL (RU) ZONES

5.4.1 Rural-1 (RU-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-1 (RU-1) Zone the following provisions shall apply:

(a) Permitted Uses In addition to those uses permitted by the Rural (RU) Zone, the following uses shall be permitted in the RU-1 Zone:

(i) a farm product market

(ii) a farm product processing and distribution centre

(b) Special Provisions The following special provisions shall apply:

(i) Minimum Lot Area 6,600 square metres

(ii) Minimum Lot Frontage 70.0 metres

(iii) Minimum Front Yard Depth 30.0 metres

(iv) Minimum Rear Yard Depth 7.5 metres

(v) Minimum Side Yard Width 10.0 metres

(vi) An outside display and sale area shall be located in the front and/or west side yard only, and shall not extend more than 15 metres from the main building;

(vii) An outside storage area shall be located in the rear yard only, and shall have a maximum area of 500 square metres;

(viii) An open storage area shall be enclosed by a wall, fence or hedge not less than 2.0 metres in height such that it is screened from the traveling public

(ix) Parking spaces for a farm product market or a farm product processing and distribution centre (minimum): 1 for each 20 square metres of gross floor area

(c) Special Definitions for the RU-1 Zone

(i) Deli Products "Deli products" means food prepared for consumption off the premises, and may include roasted chickens, sandwiches and prepared meals.

(ii) Farm Product Market

All other provisions of the Rural (RU) Zone shall apply and be complied with.

For the purposes of the RU-1 Zone, the following definitions shall apply: "Farm product market" means a building or portion thereof as specified, wherein the retail sale of the following products are offered to the general public:

- Canadian grown produce including meat and poultry (a minimum of 70 percent of the retail floor area);
- Imported produce;
- Bakery items including processed fruit farm commodity related specialty products prepared on the premises, deli products, dairy products, and Canadian-made crafts (a maximum of 50 square metres of retail floor area);
- Canadian-grown greenhouse and nursery products;
- Canadian-made floral products; and
- Products complimentary to the above (a maximum of 30 percent of the retail floor area)

(iii) Farm Product Processing and Distribution Centre

“Farm product processing and distribution centre” means a building or portion thereof wherein farm products are processed, packaged, and prepared for wholesale distribution.

(iv) Outside Display and Sale Area

“Outside display and sale area” means the outdoor display and sale of goods or merchandise as an accessory activity to a permitted use that is carried on within an enclosed building on the same lot, and shall not include an open storage area.

5.4.2 Rural-2 (RU-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-2 (RU-2) Zone the following provisions shall apply:

(a) Permitted Uses:

On lands zoned RU-2 in part of Lot 27, Concession 8, only the following uses shall be permitted:

(i) Residential Uses one single detached dwelling

(ii) Non-Residential Uses

a business office a retail outlet for pet foods and related products two warehouses for pet foods and other food products a maintenance garage a commercial garage an equipment storage building a hide processing building a salt shed processing, storage and sale of firewood

(b) Special Provisions:

(i) Minimum Lot Area 4.5 hectares

(ii) Minimum Lot Frontage 235 metres

(iii) Maximum Lot Coverage 20 percent

(iv) Buildings and structures for permitted uses shall be limited to those existing on September 26, 2005.

(v) A commercial garage shall have a maximum of two vehicle repair bays.

5.4.3 Rural-3 (RU-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-3 (RU-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses prohibited

(ii) Non-Residential Uses

an accessory storage building, which shall be accessory to an adjacent mobile home park

- an outside storage area for boats and recreational vehicles, which shall be accessory to an adjacent mobile home park
 - a parking area for an adjacent mobile home park
 - a private park accessory to an adjacent mobile home park

(b) Special Provisions:

(i) For the purposes of the RU-3 Zone, the Front Lot Line shall be the southern boundary of the lands zoned RU-3.

(ii) Minimum Lot Area 1.5 hectares

(iii) Minimum Lot Frontage 110.0 metres

(iv) Minimum Front and Rear Yard Depths 7.5 metres

(v) Minimum Interior and Exterior Side Yard Widths 7.5 metres

5.4.4 Rural-4 (RU-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-4 (RU-4) Zone the following provisions shall apply:

(a) Special Provisions:

(i) The minimum lot area shall be as existing at the date of passing of this By-law.

(ii) The minimum lot frontage of the Rural Residential (RR) Zone on the same lot shall apply, and shall be based on the front lot line abutting County Road No. 21 (Wallace Point Road).

5.4.5 Rural-5 (RU-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-5 (RU-5) Zone the following provisions shall apply:

(a) Special Provisions:

(i) The minimum lot area shall be as existing at the date of passing of this By-law.

(ii) The minimum lot frontage of the Rural Residential (RR) Zone on the same lot shall apply, and shall be based on the front lot line abutting County Road No. 21 (Wallace Point Road).

5.4.6 Rural-6 (RU-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-6 (RU-6) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 3.0 hectares
- (ii) Minimum Interior Side Yard Width (east side only) 9.0 metres

5.4.7 Rural-7 (RU-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-7 (RU-7) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 7.0 hectares

5.4.8 Rural-8 (RU-8) Zone

Reserved

5.4.9 Rural-9 (RU-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-9 (RU-9) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 4.5 hectares

5.4.10 Rural-10 (RU-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-10 (RU-10) Zone the following provisions shall apply:

(a) Permitted Uses:

In addition to those uses permitted by the Rural (RU) Zone, the following use shall be permitted in the RU-10 Zone:

- (i) A veterinary clinic

(b) Special Provisions:

- (i) Minimum Lot Area 2.0 hectares
- (ii) Minimum Lot Frontage 167.0 metres
- (iii) Minimum Interior Side Yard Width (north side) 30.0 metres
- (iv) Maximum Net Floor Area for a Veterinary Clinic 279.0 square metres
- (v) Parking Spaces (minimum) for a veterinary clinic shall be 1 parking space per 37.0 square metres of gross floor area, or 3 parking spaces per practitioner, whichever is greater.

5.4.11 Rural-11 (RU-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-11 (RU-11) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 9.0 hectares

5.4.12 Rural-12 (RU-12) Zone

Notwithstanding any other provisions of this By-law to the contrary,

within the Rural-12 (RU-12) Zone the following provisions shall apply:

(a) Special Provisions:

(i) For the purposes of the RU-12 Zone, the Front Lot Line shall be the lot line abutting Highway No. 7.

(ii) Minimum Lot Area 9.0 hectares

(iii) Minimum Lot Frontage 325.0 metres

(iv) Minimum Interior Side Yard Width (west side) 105.0 metres

5.4.13 Rural-13 (RU-13) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-13 (RU-13) Zone the following provisions shall apply:

(a) Special Provisions:

(i) Minimum Lot Area 6.8 hectares

5.4.14 Rural-14 (RU-14) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-14 (RU-14) Zone the following provisions shall apply:

(a) Special Provisions:

(i) Minimum Lot Area and Frontage As Existing

5.4.15 Rural-15 (RU-15) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-15 (RU-15) Zone the following provisions shall apply:

(a) Special Provisions:

(i) Minimum Lot Area 17.0 hectares

5.4.16 Rural-16 (RU-16) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-16 (RU-16) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses a single detached dwelling

(ii) Non-Residential Uses

- a retail outlet for leather goods a detached garage
- an abattoir a cold storage building a business, professional or administrative office

(b) Special Provisions:

(i) Minimum Lot Area 0.55 hectares

(ii) Minimum Lot Frontage 68.0 metres

(iii) Minimum Front Yard Depth 4.5 metres

(iv) Maximum Lot Coverage 20%

5.4.17 Rural-17 (RU-17) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-17 (RU-17) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses prohibited

(ii) Non-Residential Uses a septic system

(b) Special Provisions:

(i) Minimum Lot Area 2.0 hectares

(ii) Minimum Lot Frontage 0.0 metres

5.4.18 Rural-18 (RU-18) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-18 (RU-18) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) All uses of the Rural (RU) Zone, with the exception that residential uses shall be prohibited.

(b) Special Provisions:

(i) Minimum Lot Area 2.0 hectares

(c) Special Regulations for a Farm Use:

(i) No livestock facility, including a feedlot area and manure storage area, shall be located within:

- 126 metres of any residential dwelling on another lot
- 30 metres of any street line 9.0 metres of the south side lot line 60.0 metres of the north side lot line 24 metres of the rear lot line

5.4.19 Rural-19 (RU-19) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-19 (RU-19) Zone the following provisions shall apply:

(a) Special Regulations for a Farm Use:

(i) No livestock facility, including a feedlot area and manure storage area, shall be located within:

- 126 metres of any residential dwelling on another lot
- 30 metres of any street line 60.0 metres of the south side lot line 9.0 metres of the north side lot line
- 60 metres of the rear lot line

5.4.20 Rural-20 (RU-20) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-20 (RU-20) Zone the following provisions shall apply:

(a) Special Provisions:

(i) Minimum Lot Area 2.5 hectares

5.4.21 Rural-21 (RU-21) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-21 (RU-21) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses One single detached dwelling and accessory uses

(ii) Non-Residential Uses One barn

(b) Special Provisions:

(i) Minimum Lot Area 1.2 hectares

(ii) Minimum Lot Frontage 0.0 metres

5.4.22 Rural-22 (RU-22) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-22 (RU-22) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Notwithstanding the provisions of Section 4.12 of this By-law to the contrary, on lands zoned Rural -22 (RU-22), Section 4.12.1 shall not apply to prevent the erection of buildings or structures on a lot that does not front on an improved public street. Access to lands within the Rural-22 (RU-22) Zone area shall be gained by water (Otonabee River) and secondarily by a registered private right-of-way to the Hiawatha Line (County Road No. 31).

For the purposes of the RU-22 Zone, the front lot line shall be the lot line abutting the Otonabee River. All other provisions of the Rural (RU) Zone shall apply.

5.4.23 Rural-23 (RU-23) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-23 (RU-23) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 0.51 hectares
- (ii) Minimum Lot Frontage 40.0 metres

5.4.24 Rural-24 (RU-24) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-24 (RU-24) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 1.8 hectares

5.4.25 Rural-25 (RU-25) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-25 (RU-25) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) Residential Uses prohibited
 - (ii) Non-Residential Uses an abattoir
- (b) Special Provisions:
- (i) Minimum Lot Area 1.56 hectares
 - (ii) Minimum Lot Frontage 259.0 metres

- (iii) Minimum Front Yard Depth 15.2 metres
- (iv) Minimum Rear Yard Depth 22.9 metres
- (v) Minimum Interior Side Yard Width (South) 22.9 metres
- (vi) Minimum Interior Side Yard Width (North) 193.0 metres
- (vii) Minimum Building Separations:
 - Between main building and detached accessory building 0.7 metres
 - Between detached accessory buildings 1.0 metre
- (viii) Maximum Building Height 12.0 metres
- (ix) Minimum Landscaped Open Space 10%
- (x) Parking Spaces (minimum):
 - 1 for each 40.0 square metres of net floor area or portion thereof
- (xi) Building and Storage Location: No building or structure incidental to a permitted RU-25 use and no manure storage area shall be located within:
 - 300.0 metres of any Residential building on another lot;
 - 19.0 metres of any street line; or
 - 27.0 metres of any lot line.

5.4.26 Rural-26 (RU-26) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-26 (RU-26) Zone the following provisions shall apply:

(a) Special Provisions:

- (i) Minimum Lot Area 5.0 hectares

5.4.27 Rural-27 (RU-27) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural-27 (RU-27) Zone the following provisions shall apply:

(a) Special Provisions:

(i) Minimum Lot Area 1.76 hectares

SECTION 6 – AGRICULTURAL (A) ZONE

No person shall within any Agricultural (A) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

6.1 PERMITTED USES

- 6.1.1 a single detached dwelling
- 6.1.2 a converted dwelling containing a maximum of two dwelling units
- 6.1.3 an abattoir
- 6.1.4 an agricultural or farm use
- 6.1.5 a bed and breakfast establishment
- 6.1.6 a commercial kennel
- 6.1.7 a conservation area including recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 6.1.8 a farm produce outlet
- 6.1.9 a feed mill
- 6.1.10 forestry
- 6.1.11 a grain cleaning plant
- 6.1.12 a grain drying and storage facility
- 6.1.13 a group home
- 6.1.14 a home industry
- 6.1.15 a home occupation
- 6.1.16 a livestock sales barn
- 6.1.17 a riding or boarding stable
- 6.1.18 a veterinary clinic
- 6.1.19 a wayside pit or quarry

6.2 REGULATIONS FOR USES PERMITTED IN SECTION 6.1

6.2.1 Minimum Lot Area:

- (a) Abattoir, Feed Mill, Grain Cleaning Plant, Grain Drying and Storage Facility, Veterinary Clinic 2.0 ha (4.94 ac.)
- (b) Livestock Sales Barn 4.0 ha (9.88 ac.)
- (c) Conservation Area Not Applicable

(d) Other Permitted Uses 36.0 ha (88.95 ac.)

6.2.2 Minimum Lot Frontage:

(a) Abattoir, Feed Mill, Grain Cleaning Plant, Grain Drying and Storage Facility, Veterinary Clinic 60.0 m (196.85 ft.)

(b) Livestock Sales Barn 60.0 m (196.85 ft.)

(c) Other Permitted Uses 150.0 m (492.13 ft.)

6.2.3 Minimum Front Yard Depth 18.0 m (59.05 ft.)

6.2.4 Minimum Exterior Side Yard Width 15.0 m (49.21 ft.)

6.2.5 Minimum Interior Side Yard Width 15.0 m (49.21 ft.)

6.2.6 Minimum Rear Yard Depth 12.0 m (39.37 ft.)

6.2.7 Minimum Dwelling Unit Floor Area 93.0 m² (1,001.08 ft.)

6.2.8 Maximum Building Height 11.0 m (36.09 ft.)

6.2.9 Maximum Lot Coverage of All Buildings 15%

6.2.10 Minimum Landscaped Open Space 10%

6.2.11 Maximum Number of Single Detached Dwellings Per Lot 1

6.2.12 Maximum Number of Dwelling Units Per Lot 2

6.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land building or structure permitted within the Agricultural (A) Zone shall apply.

6.4. SPECIAL AGRICULTURAL (A) ZONES

6.4.1 Agricultural-1 (A-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-1 (A-1) Zone the following

provision shall apply:

(a) Special Regulation:

- (i) The minimum side yard width for a private garage shall be 3.048 metres (10.0 feet). This special zone regulation shall apply only to the side yard adjacent to the road allowance between B.F. Concession "A" and the B.F. Concession in Front of B.F. Concession "A".

6.4.2 Agricultural-2 (A-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-2 (A-2) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area: 14.56 hectares

(b) Special Regulations for a Commercial Kennel located in the A-2 Zone:

- (i) Minimum Interior Side Yard Width (west side): 65.0 metres
- (ii) Minimum Interior Side Yard Width (east side): 200.0 metres

- (iii) Minimum Front Yard Depth: 260 metres, measured along a straight line parallel to the side lot line of the lot zoned A-2, from a point established by the minimum interior side yard widths.

- (iv) Minimum Rear Yard Depth: 170.0 metres

(v) For the purposes of the Agricultural-2 (A-2) Zone, a "Commercial Kennel" shall have the same meaning as a "Kennel, Commercial Boarding or Commercial Breeding" as defined in By-law No. 2009-31 of the Township of Otonabee-South Monaghan, being a By-law to licence, regulate and govern kennels in the Township of Otonabee-South Monaghan.

6.4.3 Agricultural-3 (A-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-3 (A-3) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) All uses of Section 6.1 with the exception of a single detached dwelling, a

converted dwelling, or any other residential use, which shall be prohibited.

6.4.4 Agricultural-4 (A-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-4 (A-4) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) All uses of Section 6.1 with the exception of a single detached dwelling, a converted dwelling, or any other residential use, which shall be prohibited.

6.4.5 Agricultural-5 (A-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-5 (A-5) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Front Yard Depth 15.23 metres

(b) Special Regulations for a Farm Use:

- (i) No livestock facility, including a feedlot area and manure storage area, shall be located within:

- 106 metres of any residential dwelling on another lot
- 60 metres of any street line 60 metres of any other lot line

6.4.6 Agricultural-6 (A-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-6 (A-6) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 18.5 hectares

6.4.7 Agricultural-7 (A-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-7 (A-7) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 3.375 hectares

6.4.8 Agricultural-8 (A-8) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-8 (A-8) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) All uses of Section 6.1 with the exception of a single detached dwelling, a converted dwelling, or any other residential use, which shall be prohibited.

6.4.9 Agricultural-9 (A-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-9 (A-9) Zone the following provisions shall apply:

(a) Special Regulations:

(i) The 6.71-metre (22-foot) by 16.15-metre (53-foot) barn, located 58.83 metres (193 feet) west of Part 1 on Plan 45R12124, shall not be used as a livestock facility for housing livestock. This does not prohibit the construction of a new livestock facility provided that Minimum Distance Separation II (MDS II) requirements and the provisions of Section 4 and 6.2 of this By-law are complied with.

6.4.10 Agricultural-10 (A-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-10 (A-10) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: A single detached dwelling

- (ii) Non-Residential Uses: Two (2) commercial kennels
- (b) Special Regulations:
 - (i) Minimum Lot Area 3,318 square metres
 - (ii) Minimum Lot Frontage 43.89 metres

On lands zoned A-10 in part of Lot 21, Concession 14,
only the following uses shall be permitted:

- (iii) Minimum Rear Yard Depth 5.79 metres
- (iv) Minimum Interior Side Yard Width (south side) 3.63 metres

6.4.11 Agricultural-11 (A-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-11 (A-11) Zone the following provisions shall apply:

(a) Permitted Uses:

On lands zoned A-11 in part of Lots 14 and 15, Concession 13, only the following uses shall be permitted:

(i) Residential Uses: Prohibited

(ii) Non-Residential Uses:

- A communications tower
- A telecommunication equipment shelter
- An accessory transmitter building

(b) Special Regulations:

(i) Minimum Lot Area 929.0 square metres

(ii) Maximum Lot Area 20.0 hectares

(iii) Minimum Lot Frontage 30.5 metres

(iv) Minimum Front Yard Depth 12.0 metres

(v) Minimum Rear Yard Depth 6.0 metres

(vi) Minimum Interior Side Yard Width 6.0 metres

6.4.12 Agricultural-12 (A-12) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-12 (A-12) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 8.6 hectares
- (ii) Minimum Lot Frontage 180.0 metres

- (iii) Minimum Front Yard Depth 12.2 metres
- (iv) Minimum Exterior Side Yard Width 12.2 metres
- (v) Minimum Interior Side Yard Width 12.2 metres
- (vi) Minimum Rear Yard Depth 12.2 metres

- (vii) Minimum Dwelling Unit Area 110 square metres
- (viii) Maximum Lot Coverage 10%
- (ix) Maximum Building Height 9.0 metres
- (x) Dwellings per Lot (maximum) 1 only

6.4.13 Agricultural-13 (A-13) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural-13 (A-13) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- A single detached dwelling

(ii) Non-Residential Uses:

- A home occupation

(b) Special Regulations:

- (i) Minimum Lot Area 0.8 hectares
- (ii) Minimum Front Yard Depth 12.2 metres

- (iii) Minimum Exterior Side Yard Width 12.2 metres

- (iv) Minimum Interior Side Yard Width 12.2 metres
- (v) Minimum Rear Yard Depth 12.2 metres
- (vi) Minimum Dwelling Unit Area 110 square metres

- (vii) Maximum Lot Coverage 15%
- (viii) Maximum Building Height 9.0 metres
- (ix) Dwellings per Lot (maximum) 1 only

SECTION 7 - RURAL RESIDENTIAL (RR) ZONE

No person shall within any Rural Residential (RR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

7.1 PERMITTED USES

- 7.1.1 single detached dwelling
- 7.1.2 converted dwelling with a maximum of two dwelling units
- 7.1.3 a bed and breakfast establishment
- 7.1.4 a group home
- 7.1.5 a home industry
- 7.1.6 a home occupation
- 7.1.7 a private or public park

7.2 REGULATIONS FOR USES PERMITTED IN SECTION 7.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act. as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time

7.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Rural Residential (RR) Zone shall apply.

7.4 SPECIAL RURAL RESIDENTIAL (RR) ZONES

7.4.1 Rural Residential-1 (RR-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-1 (RR-1) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Dwelling Ground Floor Area: 144.0 square metres

7.4.2 Rural Residential-2 (RR-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-2 (RR-2) Zone the following provision shall apply:

(a) Special Regulation:

(i) Minimum Lot Area 0.139 hectare

7.4.3 Rural Residential-3 (RR-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-3 (RR-3) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 1,950 square metres

(ii) Minimum Lot Frontage 30.0 metres

7.4.4 Rural Residential-4 (RR-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-4 (RR-4) Zone the following provision shall apply:

(a) Special Regulation:

(i) Minimum Lot Area 0.139 hectare

7.4.5 Rural Residential-5 (RR-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-5 (RR-5) Zone the following provision shall apply:

(a) Special Regulation:

(i) A dwelling shall not be erected less than 80.0 metres from the northeast corner of the lot zoned RR-5 (MDS I setback requirement).

7.4.6 Rural Residential-6 (RR-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-6 (RR-6) Zone the following provision shall apply:

(a) Special Regulation:

(i) Minimum Lot Frontage 30.0 metres

7.4.7 Rural Residential-7 (RR-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-7 (RR-7) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses shall include only the following: A seniors retirement residence

(b) Special Regulations:

(i) Minimum Lot Area 1.6 hectare

(ii) Minimum Lot Frontage 60.0 metres

(iii) Minimum Front Yard Depth 90.0 metres

(iv) Minimum Rear Yard Depth 15.0 metres

(v) Minimum Interior Side Yard Width 25.0 metres

(vi) Minimum Exterior Side Yard Width 25.0 metres

- (vii) Maximum Building Height 11.0 metres
- (viii) Maximum Lot Coverage all Buildings 30%
- (ix) Parking Spaces (minimum) One (1) parking space per dwelling unit
- (x) Delivery Spaces (minimum) one (1) per lot

7.4.8 Rural Residential-8 (RR-8) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-8 (RR-8) Zone the following provision shall apply:

(a) Special Regulation:

- (i) Minimum Front Yard Depth 8.0 metres

7.4.9 Rural Residential-9 (RR-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-9 (RR-9) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.17 hectares
- (ii) Minimum Lot Frontage 27.0 metres
- (iii) Minimum Front Yard Depth 16.76 metres
- (iv) Minimum Interior Side Yard Width (north) 2.98 metres
- (v) Minimum Interior Side Yard Width (south) 3.0 metres

7.4.10 Rural Residential-10 (RR-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-10 (RR-10) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 1.0 hectare
- (ii) Minimum Lot Frontage 360.0 metres

7.4.11 Rural Residential-11 (RR-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-11 (RR-11) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.195 hectares
- (ii) Minimum Interior Side Yard Width Accessory Use 0.76 metres
Dwelling Unit 1.83 metres

Provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 3.66 metres on one side and
1.83 metres on the other side.

- (iii) Minimum Dwelling Unit Area 70.0 square metres

7.4.12 Rural Residential-12 (RR-12) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-12 (RR-12) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.186 hectares
- (ii) Minimum Front Yard Depth 3.66 metres

7.4.13 Rural Residential-13 (RR-13) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-13 (RR-13) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- A single detached dwelling; or
- A single detached dwelling, and accessory buildings and

uses thereto, licensed by the Province of Ontario which provides 24hour care and accommodations for not more than 10 children.

This does not include a Young Offenders' facility, halfway house or any other adult/children correctional facility.

(ii) Non-Residential Uses: Agricultural buildings and accessory uses thereto.

(b) Special Regulations:

- (i) Minimum Lot Area 1.2 hectares
- (ii) Minimum Lot Frontage 121.0 metres

(iii) Minimum Front Yard Depth from Highway #7 for: Dwelling 61 metres Silos 3.9 metres All other structures 14.3 metres

7.4.14 Rural Residential-14 (RR-14) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-14 (RR-14) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: A single detached dwelling

(ii) Non-Residential Uses: An accessory commercial garage

(b) Special Regulations:

- (i) Minimum Lot Area 0.2 hectare
- (ii) Minimum Lot Frontage 30.0 metres

(iii) Minimum Front Yard Depth Dwelling 27.12 metres
 Commercial Garage 49.37 metres

(iv) Minimum Rear Yard Depth Dwelling 31.39 metres Commercial Garage 0.48 metres

(v) Minimum Interior Side Yard Width (North) Dwelling 4.57 metres
 Commercial Garage 22.55 metres

(vi) Minimum Interior Side Yard Width (South) Dwelling 11.58 metres
 Commercial Garage 0.0 metres

- (vii) Maximum Building Height Dwelling 11.0 metres
Commercial Garage 6.4 metres

7.4.15 Rural Residential-15 (RR-15) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-15 (RR-15) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.178 hectares
- (ii) Minimum Lot Frontage 30.0 metres

7.4.16 Rural Residential-16 (RR-16) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-16 (RR-16) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.69 hectares
- (ii) Minimum Lot Frontage 70.0 metres

7.4.17 Rural Residential-17 (RR-17) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential-17 (RR-17) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.18 hectares
- (ii) Minimum Lot Frontage 49.0 metres

SECTION 8 – HAMLET RESIDENTIAL (HR) ZONE

No person shall within any Hamlet Residential (HR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

8.1 PERMITTED USES

- 8.1.1 a single detached dwelling
- 8.1.2 a converted dwelling with a maximum of two dwelling units
- 8.1.3 a duplex dwelling
- 8.1.4 a semi-detached dwelling
- 8.1.5 a bed and breakfast establishment
- 8.1.6 a group home
- 8.1.7 a home occupation
- 8.1.8 a public park

General Industrial Zone Extractive Industrial Zone Waste Disposal Industrial Zone MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space Zone Future Development Zone CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces

8.2 REGULATIONS FOR USES PERMITTED IN SECTION 8.1

8.2.1 Minimum Lot Area:

8.2.2 Minimum Lot Frontage:

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²)	3 spaces

8.2.3 Minimum Front Yard Depth 7.5 m (24.60 ft.)

8.2.4 Minimum Exterior Side Yard Width 7.5 m (24.60 ft.)

8.2.5 Minimum Interior Side Yard Width 3.0 m (9.84 ft.)

8.2.6 Minimum Rear Yard Depth 7.5 m (24.60 ft.)

8.2.7 Minimum Dwelling Floor Area 93.0 m² (1,001.08 ft.²)

8.2.8 Maximum Building Height 11.0 m (36.09 ft.)

8.2.9 Maximum Lot Coverage of All Buildings 40%

8.2.10 Minimum Landscaped Open Space 30%

8.2.11 Maximum Number of Dwellings Per Lot 1

8.2.12 Maximum Number of Dwelling Units per Lot 2

8.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Hamlet Residential (HR) Zone shall apply.

8.4 SPECIAL HAMLET RESIDENTIAL (HR) ZONES

8.4.1 Hamlet Residential-1 (HR-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-1 (HR-1) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area for a lot with private water supply and private sewage disposal: 2,030.0 sq. metres

8.4.2 Hamlet Residential-2 (HR-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-2 (HR-2) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Frontage for a lot with private water supply and private sewage disposal: 21.0 metres

8.4.3 Hamlet Residential-3 (HR-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-3 (HR-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses shall include only the following: A dwelling - multi-residential senior citizen complex

(ii) Non-Residential Uses shall include only the following: Accessory uses

(b) Special Regulations:

(i) Minimum Lot Area 1.2 hectares

(ii) Minimum Lot Frontage 85.0 metres

(iii) Minimum Front Yard Depth Dwelling 9.2 metres Accessory Building 9.2 metres

(iv) Minimum Rear Yard Depth Dwelling 9.2 metres Accessory Building 3.0 metres

(v) Minimum Interior Side Yard Width (North Side) Dwelling 9.2 metres Accessory Building 3.0 metres

(vi) Minimum Interior Side Yard Width (South Side) Dwelling 6.0 metres Accessory Building 3.0 metres

(vii) Maximum Building Height Dwelling 8.0 metres Accessory Building 4.5 metres

(viii) Maximum Dwellings per Lot one (1)

(ix) Maximum Lot Coverage all Buildings 15 percent

(x) Maximum Number of Dwelling Units 18 dwelling units

(xi) Parking Spaces (minimum) One (1) parking space per dwelling unit plus three (3) visitor parking spaces

(xii) No part of any parking space shall be located closer than 3.0 metres to the north side lot line.

- (xiii) Delivery Spaces (minimum) one (1) per building
- (xiv) Minimum Landscaped Open Space 35 percent
- (c) Holding Provisions:

The holding symbol (H) which applies to the lands that are zoned Hamlet Residential-3-Holding (HR-3-H) shall only be removed after the following matters that pertain to those lands have been secured to the satisfaction of Council:

(i) A site plan agreement under the provisions of Section 41 of the *Planning Act*, including details pertaining to stormwater management, has been approved by the Municipality and is registered on title.

(ii) Approval has been received from the appropriate agency for a sewage disposal system to service a maximum of 18 dwelling units.

(iii) Acceptance by the Municipality for the design of a communal water system in accordance with the applicable regulations; and

(iv) A Responsibility Agreement between the Owner and the Municipality has been executed and is in full force and effect.

8.4.4 Hamlet Residential-4 (HR-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-4 (HR-4) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.14 hectares
- (ii) Minimum Lot Frontage 21.0 metres

8.4.6 Hamlet Residential-6 (HR-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-6 (HR-6) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.1 hectare
- (ii) Minimum Lot Frontage 20.1 metres
- (iii) Minimum Rear Yard Depth 12.2 metres
- (iv) Maximum Dwelling Floor Area (first storey) 120.8 sq. metres
- (v) Maximum Lot Coverage 25%
- (vi) Minimum Landscaped Open Space 65%

8.4.7 Hamlet Residential-7 (HR-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-7 (HR-7) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Front Yard Depth 30.0 metres

8.4.8 Hamlet Residential-8 (HR-8) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-8 (HR-8) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 1.5 hectares

8.4.9 Hamlet Residential-9 (HR-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-9 (HR-9) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Front Yard Depth 30.0 metres

8.4.10 Hamlet Residential-10 (HR-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-10 (HR-10) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Front Yard Depth 30.0 metres

(ii) Minimum Interior Side Yard Width (south side - main building and accessory buildings) 10.0 metres

8.4.11 Hamlet Residential-11 (HR-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-11 (HR-11) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Frontage 27.0 metres

(ii) Minimum Lot Area 0.2 hectares

8.4.12 Hamlet Residential-12 (HR-12) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-12 (HR-12) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Frontage 27.0 metres

8.4.13 Hamlet Residential-13 (HR-13) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-13 (HR-13) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: A single detached dwelling

(ii) Non-Residential Uses: A postal outlet situated in an attached garage

(b) Special Regulations:

(i) The maximum floor area of a postal outlet shall be 26.75 square metres.

8.4.14 Hamlet Residential-14 (HR-14) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-14 (HR-14) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

A single detached dwelling

A single detached dwelling erected prior to the passage of Bylaw No. 86-20 of the former Township of South Monaghan, the interior of which has been altered so as to provide therein not more than five (5) dwelling units.

(b) Special Regulations:

(i) Minimum Lot Area 2,168.0 sq. metres

(ii) Minimum Lot Frontage 27.58 metres

(iii) Minimum Front Yard Depth 2.06 metres

(iv) Minimum Interior Side Yard Width 1.3 metres

(v) Minimum Rear Yard Depth 5.0 metres

(vi) Maximum Building Height 9.0 metres

- (vii) Maximum Lot Coverage 33%
- (viii) Minimum Landscaped Open Space 30%
- (ix) Maximum Number of Dwelling Units Per Lot five (5)

8.4.15 Hamlet Residential-15 (HR-15) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-15 (HR-15) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- A single detached dwelling

(ii) Non-Residential Uses:

- A retail sales outlet for bait and tackle situated in an attached garage

(b) Special Regulations:

(i) Minimum Lot Area 1,400.0 sq. metres

(ii) Minimum Lot Frontage 30.0 metres

(iii) Minimum Front Yard Depth 13.0 metres

(iv) Minimum Interior Side Yard Width 5.0 metres

(v) Minimum Rear Yard Depth 3.0 metres

(vi) Maximum Building Height 9.0 metres

(vii) Minimum Landscaped Open Space 30%

(viii) Maximum Number of Dwelling Units Per Lot one (1)

(ix) Minimum Dwelling Unit Area 95 square metres

(x) The maximum floor area for retail sales shall not exceed 14.0 square metres, and notwithstanding Section 4.25, one (1) parking space per 3.0 square metres of gross floor area shall be required.

8.4.16 Hamlet Residential-16 (HR-16) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-16 (HR-16) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- A single detached dwelling

(ii) Non-Residential Uses:

- A gift and craft shop for the retail sale of new and used goods such as figurines, glass wear, dinner ware, antiques, scarves, candles, books, pictures, and baked goods baked off-site. Such non-residential uses shall be situated within a single detached dwelling.

(b) Special Regulations:

(i) Minimum Lot Area 1,000.0 sq. metres

(ii) Minimum Lot Frontage 20.0 metres

(iii) Minimum Front Yard Depth 0.0 metres

(iv) Net floor area for a permitted non-residential use within a single detached dwelling (maximum) 36.0 square metres

(v) Parking Spaces (minimum) Residential Uses 1 Non-Residential Uses 4

(vi) There shall be no illuminated sign(s).

8.4.17 Hamlet Residential-17 (HR-17) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Hamlet Residential-17 (HR-17) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) The minimum exterior side yard width shall be 30.48 metres (100 feet) from the centreline of the County Road right-of-way, or 15.24 metres (50 feet) from the exterior side lot line, whichever is greater.

SECTION 9 – SHORELINE RESIDENTIAL (SR) ZONE

No person shall within any Shoreline Residential (SR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

9.1 PERMITTED USES

- 9.1.1 a single detached dwelling
- 9.1.2 a seasonal dwelling
- 9.1.3 a bed and breakfast establishment
- 9.1.4 a group home
- 9.1.5 a home occupation
- 9.1.6 a public park

9.2 REGULATIONS FOR USES PERMITTED IN SECTION 9.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service	One (1) parking space for each 28 m ² (301.4 ft. ²) of total floor area of building directly related to the specified use

9.2.14 Maximum Number of Dwelling Units Per Lot 1

9.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted in the Shoreline Residential (SR) Zone shall apply.

9.4 SPECIAL SHORELINE RESIDENTIAL (SR) ZONES

9.4.1 Shoreline Residential-1 (SR-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Shoreline Residential-1 (SR-1) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 730.0 square metres
- (ii) Minimum Lot Frontage 18.5 metres

(iii) Minimum Front Yard Depth Main Building 8.53 metres Accessory Building 9.0 metres

(iv) Minimum Rear Yard Depth Main Building 18.79 metres Accessory Building 1.0 metre

(v) Minimum Interior Side Yard Width (North Side) Main Building 1.95 metres Accessory Building 1.0 metre

(vi) Minimum Interior Side Yard Width (South Side) Main Building 3.0 metres Accessory Building 1.0 metre

9.4.2 Shoreline Residential-2 (SR-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Shoreline Residential-2 (SR-2) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Frontage 30.0 metres

(ii) Minimum Front Yard Depth Main Building 9.0 metres Existing Frame Shed and Decks on

- 745-747 Bolin Rd. As Existing All Other
Accessory Buildings 9.0 metres
- (iii) Minimum Interior Side Yard Width (South Side) Main Building 2.2 metres
- (iv) Ground Floor Area (minimum) Existing Dwelling on
745-747 Bolin Rd. 59.0 square metres All Other
Buildings 92.0 square metres

9.4.3 Shoreline Residential-3 (SR-3) Zone

SECTION 10 - ESTATE RESIDENTIAL (ER) ZONE

No person shall within any Estate Residential (ER) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

10.1 PERMITTED USES

- 10.1.1 a single detached dwelling
- 10.1.2 a bed and breakfast establishment
- 10.1.3 a group home
- 10.1.4 a home occupation
- 10.1.5 a private or public park

10.2 REGULATIONS FOR USES PERMITTED IN SECTION 10.1

10.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where

General Industrial Zone Extractive Industrial Zone Waste Disposal Industrial Zone	MG ME MD
Community/Open Space Zones	
Community Facility Zone Open Space Zone Future Development Zone	CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one

applicable to the use of any land, building or structure permitted within the Estate Residential (ER) Zone shall apply.

10.4 SPECIAL ESTATE RESIDENTIAL (ER) ZONES

10.4.1 Estate Residential-1 (ER-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Estate Residential-1 (ER-1) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.49 hectares
- (ii) Minimum Lot Frontage 50.0 metres

SECTION 11 – LIMITED SERVICE RESIDENTIAL (LSR) ZONE

No person shall within a Limited Service Residential (LSR) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions.

In a Limited Service Residential (LSR) Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private right-of-way. Due to the condition of privately maintained rights-of-way, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned rights-of-way. The intent of the Limited Service Residential (LSR) Zone is to recognize residential development on private rights-of-way or with water access only.

11.1 PERMITTED USES

- 11.1.1 a single detached dwelling in accordance with Section 4.12.4
- 11.1.2 a seasonal dwelling in accordance with Section 4.12.4
- 11.1.3 a home occupation
- 11.1.4 a private or public park

11.2 REGULATIONS FOR USES PERMITTED IN SECTION 11.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ²

11.2.12 Minimum Landscaped Open Space 40%

11.2.13 Maximum Number of Single Detached or Seasonal Dwellings
Per Lot 1

11.2.14 Maximum Number of Dwelling Units Per Lot 1

11.3 ACCESS

The intent of the Limited Service Residential (LSR) Zone is to recognize existing residential development and existing lots on private rights-of-way or on islands.

In a Limited Service Residential (LSR) Zone, there is no commitment or requirement by the Corporation to assume responsibility for ownership or maintenance of any private right-of-way or lane.

11.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Limited Service Residential (LSR) Zone shall apply.

11.5 SPECIAL LIMITED SERVICE RESIDENTIAL (LSR) ZONES

11.5.1 Limited Shoreline Residential-1 (LSR-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-1 (LSR-1) Zone the following provisions

shall apply:

- (a) Permitted Uses:
 - (i) a seasonal dwelling
 - (ii) a home occupation
- (b) Minimum Lot Area
- (c) Minimum Lot Frontage
- (d) Minimum Shoreline Frontage

(e) Minimum Front Yard Depth

0.4 ha (0.99 ac.)

45.0 m (147.63 ft.)

45.0 m (147.63 ft.)

30.0 m (98.42 ft.)

- (f) Minimum Exterior Side Yard 12.0 m (39.37 ft.)
- (g) Minimum Interior Side Yard Width 6.0 m (19.69 ft.)
- (h) Minimum Rear Yard Width 9.0 m (29.52 ft.)
- (i) Minimum Water Yard 30 m (98.42 ft.)
- (j) Minimum Dwelling Unit Area 72.0 m² (775.02 ft.²)
- (k) Maximum Building Height 9.0 m (29.52 ft.)
- (l) Maximum Lot Coverage of All Building 15%
- (m) Minimum Landscaped Open Space 50%
- (n) Maximum Number of Dwellings Per Lot 1
- (o) Maximum Number of Dwelling Units Per Lot 1

11.5.1A Limited Shoreline Residential-1A (LSR-1A) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-1A (LSR-1A) Zone, all of the provisions of the LSR-1 Zone shall apply, with the following exception:

- (a) Minimum Water Yard 45 metres (147.64 ft.)

11.5.2 Limited Service Residential-2 (LSR-2) Zone – Long Island

Notwithstanding any other provisions of this By-law to the contrary, on lands zoned LSR-2 on Long Island (Lots 1 to 28 inclusive and Blocks “A” to “J” inclusive according to Registered Plan of Subdivision No. 425 Sub) no person shall use any land or erect, alter or use any building except in accordance with the following special provisions:

- (a) Lots 1 to 28, inclusive, shall only be used for seasonal dwellings in accordance with the provisions of the LSR-1 Zone of this By-law.

(b) Blocks "A" and "B" shall only be used for public park purposes.

(c) Blocks "C", "D", "E", "F", "G", "H", "I" and "J" shall only be used for private park purposes.

11.5.3 Limited Service Residential-3 (LSR-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-3 (LSR-3) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 900.0 sq. metres
- (ii) Minimum Front Yard Depth 7.62 metres

11.5.4 Limited Service Residential-4 (LSR-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-4 (LSR-4) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) Residential Uses: One single detached dwelling

(ii) Non-Residential Uses:

- A marine facility A private park

(b) Special Regulations:

- (i) Minimum Lot Area 756.0 sq. metres
- (ii) Minimum Lot Frontage 15.54 metres

- (iii) Minimum Rear Yard Depth Accessory Buildings 2.54 metres
- (iv) Minimum Interior Side Yard Width (north side) Main Building 2.74 metres Accessory Building 6.0 metres
- (v) Minimum Interior Side Yard Width (south side) Main Building 2.74 metres Accessory Building 0.91 metres

11.5.5 Limited Service Residential-5 (LSR-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-5 (LSR-5) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: One single detached dwelling

(ii) Non-Residential Uses:

A marine facility A private park

(b) Special Regulations:

(i) Minimum Lot Area 780.0 sq. metres

(ii) Minimum Lot Frontage 15.84 metres

(iii) Minimum Rear Yard Depth Accessory Buildings 2.13 metres

(iv) Minimum Interior Side Yard Width (north side) Main Building 2.43 metres Accessory Building 0.6 metres

(v) Minimum Interior Side Yard Width (south side) Main Building 4.86 metres Accessory Building 0.24 metres

11.5.6 Limited Service Residential-6 (LSR-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-6 (LSR-6) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 810.0 sq. metres

(ii) Minimum Lot Frontage 20.0 metres

(iii) Minimum Interior Side Yard Width Dwelling 1.8 metres Accessory structure 1.2 metres

(iv) Minimum Dwelling Unit Area 113.0 sq. metres

(v) Maximum Lot Coverage All Buildings 24 percent

11.5.7 Limited Service Residential-7 (LSR-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-7 (LSR-7) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 890.0 sq. metres

(ii) Minimum Lot Frontage 21.0 metres

(iii) Minimum Front Yard Depth □ Dwelling 2.46 metres □
Accessory structure 1.8 metres

(iv) Minimum Rear Yard Depth □ Dwelling 8.2 metres □ Accessory structure 0.5 metres

(v) Minimum Interior Side Yard Width □ Dwelling 1.5 metres □
Accessory structure 1.5 metres

(vi) Minimum Dwelling Unit Area 170.0 sq. metres

(vii) Maximum Lot Coverage All Buildings 29 percent

11.5.8 Limited Service Residential-8 (LSR-8) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-8 (LSR-8) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 1,380.0 sq. metres

(ii) Minimum Lot Frontage 24.0 metres

(iii) Minimum Interior Side Yard Width (west) 1.2 metres

11.5.9 Limited Service Residential-9 (LSR-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-9 (LSR-9) Zone the following

provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 1,450.0 sq. metres
- (ii) Minimum Interior Side Yard Width (east) 1.2 metres
- (iii) Minimum Rear Yard Depth 3.2 metres

11.5.10 Limited Service Residential-10 (LSR-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-10 (LSR-10) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- The uses permitted by Section 11.1 and accessory uses

(ii) Non-Residential Uses:

- A marine facility A private park

(b) Special Regulations:

- (i) Minimum Lot Area 1,390 sq. metres
- (ii) Minimum Lot Frontage 30 metres
- (iii) A maximum of one (1) private garage may be erected as the principal/main building on the lot, and shall be permitted on a lot with frontage on a private right-of-way
- (iv) At such time as a dwelling permitted by Section 11.1 is erected, a private garage shall no longer be a principal/main building and shall be an accessory building
- (v) The following special provisions shall apply to a private garage whether it is a principal/main building or an accessory building: Maximum ground floor area 94 square metres Maximum height 5.0 metres

11.5.11 Limited Service Residential-11 (LSR-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-11 (LSR-11) Zone the

following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.12 hectares
- (ii) Minimum Shoreline Frontage As Existing
- (iii) Minimum Lot Frontage 36.0 metres
- (iv) Minimum Front Yard Depth 10.0 metres
- (v) Minimum Interior Side Yard Width (south) 4.8 metres
- (vi) Minimum Water Yard 10.0 metres

11.5.12 Limited Service Residential-12 (LSR-12) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Limited Service Residential-12 (LSR-12) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 0.139 hectares
- (ii) Minimum Lot Frontage 22.86
- (iii) Minimum Front Yard Depth 5.18 metres
- (iv) Minimum Dwelling Unit Area 72.46 sq. m

SECTION 12 - GENERAL COMMERCIAL (GC) ZONE

No person shall within any General Commercial (GC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

12.1 PERMITTED USES

- 12.1.1 an accessory dwelling unit
- 12.1.2 an assembly hall, auditorium, community centre or elderly persons centre
- 12.1.3 an auction barn
- 12.1.4 a building supply outlet or lumber yard
- 12.1.5 a business, professional or administrative office, including a bank or financial establishment
- 12.1.6 a commercial greenhouse
- 12.1.7 a commercial or private club
- 12.1.8 an eating establishment
- 12.1.9 an equipment sales, rental and repair establishment, including a farm implement and equipment sales and service establishment
- 12.1.10 a flea market
- 12.1.11 a funeral home
- 12.1.12 a garden nursery sales and supply establishment
- 12.1.13 a hotel or motel
- 12.1.14 a laundromat
- 12.1.15 a laundry or dry cleaners establishment
- 12.1.16 a medical or dental clinic
- 12.1.17 a miniature golf course
- 12.1.18 any type of motor vehicle facility excluding a motor vehicle body shop
- 12.1.19 outside display or sales
- 12.1.20 outside storage
- 12.1.21 a place of entertainment
- 12.1.22 a printing or publishing establishment
- 12.1.23 a propane refill establishment
- 12.1.24 a recreational establishment
- 12.1.25 a recreation vehicle, marine or travel trailer dealership
- 12.1.26 a retail commercial establishment, including a convenience store or food supermarket
- 12.1.27 a service shop, including a personal service shop
- 12.1.28 a public transportation depot or terminal
- 12.1.29 a parking lot

12.1.30 a public park
12.1.31 a veterinary clinic

12.2 REGULATIONS FOR USES PERMITTED IN SECTION 12.1

12.2.1 Minimum Lot Area: 0.3 ha (0.74 ac.)

12.2.2 Minimum Lot Frontage: 38.0 m (124.67 ft.)

12.2.3 Minimum Front Yard 15.0 m (49.21 ft.)

12.2.4 Minimum Exterior Side Yard Width 15.0 m (49.27 ft.)

12.2.5 Minimum Interior Side Yard Width 6.0 m (19.69 ft.)

12.2.6 Minimum Rear Yard Depth 12.0 m (39.37 ft.)

12.2.7 Maximum Building Height 11.0 m (36.09 ft.)

12.2.8 Maximum Lot Coverage of All Buildings 30%

12.2.9 Minimum Landscaped Open Space 20%

12.2.10 Maximum Number of Dwelling Units Per Lot 1

12.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

12.4 REQUIREMENTS FOR OUTSIDE DISPLAY OR SALES AREAS

No outside display or sales area shall be permitted except in accordance with the following provisions:

(a) Such outside display or sales area shall be accessory to the use of the main building on the lot;

(b) No outside display or sales area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;

(c) No outside display or sales area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon.

12.5 REQUIREMENTS FOR OUTSIDE STORAGE

No portion of a lot shall be used for the outside storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- (a) Such outside storage shall be accessory to the use of the main building on the lot;
- (b) Such outside storage shall comply with the yard and setback regulations for the General Commercial (GC) Zone, however, no outside storage use shall be located in a front or exterior side yard;
- (c) No outside storage use shall cover more than 30% of the lot area.
- (d) No outside storage use shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;
- (e) No outside storage use shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;
- (f) Every outside storage area or lot having an outside storage area situated thereon shall be enclosed by a wall or fence not less than 2.0 metres (6.56 feet) in height and constructed of uniform material;
- (g) No portion of any outside storage area for combustible materials shall be located closer than 6.0 metres (19.68 feet) to any lot line.

12.6 DWELLING UNIT LOCATION

An accessory dwelling unit shall not be a permitted use on a lot used for a motor vehicle repair garage, a motor vehicle service centre, a motor vehicle service station, or a motor vehicle car wash.

12.7 FUEL PUMP LOCATION

- 12.7.1 Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establishment, a motor vehicle repair garage, a motor vehicle service station, or a motor vehicle service centre shall be located in accordance with the following:

- (a) the minimum distance between any portion of the pump island or fuel pumps and any street line is not less than 6.0 metres (19.68 feet);
- (b) the minimum distance between any portion of the pump island or fuel pumps and any other lot line is not less than 4.5 metres (14.76 feet); and
- (c) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3 metres (9.84 feet) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 metres (49.21 feet) from the intersection of such lines.

12.8 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Commercial (GC) Zone shall apply.

12.9 SPECIAL GENERAL COMMERCIAL (GC) ZONES

12.9.1 General Commercial-1 (GC-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-1 (GC-1) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

Prohibited

(ii) Non-Residential Uses shall include only the following:

- A commercial garage
- A fenced outside storage area for the exclusive storage of not more than ten (10) licensed vehicles which are undergoing maintenance or repairs
- A salvage yard shall be strictly prohibited.

(b) Special Regulations:

- (i) Minimum Lot Area 7,047 sq. m
- (ii) Minimum Lot Frontage 37.0 metres

(iii) Minimum Front Yard Depth 29.0 metres

(iv) Minimum Interior Side Yard Width Fenced outside storage area 0.0 metres Commercial garage 13.0 metres

(v) Minimum Exterior Side Yard Width Fenced outside storage area 39.0 metres Commercial garage 26.0 metres

(vi) Minimum Rear Yard Depth 88.0 metres

(vii) Maximum Total Floor Area and Area for Outside Storage Fenced outside storage area 200.0 square metres Commercial garage 148.8 square metres

(viii) Maximum Building Height 5.2 metres

(ix) For the purposes of the GC-1 Zone, a “commercial garage” shall mean an establishment or premises where vehicles owned by the general public are repaired or maintained.

12.9.2 General Commercial-2 (GC-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-2 (GC-2) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses shall include only the following:

(ii) Non-Residential Uses shall include only the following:

An accessory single detached dwelling

A commercial garage

(b) Special Regulations:

(i) Minimum Lot Area As existing

(ii) Minimum Lot Frontage 10.0 metres

- (iii) Minimum Front Yard Depth (from street line) 262.0 metres
- (iv) Minimum Interior Side Yard Width (north side) 5.0 metres
- (v) Minimum Interior Side Yard Width (south side) 7.5 metres
- (vi) Minimum Rear Yard Depth 10.5 metres

(vii) Outside storage is not permitted in a GC-2 Zone.

(viii) For the purposes of the GC-2 Zone, a “commercial garage” shall mean an establishment or premises where vehicles owned by the general public are repaired or maintained.

12.9.3 General Commercial-3 (GC-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-3 (GC-3) Zone the following provisions shall apply:

(a) Permitted Uses:

The following uses shall be permitted in addition to all uses of the General Commercial (GC) Zone:

(i) Residential Uses: Prohibited

(ii) Non-Residential Uses: All uses of Section 12.1 plus a fellowship outreach centre.

(b) Permitted Uses:

(i) The maximum net floor area of a fellowship outreach centre shall be 404.12 square metres.

(ii) Notwithstanding the provisions of Section 4.25, the minimum number of parking spaces shall be 1 for each 20 square metres of gross floor area.

(iii) For the purposes of the General Commercial-3 (GC-3) Zone, a “fellowship outreach centre” shall mean a meeting place for religious teaching, worship, and instruction in life skills. A fellowship outreach centre is not a “place of worship” or a “group home” as defined in this By-law.

12.9.4 General Commercial-4 (GC-4) Zone

Not applied.

12.9.5 General Commercial-5 (GC-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-5 (GC-5) Zone the following provisions shall apply:

(a) Permitted Uses:

The following uses shall be permitted in addition to all uses of the General Commercial (GC) Zone:

(i) Residential Uses: Prohibited

(ii) Non-Residential Uses:

A maximum of three (3) tanks for the bulk storage of propane fuel.

(b) Special Regulations:

(i) The maximum capacity of a bulk propane storage tank shall be 120,000 litres.

(ii) A bulk propane storage tank shall be located in a rear yard.

(iii) The provisions of Sections 12.9.5(a) and 12.9.5(b) shall not apply to the establishment and operation of a small-scale retail propane refill establishment.

12.9.6 General Commercial-6 (GC-6) Zone

Not applied.

12.9.7 General Commercial-7 (GC-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-7 (GC-7) Zone the following provisions shall apply:

(a) Permitted Uses: The following uses shall be permitted in

addition to all uses of the General Commercial (GC) Zone:

- (i) Self-storage units
 - (ii) Sales and rental of tools and equipment
 - (iii) Retail sales of wood sheds and homes, including a shop for assembly purposes and outside display of sheds and homes
 - (iv) A commercial garage for school bus storage and maintenance
 - (v) A manufacturing use with a maximum gross floor area of 95.0 square metres
 - (vi) A warehouse
- (b) Special Regulations:
- (i) Minimum Lot Area 2.8 hectares
 - (ii) Minimum Lot Frontage 150.0 metres
 - (iii) The minimum front yard for self-storage units shall be 60 metres
 - (iv) An outside storage area accessory to a permitted use shall be located in a rear yard
 - (v) The minimum front yard shall be 25.0 metres
 - (vi) The maximum building height for a building located at least 125 metres from the front lot line shall be 12.0 metres.
 - (vii) The maximum entrance width shall be 10.5 metres.
 - (viii) A manufacturing use that is not accessory to a permitted General Commercial (GC) use shall only be permitted in a building that is located at least 125 metres from the front lot line.
 - (ix) A warehouse building shall be located at least 125 metres from the front lot line.
 - (x) The minimum number of parking spaces for a warehouse building or a manufacturing use shall be one (1) parking space for each 37.0 square metres of total floor area or portion thereof. The minimum number of parking spaces for a commercial garage use within the warehouse building

shall be 10 parking spaces per lot.

(xi) Outside parking spaces for school buses that are accessory to a use permitted by Section 12.9.7(a)(iv) shall be located at least 130 metres from the front lot line.

- (xii) Parking spaces for uses permitted by the General Commercial-7 (GC-7) zone shall be permitted on lands zoned Environmental Protection (EP) on the same lot, subject to the approval of the Otonabee Region Conservation Authority.
- (xiii) Notwithstanding any other provisions of this By-law to the contrary, where a portion of a lot is zoned Environmental Protection (EP) Zone, the provisions of Section 4.22 shall not apply with respect to the boundary between an Environmental Protection (EP) Zone and a General Commercial-7 (GC-7) Zone. Where a portion of a lot is zoned Environmental Protection (EP), those lands zoned Environmental Protection (EP) may be used in calculating the minimum lot area and minimum lot frontage requirements.

12.9.8 General Commercial-8 (GC-8) Zone

Not applied.

12.9.9 General Commercial-9 (GC-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-9 (GC-9) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) The minimum interior side yard width (west side only) shall be 1.0 metres.
- (ii) Notwithstanding any other provisions of this By-law to the contrary, where a portion of a lot is zoned Environmental Protection (EP) Zone, the provisions of Section 4.22 shall not apply with respect to the boundary between an Environmental Protection (EP) Zone and a General Commercial-9 (GC-9) Zone. Where a portion of a lot is zoned Environmental Protection (EP),

those lands zoned Environmental Protection (EP) may be used in calculating the minimum lot area and minimum lot frontage requirements.

12.9.10 General Commercial-10 (GC-10) Zone

Not applied.

12.9.11 General Commercial-11 (GC-11) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-11 (GC-11) Zone the following provisions shall apply:

(a) Special Regulations:

(i) The maximum entrance width shall be as existing on February 1, 2010.

(ii) Notwithstanding any other provisions of this By-law to the contrary, where a portion of a lot is zoned Environmental Protection (EP) Zone, the provisions of Section 4.22 shall not apply with respect to the boundary between an Environmental Protection (EP) Zone and a General Commercial-11 (GC-11) Zone. Where a portion of a lot is zoned Environmental Protection (EP), those lands zoned Environmental Protection (EP) may be used in calculating the minimum lot area and minimum lot frontage requirements.

(iii) The Holding ("H") symbol which applies to the lands in the General Commercial-11 (GC-11) Zone shall only be removed after the following matters are secured to the satisfaction of Council:

A site plan agreement under Section 41 of the *Planning Act*, which shall be acceptable to the Municipality, has been approved by the Municipality and registered on title. The site plan agreement shall include a provision that will have the effect of prohibiting any development or the issuance of a building permit for any use that would require any septic system (individually or collectively) to release more than 10,000 litres of effluent per day, unless approval has been obtained from the Ministry of the Environment.

12.9.12 General Commercial-12 (GC-12) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-12 (GC-12) Zone the following provisions shall apply:

(a) Permitted Uses:

The following uses shall be permitted in addition to all uses of the General Commercial (GC) Zone:

(i) Non-Residential Uses:

- A landscape nursery
- An accessory, detached private garage

(b) Special Regulations:

- (i) Minimum Interior Side Yard Width: 7.0 metres (23 ft.)
 - for an open carport on the east side only: 1.829 metres (6.0 ft.)
- (ii) Minimum Entrance Separation: 19.0 metres (62.5 ft.)

(iii) The maximum dwelling unit floor area shall be 280.19 square metres (3,016.0 sq. ft.).

(iv) The maximum floor area of a private garage shall be 66.89 square metres (720.0 sq. ft.).

(v) Parking Spaces (minima): Landscape nursery: 9 parking spaces Sign shop: 18 parking spaces

12.9.13 General Commercial-13 (GC-13) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Commercial-13 (GC-13) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- An accessory single detached dwelling

(ii) Non-Residential Uses: A greenhouse for the growing and selling of nursery stock

(b) Special Regulations:

- (i) Minimum Lot Area 1.44 hectares
- (ii) Minimum Lot Frontage 88.0 metres

(iii) Minimum Front Yard Depth 30.48 metres

- (iv) Minimum Interior Side Yard Width (North Side) 7.5 metres
- (v) Minimum Interior Side Yard Width (South Side) 1.22 metres
- (vi) Building Separation (minimum) (non-residential uses) 0.91metres

- (vii) Maximum Building Heights greenhouse 5.15 metres barn
14.54 metres shed 7.57 metres dwelling 5.0 metres

SECTION 13 - LOCAL COMMERCIAL (LC) ZONE

No person shall within any Local Commercial (LC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

13.1 PERMITTED USES

- 13.1.1 an accessory dwelling unit or units
- 13.1.2 a bank or financial institution
- 13.1.3 a business, professional or administrative office
- 13.1.4 a commercial or private club
- 13.1.5 a day nursery
- 13.1.6 a dry cleaning or laundry outlet
- 13.1.7 an eating establishment
- 13.1.8 a funeral home
- 13.1.9 a garden nursery sales and supply establishment
- 13.1.10 a laundromat
- 13.1.11 a medical or dental clinic
- 13.1.12 a motor vehicle fuel establishment
- 13.1.13 a motor vehicle rental establishment
- 13.1.14 a motor vehicle repair garage
- 13.1.15 outside display or sales
- 13.1.16 a place of entertainment
- 13.1.17 a post office
- 13.1.18 a postal outlet
- 13.1.19 a recreational establishment
- 13.1.20 a retail commercial establishment, including a convenience store
- 13.1.21 a service shop, including a personal service shop
- 13.1.22 a parking lot
- 13.1.23 a public park
- 13.1.24 a veterinary clinic

13.2 REGULATIONS FOR USES PERMITTED IN SECTION 13.1

General Industrial Zone Extractive
Industrial Zone Waste Disposal
Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
Zone Future Development Zone

CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces

-except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be 9.0 m (29.53 ft.)

13.2.6 Minimum Rear Yard Depth 7.5 m (24.60 ft.)

13.2.7 Maximum Building Height 11.0 m (36.09 ft.)

13.2.8 Maximum Lot Coverage of All Buildings 30%

13.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

13.4 REQUIREMENTS FOR OUTSIDE DISPLAY OR SALES AREAS

No outside display or sales area shall be permitted except in accordance with the following provisions:

- (a) Such outside display or sales area shall be accessory to the use of the main building on the lot;
- (b) No outside display or sales area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;
- (c) No outside display or sales area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon.

13.5 OUTSIDE STORAGE NOT PERMITTED

Outside storage shall not be permitted in the Local Commercial (LC) zone.

13.6 DWELLING UNIT LOCATION

An accessory dwelling unit shall not be a permitted use on a lot used for a

motor vehicle fuel establishment or a motor vehicle repair garage.

The provisions of Section 4.3.3 shall apply with respect to the minimum floor area of a permitted accessory dwelling unit(s) in a non-residential building.

13.7 FUEL PUMP LOCATION

13.7.1 Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establishment shall be located in accordance with the following:

- (a) the minimum distance between any portion of the pump island or fuel pumps and any street line is not less than 6.0 metres (19.68 feet);
- (b) the minimum distance between any portion of the pump island or fuel pumps and any other lot line is not less than 4.5 metres (14.76 feet); and
- (c) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3 metres (9.84 feet) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 metres (49.21 feet) from the intersection of such lines.

13.8 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Local Commercial (LC) Zone shall apply.

13.9 SPECIAL LOCAL COMMERCIAL (LC) ZONES

13.9.1 Local Commercial-1 (LC-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-1 (LC-1) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) Residential Uses shall include only the following: A maximum of one (1) accessory dwelling unit
- (ii) Non-Residential Uses shall include only the following: An art gallery

A business, professional or administrative office A financial office A personal service shop A boutique

(b) Special Regulations:

- (i) Minimum Lot Area 1,300.0 sq. metres
- (ii) Minimum Lot Frontage 25.0 metres

- (iii) Minimum Front Yard Depth 9.0 metres
- (iv) Minimum Exterior Side Yard Width 7.5 metres
- (v) Minimum Rear Yard Depth 7.5 metres
- (vi) Minimum Interior Side Yard Width 6.0 metres

- (vii) Maximum Building Height As existing
- (viii) Maximum Lot Coverage all Buildings As existing
- (ix) Buffer Strip Location: A buffer strip shall be required along any portion of a side lot line or any portion of a rear lot line that abuts a Residential zone, or which abuts a lot having a Residential use situated thereon.
- (x) Buffer Strip Width (minimum) 2.0 metres
- (xi) Entrance Width (minimum) 3.0 metres

- (xii) Entrance Width (maximum) 9.5 metres
- (xiii) Driveway setback (minimum) 1.5 metres
- (xiv) Parking Spaces (minima):

Residential Uses:

-1 for each dwelling unit Non-Residential Uses:

-1 for each 30.0 sq. m of net floor area or portion thereof

- (xv) Parking Space Location:

No part of any parking space shall be located closer than:

1.5 metres to any street line; or 4.5 metres to any lot having a Residential use situated thereon.

13.9.2 Local Commercial-2 (LC-2) Zone

Not Applied.

13.9.3 Local Commercial-3 (LC-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-3 (LC-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: One accessory dwelling

(ii) Non-Residential Uses:

A post office A repair and sales outlet for marine engines and small-powered power equipment

(b) Special Regulations:

(i) Minimum Lot Area 3,700 square metres

(ii) Minimum Lot Frontage 40.0 metres

(iii) A post office shall only be permitted in the first storey of a permitted accessory dwelling.

(iv) The maximum floor area of a post office shall be 23.0 square metres.

(v) A minimum of five (5) parking spaces shall be provided for the post office use.

13.9.4 Local Commercial-4 (LC-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-4 (LC-4) Zone the following provisions shall apply:

(a) Permitted Uses:

The following uses shall be permitted in addition to all uses of the Local Commercial (LC) Zone:

(i) An open storage area for lawn and garden and landscaping-type products.

(ii) An outside display or sales area for lawn and garden and landscaping-type products.

(b) Special Regulations:

(i) A permitted open storage area shall comply with the following provisions:

- Shall be located in a rear yard only; Shall have a maximum total area of 330 square metres; Shall not be located closer than 1.0 metre to a side or rear lot line;
- Shall be screened by a fence or hedge having a minimum height of 1.85 metres on the side lot lines and 1.2 metres on the rear lot line; and
- Shall not occupy a parking area.

(ii) A permitted outside display or sales area shall comply with the following provisions:

- Shall be used only for the temporary display of lawn and garden and landscaping-type products; Shall be permitted in a front, side or rear yard; Shall have a maximum total area of 100 square metres; Shall not be located closer than 1.0 metre to a front, side or rear lot line; and Shall not occupy a parking area.

13.9.5 Local Commercial-5 (LC-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-5 (LC-5) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses: An accessory single detached dwelling

(ii) Non-Residential Uses: All uses of Section 13.1 with the exception of 13.1.12 (a motor vehicle fuel establishment)

(b) Special Regulations for an Accessory Dwelling:

(i) Minimum Front Yard Depth 40.0 metres

(ii) Minimum Exterior Side Yard Width 7.5 metres

(iii) Minimum Rear Yard Depth Main building 10.0 metres Accessory buildings 1.0 metre

(iv) Minimum Interior Side Yard Width Main building 3.0 metres Accessory buildings 1.0 metre

- (v) Minimum Exterior Side Yard Width 7.5 metres
- (vi) Maximum Building Height 11.0 metres
- (vii) Maximum Dwellings per Lot one (1) only
- (c) Special Regulations for Non-Residential Uses:

(i) Minimum Rear Yard Depth 35.0 metres

13.9.6 Local Commercial-6 (LC-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-6 (LC-6) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

Three 2-bedroom residential dwelling units One 1-bedroom residential dwelling unit

(ii) Non-Residential Uses:

All uses of Section 13.1 with the exception of 13.1.12 (a motor vehicle fuel establishment)

13.9.7 Local Commercial-7 (LC-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-7 (LC-7) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

- One accessory dwelling unit

(ii) Non-Residential Uses:

- A business, professional or administrative office
- A retail commercial establishment for an antique store, having a maximum floor area of 173.0 square metres
 - A carpentry and woodworking shop for use by the owner of the building, located only in the lower level of the existing building, and having a maximum floor area of 150.0 square metres. Outside storage related to a carpentry and woodworking shop shall not be permitted.

(b) Special Regulations:

- (i) Minimum Lot Frontage 36.0 metres
- (ii) Minimum Lot Area 0.13 hectares

- (iii) The Minimum Front Yard Depth, Rear Yard Depth, and Side Yard Widths shall be as existing at the date of passing of this By-law.
- (iv) Maximum Building Height shall be as existing at the date of passing of this By-law.
- (v) A minimum of two (2) parking spaces shall be provided for an accessory dwelling unit.
- (vi) A minimum of eight (8) parking spaces shall be provided for the non-residential uses permitted by the LC-7 Zone.
- (vii) Section 13.3 (Buffer Strip Requirements) shall not apply. A wooden fence which provides a visual screen and has a minimum height of 1.8 metres shall be constructed adjacent to the north lot line.
- (viii) Section 4.25.3 with respect to parking space size and access shall not apply with the exception of Section 4.25.3(a) – minimum size of parking spaces. The minimum width of driveways, passageways and aisles providing access to parking spaces shall be as existing at the date of passing of this By-law.
- (ix) Section 4.30(b) with respect to setbacks from the centre line of a County Road shall not apply.

13.9.8 Local Commercial-8 (LC-8) Zone

Not Applied

13.9.9 Local Commercial-9 (LC-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Local Commercial-9 (LC-9) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Non-Residential Uses shall include only the following:

- A retail commercial establishment for the sale of furniture, and furniture refinishing.

(b) Special Regulations:

(i) Minimum Lot Area 418 sq. metres

(ii) Minimum Lot Frontage 9.75 metres

(iii) Minimum Front Yard Depth 2.74 metres

(iv) Minimum Exterior Side Yard Width 1.52 metres

(v) Minimum Rear Yard Depth 7.62 metres

(vi) Minimum Interior Side Yard Width 4.57 metres

(vii) Minimum Landscaped Open Space 20%

(viii) Maximum Building Height 10.67 metres

(ix) Minimum Setback from the Centre Line of County Road 12.19 metres

(x) Parking Spaces (minimum) 3

(xi) No accessory uses shall be permitted.

SECTION 14 - TOURIST COMMERCIAL (TC) ZONE

No person shall within a Tourist Commercial (TC) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

14.1 PERMITTED USES

- 14.1.1 an accessory single detached dwelling
- 14.1.2 an accessory dwelling unit
- 14.1.3 a bed and breakfast establishment in an accessory single detached dwelling
- 14.1.4 a business, professional or administrative office
- 14.1.5 a commercial or private club
- 14.1.6 an eating establishment accessory to a permitted TC Zone use
- 14.1.7 a laundromat
- 14.1.8 a miniature golf course
- 14.1.9 a place of entertainment
- 14.1.10 a recreational establishment
- 14.1.11 a retail commercial establishment accessory to a permitted TC Zone use, which may include fuel pumps
- 14.1.12 a tourist establishment
- 14.1.13 a private or public park
- 14.1.14 a marina
- 14.1.15 a marine facility

14.2 REGULATIONS OR USES PERMITTED IN SECTION 14.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)
Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached	Two (2) parking spaces per dwelling unit

14.2.8 Minimum Water Yard 30 m (98.42 ft.)

14.2.9 Minimum Accessory Dwelling Floor Area 93.0 m² (1,001.08 ft.²)

14.2.10 Maximum Building Height 11.0 m (36.09 ft.)

14.2.11 Maximum Lot Coverage of All Buildings 30%

14.2.12 Minimum Landscaped Open Space 30%

14.2.13 Maximum Number of Accessory Single Detached Dwellings
Per Lot 1

14.2.14 Maximum Number of Accessory Dwelling Units Per Lot 1

14.2.15 Minimum Distance Between Tourist Establishment Buildings
6.0 m (19.69 ft.)

14.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential, Open Space or Community Facility Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

14.4 REQUIREMENTS FOR OUTSIDE STORAGE

No portion of a lot shall be used for the outside storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

(a) Such outside storage shall be accessory to the use of the main building on the lot;

(b) Such outside storage shall comply with the yard and setback regulations for the Tourist Commercial (TC) Zone, however, no outside storage use shall be located in a front or exterior side yard;

(c) No outside storage use shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;

(d) No outside storage use shall be permitted in a side yard adjacent to a

side lot line of such lot which abuts a Residential Zone or abuts a lot having a residential use situated thereon;

(e) Every outside storage area or lot having an outside storage area situated thereon shall be enclosed by a wall or fence not less than 2.0 metres (6.56 feet) in height and constructed of uniform material;

(f) No portion of any outside storage area for combustible materials shall be located closer than 6.0 metres (19.68 feet) to any lot line.

14.5 FUEL PUMP LOCATION

14.5.1 Notwithstanding any other provisions of this By-law to the contrary, fuel pumps, as part of or as accessory to a permitted TC Zone use, shall be located in accordance with the following:

(a) the minimum distance between any portion of the pump island or fuel pumps and any street line or high water mark of a navigable waterway is not less than 6.0 metres (19.68 feet);

(b) the minimum distance between any portion of the pump island or fuel pumps and any other lot line is not less than 4.5 metres (14.76 feet); and

(c) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3 metres (9.84 feet) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 metres (49.21 feet) from the intersection of such lines.

14.6 MARINAS

Minimum yard requirements for that portion of a lot abutting a navigable waterway may be waived in respect of a marina.

14.7 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Tourist Commercial (TC) Zone shall apply.

14.8 SPECIAL TOURIST COMMERCIAL ZONES

14.8.1 Tourist Commercial-1 (TC-1) Zone – Trailer Parks or Trailer Camps

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-1 (TC-1) Zone the following provisions shall apply:

- (a) Permitted Uses:
 - (i) an accessory single detached dwelling
 - (ii) an accessory dwelling unit
 - (iii) a business, professional or administrative office
 - (iv) a commercial or private club
 - (v) a driving range
 - (vi) an eating establishment accessory to a permitted TC Zone use
 - (vii) a laundromat
 - (viii) a miniature golf course
 - (ix) a place of entertainment
 - (x) a recreational establishment
 - (xi) a rental cabin or rental cottage establishment
 - (xii) a retail commercial establishment accessory to a permitted TC Zone use, which may include fuel pumps
 - (xiii) a trailer park or trailer camp
 - (xiv) a private or public park
 - (xv) a marina
 - (xvi) a marine facility
- (b) Minimum Lot Area 4.0 ha (9.88 ac.)
- (c) Minimum Lot Frontage 60.0 m (196.85 ft.)
- (d) Minimum Shoreline Frontage 60.0 m (196.85 ft.)
- (e) Minimum Front Yard Depth 12.0 m (39.37 ft.)
- (f) Minimum Interior Side Yard 6.0 m (19.69 ft.)
-except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be 12.0 m (39.37 ft.)
- (g) Minimum Rear Yard Depth 7.5 m (24.60 ft.)
-except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be 12.0 m (39.37 ft.)
- (h) Minimum Water Yard 30.0 m (98.42 ft.)
- (i) Special Yards for Tourist Vehicles and Tents Notwithstanding any minimum yard requirement of the TC-1 Zone to the contrary, for tourist vehicles and tents the minimum front yard, interior side yard, exterior side

yard, and rear yard shall be 15.0 metres (49.21 feet), except that where a lot line abuts a Residential Zone or abuts a lot having a residential use situated thereon, the minimum yard shall be 30.0 m (98.42 ft.)

(j) Minimum Accessory Single Detached Dwelling Floor Area 93.0 m²
(1,001.08 ft.²)

(k) Maximum Building Height 11.0 m (36.09 ft.)

(l) Maximum Lot Coverage of All Buildings 30%

(m) Minimum Landscaped Open Space 30%

(n) Maximum Number of Accessory Dwelling Units or Accessory Dwellings
Per Lot 2 only

(o) Minimum Distance Between Buildings:

(i) Between Tourist Establishment Buildings 6.0 m (19.68 ft.)

(ii) Between Tourist Vehicles 6.0 m (19.68 ft.)

(iii) Between Tourist Establishment Buildings and Tourist Vehicles 6.0 m
(19.68 ft.)

(iv) Between Tourist Vehicles and business/administrative offices 4.5 m
(14.76 ft.)

(p) Maximum Lot Coverage 25%

(q) Maximum Tourist Vehicles per Lot shall be 25 for each hectare of lot area

All other provisions of the Tourist Commercial (TC) Zone shall apply.

14.8.2 Tourist Commercial-2 (TC-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned TC-2, all the provisions of the TC-1 Zone shall apply except as outlined below:

(a) Permitted Uses: In addition to all of the permitted uses in the TC-1 Zone, in the TC-2 Zone, a Mobile Home Park and Mobile Homes shall be permitted. In addition to the definition of Mobile Home in this By-law, in the TC-2 Zone a Mobile Home shall be limited to mobile homes and park model homes as defined by the Canadian Standards Association in their Z240, Z241 and A277 standards and shall not include double wide mobile homes. Permanent year round occupancy of Mobile Homes shall be permitted.

(b) The maximum number of Mobile Homes within the TC-2 Zone shall be 83.

(c) Lands in the TC-2 Zone are intended to be operated as a Land Lease Community. A Land Lease Community shall mean a lot or portion of a lot owned and operated as a single unit by one individual or corporation on which Mobile Homes owned by others are located. The terms of occupancy for the Mobile Homes shall be stipulated in a lease or similar document. The term of occupancy in the lease shall be for no more than 20 years unless a consent has been obtained for a lease of a longer term. A limit of one Mobile Home shall be located on each Lease Site.

(d) For Lease Sites the following regulations shall apply:

(e) Minimum Lease Site Area: 450 square metres

(f) Minimum Lease Site Frontage 14 metres excepting Edwin Drive, where (on internal access lane): 12 metres shall be permitted

(g) Minimum Lease Site Front Yard Depth: 3.1 metres

(h) Minimum Lease Site Rear Yard Depth: 1.5 metres

(i) Minimum Mobile Home Floor Area: 70 square metres

(j) Minimum Lease Site Side Yard Width: 4.5 metres, however one side yard can be reduced to 1.5 metres where window openings on that side of the Mobile Home exceed 8% of that side wall area, or can be reduced to 1.2 metres where window openings on that side of the Mobile Home do not exceed 8% of that side wall area.

(k) Maximum Lease Site Coverage: 50% including all structures including Mobile Home, accessory structures and additions.

(l) Parking: A minimum of one (1) parking space shall be provided per lease site. Such parking to be located totally on the lease site.

(m) Crawl space: No housing unit shall have a basement, however a crawl space of up to 1.2 metres is permitted

(n) Additions: Additions to the Mobile Home shall be permitted, provided all provisions of this by-law are complied with and a building permit has been issued in accordance with the Building Code.

(o) Accessory structures may abut yet shall not be attached in any way to the Mobile Home units located on each site.

(p) Accessory structures shall be limited to one storey and a maximum of 4.5 metres in height.

(q) In a TC-2 Zone, a Carport is permitted and shall mean a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40% of the total perimeter, including the main wall of the mobile home or park model home which the Carport abuts, open and unobstructed.

14.8.3 Tourist Commercial-3 (TC-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-3 (TC-3) Zone the following provisions shall apply:

(a) Permitted Uses: In addition to all of the permitted uses in the TC-1 Zone, in the TC-3 Zone, a Mobile Home Park and Mobile Homes shall be permitted. In addition to the definition of Mobile Home in this By-law, in the TC3 Zone a Mobile Home shall be limited to mobile homes and park model homes as defined by the Canadian Standards Association in their Z240, Z241 and A277 standards and shall not include double wide mobile homes. Permanent year-round occupancy of Mobile Homes shall be permitted.

(b) The maximum number of Lease Sites for Mobile Homes within the TC-3 Zone shall be 32.

(c) Lands in the TC-3 Zone are intended to be operated as a Land Lease Community. A Land Lease Community shall mean a lot or portion of a lot owned and operated as a single unit by one individual or corporation on which Mobile Homes owned by others are located. The terms of occupancy for the Mobile Homes shall be stipulated in a lease or similar document. The term of occupancy in the lease shall be for no more than 20 years unless a consent has been obtained for a lease of a longer term. A maximum of one Mobile Home shall be located on each Lease Site.

(c) For Lease Sites the following regulations shall apply:

(i) Minimum Lease Site Area: 240 sq. m

(ii) Minimum Lease Site Frontage 10 m (on internal access lane)

- (iii) Minimum Lease Site Front Yard Depth: 1.4 m
- (iv) Minimum Lease Site Rear Yard Depth: 1.5 m
- (v) Minimum Mobile Home Floor Area: 45 sq. m
- (vi) Minimum Lease Site Side Yard Width: 2.5 metres, however one side yard can be reduced to 1.2 metres where window openings on that side of the Mobile Home exceed 8% of that side wall area, or can be reduced to 1.0 metres where window openings on that side of the Mobile Home do not exceed 8% of that side wall area.
- (vii) Maximum Lease Site Coverage: 50% including all structures including Mobile Home, accessory structures and additions.
- (viii) Parking: A minimum of one (1) parking space shall be provided per lease site. Such parking to be located totally on the lease site.
- (ix) Crawl space: No Mobile Home shall have a basement, however a crawl space of up to 1.2 metres is permitted
- (x) Additions: Additions to the Mobile Home shall be permitted, provided all provisions of this by-law are complied with and a building permit has been issued in accordance with the Building Code.
- (xi) Accessory structures may abut yet shall not be attached in any way to the Mobile Home units located on each site.

(xii) Accessory structures shall be limited to one storey and a maximum of 4.5 metres in height.

(xiii) In a TC-3 Zone, a Carport is permitted and shall mean a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40% of the total perimeter, including the main wall of the mobile home or park model home which the Carport abuts, open and unobstructed.

(xiv) Existing Non-Complying Sites: Accessory structures existing as of January 1, 2003 shall be deemed to be legal noncomplying structures and shall be allowed to continue provided they are not extended or relocated to further increase the existing non-compliance.

14.8.4 Tourist Commercial-4 (TC-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-4 (TC-4) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses:

Prohibited

(ii) Non-Residential Uses:

A private park A rental cabin or rental cottage establishment A recreational establishment

(b) Special Regulations:

(i) Number of rental cottages (max.): two (2)

(ii) Number of recreational establishments (max): one (1)

(iii) Total floor area, rental cottage (max.): 125.0 sq. m

(iv) Total floor area, recreational establishment (max.): 73.0 sq. m

(v) Minimum interior side yard width for a rental cottage (south side lot line):

40.0 metres

(vi) Minimum interior side yard width for a recreational establishment, (south side lot line): 60.0 metres

- (vii) Minimum setback from a private right-of-way: 3.0 metres (except that where a rental cottage is situated between 57.0 metres and 70.0 metres of the south side lot line, the minimum setback from a private right-of-way shall be 0.74 metres).
- (viii) The “south side lot line” for the purposes of the TC-4 Zone shall be as shown on Map 11 of Schedule “A”.

14.8.5 Tourist Commercial-5 (TC-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-5 (TC-5) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Front Yard Depth 2.1 metres
- (ii) Minimum Side Yard Width (west side lot line) 1.8 metres
- (iii) Minimum Building Separation Between Tourist Establishment Buildings 2.4 metres
- (iv) Minimum Water Yard 2.1 metres
- (v) Buffer Strip Location and Width: The minimum width of a buffer strip adjacent to the west side lot line shall be 1.0 metre for a distance of 15.0 metres from the shoreline of Rice Lake.

14.8.6 Tourist Commercial-6 (TC-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-6 (TC-6) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

(ii) Non-Residential Uses

- an accessory dwelling unit

a trailer park or trailer camp a trailer park or trailer camp laundromat a trailer park or trailer camp management office a trailer park or trailer camp recreation building a trailer park or trailer camp store a rental cabin or rental cottage establishment a park model trailer a private park a marine facility a swimming pool

(b) Special Regulations:

- (i) Lot Area (minimum) 4 ha
- (ii) Lot Frontage (minimum) As existing within the TC-6 Zone area
- (iii) Dwelling Units Per Lot (maximum) 1
- (iv) Tourist Vehicles (maximum) 64
- (v) Rental Cabins or Cottages (maximum) 10
- (vi) Building Area (maximum) 25%
- (vii) Setback from high water mark of a water body (minimum) 30 m
- (viii) Building Setbacks (minimum) (measured from the boundary of the TC-6 Zone or a lot line)

(a) Residential Uses

- Rear 3m
- Front 30 m
- Interior Side 3 m
- Exterior Side 6 m
- (b) Non-Residential Uses other than a Marine Facility
 - Rear 7.5 m
 - Front 30 m
 - Interior Side 3 m
 - Exterior Side 6 m
- (c) Marine Facility
 - Rear nil
 - Front nil
 - Interior Side 4.5 m
 - Exterior Side 4.5 m
- (ix) Building Separations (minimum)
 - between trailer park/camp buildings, between tourist vehicles or between rental cabins and tourist vehicles 3.0 m
 - between tourist vehicle and management office, laundromat, recreation building or store 4.5 m
 - between main building and detached accessory building 2.0 m
 - between detached accessory buildings 1.0 m
- (x) Building Heights (maximum)
 - Trailer Park/Camp Laundromat, Office, Recreational Building, Store 11.0 m
 - Other Buildings and Structures 3.5 m
- (xi) Dwelling Unit Area (minimum) 55 m²
- (xii) Net Floor Area (maximum)
 - Trailer Park/Camp store 95 m²

General Industrial Zone Extractive Industrial Zone Waste Disposal Industrial Zone MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space CF OS FD

- Zone Future Development Zone
- (xiii) Landscaping Area (minimum) 30%
- (xiv) Play Facility Area (minimum) 4%
- (xv) Play Facility Location: No part of any play facility shall be located closer than 3.0 metres to any lot line.
- (xvi) Buffer Strip Location A buffer strip with a minimum width of 3.0 metres shall be required along every lot line except that no planting screen shall be required for a length of 15.0 metres between a trailer park/camp management office and a street.
- (xvii) Parking Spaces (minimum) Tourist Vehicle Site 2 spaces per site Rental Cabin/Cottage 2 spaces per cabin
- Notwithstanding any provisions of the TC-6 Zone to the contrary, no building or structure, including any residential or non-residential use permitted by the TC-6 Zone, other than an existing marine facility, shall be permitted with the "Archaeological Setback" area shown on Schedule "A" (Map 9).
- (xx) For the purposes of the TC-6 Zone, the shoreline of Rice Lake shall be deemed to be the front lot line.
- (xxi) For the purposes of the TC-6 Zone, a property boundary which abuts a municipal road allowance shall be deemed to be an exterior side lot line for the purpose of determining the required exterior side lot width.
- (xxii) For the purposes of the TC-6 Zone, a "tourist vehicle" shall include a "park model trailer."
- (c) Holding (H) Provisions:

Where the TC-6 zone symbol on Schedule "A" (Map 9) is followed by a holding symbol (H), (i.e., "TC-6-H"), holding provisions under Section 36 of the *Planning Act* are in effect. The permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the holding symbol (H) is removed in accordance with the provisions of Section 36 of the *Planning Act*. Prior to the removal of the holding symbol (H), only uses that existed at the date of the adoption of the holding zone provision shall be permitted.

The Holding symbol (H) which applies to the lands subject to the TC6 Zone shall only be removed after the following matters are secured to the satisfaction of Council:

(i) A site plan agreement under the provisions of Section 41 of the *Planning Act* has been approved by the Municipality and registered on title. The Site Plan Agreement shall include a storm water management plan which shall be acceptable to the Municipality and the Otonabee Region Conservation Authority.

(ii) The owner has entered into an agreement with the Municipality to assist with the improvement of the Lakeside Road/Loucks Road

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop	One (1) parking space for each 28 m ² (301.4 ft. ²) of total floor area of building directly related to the specified permitted use
Hospital, Home for the Aged, Nursing Home	One (1) parking space for each four (4) dwelling units, or four (4) beds, or fraction thereof
Hotel, Motel, Tourist Establishment, Trailer Camp or Park, Camping Park	1.2 parking spaces for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the Liquor Licence Act, as amended
Manufacturing, Processing, Assembly/ Fabricating Plant, Wholesale Establishment, or Workshop	One (1) parking space per 37 m ² (398.28 ft. ²) of total floor area or portion thereof
Medical or Dental Clinic	Six (6) parking spaces per doctor, plus one parking space for each examination room exceeding five (5) such rooms per office
Bed and Breakfast Establishments and Boarding and/or Lodging House	Two (2) parking spaces per dwelling unit, plus one (1) parking space per guest room
Home Occupation or Home Industry	Two (2) parking spaces per dwelling unit, plus one (1) parking space for every per 28 m ² (301.4 ft. ²) devoted to the home occupation or home industry use.
Elementary and Secondary Schools	The greater of: a) one and one-half (1½) parking spaces per classroom; or b) one (1) parking space per 9 m ² (96.88 ft. ²) of floor area in the gymnasium; or c) one (1) parking space per 9

(a) Special Regulations:

- (i) A maximum of 50 tourist trailers shall be permitted.
- (ii) Each tourist trailer site shall have a minimum frontage of 10.0 metres, and a minimum area of 185 square metres.
- (iii) The maximum number of tourist trailer sites per hectare shall be 30 (based on the area of the lot zoned TC-8).

14.8.9 Tourist Commercial-9 (TC-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Tourist Commercial-9 (TC-9) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) A single detached dwelling and buildings and structures accessory thereto shall be the only permitted uses.

(b) Special Regulations:

- (i) Minimum Lot Area 680 square metres
- (ii) Minimum Lot Frontage 15.0 metres

- (iii) Minimum Interior Side Yard Width 1.0 metre
- (iv) Dwelling Unit Area (minimum) 102.0 square metres

SECTION 15 - GENERAL INDUSTRIAL (MG) ZONE

No person shall within a General Industrial (MG) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

15.1 PERMITTED USES

- 15.1.1 an agriculture use
- 15.1.2 a building supply outlet or lumber yard
- 15.1.3 a business office as an accessory use to a permitted use specified herein
- 15.1.4 a cartage or transport depot and yard facilities
- 15.1.5 a dry cleaning or laundry establishment
- 15.1.6 any type of equipment sales, rental and service establishment
- 15.1.7 a feed mill or seed cleaning plant
- 15.1.9 a general contractor's or tradesman's yard and related shop facilities
- 15.1.9 a manufacturing, processing, assembly or fabricating plant and including a machine or welding shop, or a workshop
- 15.1.10 any type of motor vehicle facility, including a motor vehicle body shop
- 15.1.11 a Municipal, County, Provincial or other public works yard, or maintenance depot
- 15.1.12 outside storage
- 15.1.13 a propane refill station
- 15.1.14 a retail commercial establishment, including a factory outlet, as an accessory use to a permitted use specified herein
- 15.1.15 a public transportation depot
- 15.1.16 a saw mill and/or planing mill
- 15.1.17 a service shop
- 15.1.18 a warehouse
- 15.1.19 a parking lot

15.2 REGULATIONS FOR USES PERMITTED IN SECTION 15.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces plus 1 additional space for

15.2.7 Special Yard Requirements:

- (a) Where lands in an Industrial Zone are adjacent to any other Zone the minimum yard required shall be increased by 7.5 m (24.6 ft.)
- (b) Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles except that any such yard may be used for the purposes of visitor parking

15.2.8 Maximum Building Height 12.0 m (39.37 ft.)

- Notwithstanding a building or any portion thereof may be erected above a height of 12 m (39.37 ft.) provided such portion is set back an additional 1 metre (3.28 ft.) for each metre above 12 m (39.37 ft.), to the minimum front, side or rear setback requirements herein

15.2.9 Maximum Lot Coverage of All Buildings 50%

15.2.10 Minimum Landscaped Open Space 10%

15.3 BUFFER STRIP REQUIREMENTS:

Where the interior side or rear lot line abuts a Residential, Commercial, Community Facility or Open Space Zone a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

15.4 REQUIREMENTS FOR OUTSIDE STORAGE

No portion of a lot shall be used for the outside storage of goods or materials unless such storage is within a building, or unless the following provisions are complied with:

- (a) Such outside storage shall be accessory to the use of the main building on the lot;
- (b) Such outside storage shall comply with the yard and setback regulations for the General Industrial (MG) Zone, however, no outside storage use shall be located in a front or exterior side yard;
- (c) No outside storage use shall cover more than 35 percent of the lot area;
- (d) Every outside storage area or lot having an outside storage area situated

thereon shall be enclosed by a wall or fence not less than 2.0 metres (6.56 feet) in height and constructed of uniform material;

(e) No portion of any outside storage area for combustible materials shall be located closer than 6.0 metres (19.68 feet) to any lot line.

15.5 FUEL PUMP LOCATION

15.5.1 Notwithstanding any other provisions of this By-law to the contrary, a fuel pump island or fuel pumps, as part of or as accessory to a motor vehicle fuel establishment shall be located in accordance with the following:

- (a) the minimum distance between any portion of the pump island or fuel pumps and any street line is not less than 6.0 metres (19.68 feet);
- (b) the minimum distance between any portion of the pump island or fuel pumps and any other lot line is not less than 4.5 metres (14.76 feet); and
- (c) where a lot is a corner lot, no portion of any pump island or fuel pumps shall be located closer than 3 metres (9.84 feet) to a straight line between a point in the front lot line and point in the exterior lot line, such point being distant 15 metres (49.21 feet) from the intersection of such lines.

15.5.2 Bulk fuel storage tanks and propane storage tanks shall be installed in accordance with the provisions of the *Gasoline Handling Act* or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

15.6 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the General Industrial (MG) Zone shall apply.

15.7 SPECIAL GENERAL INDUSTRIAL (MG) ZONES

15.7.1 General Industrial-1 (MG-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-1 (MG-1) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) Residential Uses prohibited
- (ii) Non-Residential Uses shall include only the following:
 - outside storage a sawmill

(b) Special Regulations:

- (i) Minimum Lot Area as existing
- (ii) Minimum Lot Frontage as existing

15.7.2 General Industrial-2 (MG-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-2 (MG-2) Zone the following provisions shall apply:

No person shall within any General Industrial-2 (MG-2) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Permitted Uses:

- (i) Residential Uses one existing single detached dwelling
- (ii) Non-Residential Uses shall include only the following:
 - an assembly plant a business office a communication tower a contractor's yard a display area, comprised of not more than five (5) residential

dwelling units, accessory to a permitted non-residential use □ an electric power substation □ an equipment storage building □ a lumber yard or storage shed □ a maintenance garage □ a manufacturing plant □ a merchandise service shop □ outside storage □ a parking lot □ a private gasoline pump island □ a warehouse

(b) Special Regulations:

(i) Minimum Lot Area 2,040.0 sq. metres

(ii) Minimum Lot Frontage 38.0 metres

(iii) Minimum Front Yard Depth 30.0 metres

(iv) Minimum Exterior Side Yard Width 28.5 metres

(v) Minimum Rear Yard Depth 15.0 metres

(vi) Minimum Interior Side Yard Width 3.0 metres

(vii) Building Separation (minimum) 3.0 metres

(viii) Maximum Building Height 12.0 metres

(ix) Maximum Lot Coverage all Buildings 50%

(x) Minimum Landscaped Open Space 10%

(xi) Parking Spaces (minima):

□ assembly plant or manufacturing plant:

• 1 for each 60.0 sq. m of total floor area □ business office or merchandise service shop:

• 1 for each 30.0 sq. m of total floor area □ display area:

- 5 spaces □ other non-residential uses:

-the greater of: 5 per lot; or 1 for each 90.0 sq. m of total floor area or portion thereof

(xii) Parking Space Location:

No part of any parking space shall be located closer than:

□ 1.5 metres to any street line; or

(xiii) Gasoline Pump Island Location: No part of any gasoline pump island shall be located closer than:

6.0 metres to any street line; or 4.5 metres to any other lot line.

(xiv) Outside Storage Regulations:

No outside storage area shall be permitted except in accordance with the following provisions:

- no outside storage area shall be permitted in a front yard or an exterior side yard;
- every outside storage area or lot having an outside storage area situated thereon shall be enclosed by a wall or fence not less than 2.0 metres in height and constructed of uniform material; and
- no portion of any outside storage area shall be located closer than 6.0 metres to any lot line.

(xv) Dwelling Unit Storage:

Any residential dwelling manufactured on lands zoned MG-2 may be placed or erected in whole or in part for storage purposes in any yard other than a front yard subject to a minimum 6.0 metre building setback.

(xvi) Front Lot Line Definition:

For the purposes of the MG-2 Zone, the front lot line shall be the lot line which abuts Provincial Highway No. 28.

(xvii) General Provisions: In accordance with the provisions of

Section 4 of this By-law.

15.7.3 General Industrial-3 (MG-3) Zone (Lot 17, Con 10, Otonabee)

Notwithstanding any other provisions of this By-law to the contrary,

within the General Industrial-3 (MG-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

prohibited

(ii) Non-Residential Uses shall include only the following:

- a plant to assemble, manufacture and install heavy or tandem truck dumpboxes/trailers
- a body shop, including repairs to heavy or tandem trucks
- a commercial garage
- a contractor's yard
- a haulage operation
- outside storage
- a private gasoline pump island
- a warehouse
- a welding shop

(b) Special Regulations:

- (i) Minimum Lot Area 2.0 hectares
- (ii) Minimum Lot Frontage 100.0 metres

- (iii) Maximum Lot Coverage All Buildings 6%
- (iv) Minimum Front Yard Depth 15.0 metres

15.7.4 General Industrial-4 (MG-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-4 (MG-4) Zone the following provisions shall apply:

No person shall within any General Industrial-4 (MG-4) Zone use any land or erect, alter or use any building or structure unless the use is of a dry nature, as defined in Section 15.7.4(c) of this By-law, and except in accordance with the following provisions:

(a) Permitted Uses:

- (i) Residential Uses prohibited

(ii) Non-Residential Uses shall include only the following:

- a boat and marine supply, storage, repair, and related sales establishment
- a builder's supply establishment

- a bus storage/terminal yard
- a cartage or transport depot and yard facilities
- a commercial or industrial equipment sales, rental and repair establishment
- a contractor's or tradesman's yard and related shop facilities
- an electric power substation
- an electronic equipment repair and assembly establishment
- a farm implement/equipment sales and service establishment
- a fibreglass fabrication plant
- a laboratory or research and development establishment which does not involve the use of hazardous or noxious materials or processes
- a machine or welding shop
- a manufacturing, processing, assembly or fabricating plant and related uses which are contained within an enclosed building, except for any use which, from its nature or the materials used therein, is considered to be an offensive, noxious or hazardous use, trade or business under the *Health Protection and Promotion Act*, S.O. 1983, and Regulations made thereunder
- a metal fabricating shop
- a model home sales establishment
- a motor vehicle body repair and paint establishment
- a motor vehicle glass repair establishment
- a motor vehicle muffler repair establishment
- a motor vehicle parts supply, storage and wholesale/retail outlet
- a motor vehicle repair garage
- a municipal works yard
- outside storage of goods and materials, subject to the provisions of this By-law
- a printing or publishing establishment
- a private gasoline pump island
- a recreational vehicles and equipment service establishment
- a retail lumber/building supply yard
- a retail or wholesale outlet or business office accessory to a permitted use
- a tool and die works
- a warehouse
- a wood products or planing plant
- a workshop

(b) Special Regulations:

- (i) Minimum Lot Area 8,000.0 sq. metres
- (ii) Minimum Lot Frontage 40.0 metres

- (iii) Minimum Front Yard Depth 30.0 metres
- (iv) Minimum Exterior Side Yard Width 15.0 metres
- (v) Minimum Rear Yard Depth 20.0 metres
- (vi) Minimum Interior Side Yard Width 7.5 metres

- (vii) Building Separation (minimum) 3.0 metres
- (viii) Maximum Building Height 9.0 metres
- (ix) Maximum Lot Coverage all Buildings 50%
- (x) Minimum Landscaped Open Space 10%
- (xi) Buffer Strip Location: A buffer strip shall be required along any portion of a side lot line or any portion of a rear lot line that abuts a zone other than an Industrial zone.

- (xii) Buffer Strip Width (minimum) 4.5 metres
- (xiii) Driveway setback (minimum) 6.0 metres Except that where a lot line abuts an Industrial zone, no driveway setback is required
- (xiv) Parking Spaces (minima):
 - motor vehicle body shop or repair garage:
 - 1 for each 5.0 sq. m of total floor area or portion thereof
 - business office or merchandise service shop:
 - 1 for each 20.0 sq. m of net floor area or portion thereof
 - manufacturing plant:
 - 1 for each 40.0 sq. m of net floor area or portion thereof
 - warehouse:
 - 1 for each 90.0 sq. m of net floor area or portion thereof
 - other non-residential use:
 - the greater of: 5 per lot; or 1 for each 90.0 sq. m of total floor area or portion thereof; or 1 for each 3 employees.

- (xv) Parking Space Location:

No part of any parking space shall be located closer than:

 - 1.5 metres to any street line; or
 - 6.0 metres to any lot line which abuts a zone other than an Industrial zone.

(xvi) Delivery Spaces (minima):

- motor vehicle body shop or repair garage:
-1 per lot
- other non-residential uses:
-nil

(xvii) Loading Spaces (minima):

- motor vehicle body shop; business office; or motor vehicle repair garage:
-nil
- other non-residential use:
-the greater of: 1 per lot; or 1 for each 2,400.0 sq. m of total floor area or portion thereof in excess of 200.0 sq. m.

(xviii) Gasoline Pump Island Location:

No part of any gasoline pump island shall be located closer than:

- 6.0 metres to any street line; or
- 4.5 metres to any other lot line.

(xix) Outside Storage Regulations:

No outside storage area shall be permitted except in accordance with the following provisions:

- no outside storage area shall be permitted in a front yard or an exterior side yard;
- no outside storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- no outside storage area shall be permitted in a rear yard which abuts a public street allowance;
- no outside storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;
- every outside storage area or lot having an outside storage area situated thereon shall be enclosed by a wall or fence not less than 2.0 metres in height and constructed of uniform material; and

no portion of any outside storage area for combustible materials shall be located closer than 6.0 metres to any lot line.

(xx) Enclosure of Processing:

No processing activity shall be conducted unless it is wholly enclosed within a building.

(c) Special Definitions for the MG-4 Zone:

(i) An industry of a “dry nature” means one in which water is not required in the processing, assembling, fabricating, manufacturing, washing or cooling functions of the industrial establishment, and which requires water and sewage disposal facilities only for domestic use, i.e., for employees and visitors. Notwithstanding this provision, an industry of a dry nature may use water for industrial purposes only where such water is wholly contained within a recycling process and which is neither drawn from wells on the property nor is discharged into the sewage disposal facilities on the property. Waste water from a recycling process must be disposed of in a location and manner approved by the appropriate authorities.

15.7.5 General Industrial-5 (MG-5) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-5 (MG-5) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

prohibited

(ii) Non-Residential Uses shall include only the following:

a manufacturing plant outside storage

(b) Special Regulations:

- (i) Access to Improved Street: Notwithstanding the provisions of Section 4.12 of this By-law, buildings or structures may be erected on the lands zoned MG-5 provided the lot upon which the building or structure is to be erected has access via a right-of-way to an improved public street.
- (ii) For the purposes of the MG-5 Zone, the shortest lot line abutting the right-of-way shall be deemed to be the front lot line.

15.7.6 General Industrial-6 (MG-6) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-6 (MG-6) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses prohibited

(ii) Non-Residential Uses shall include only the following: outside storage for culverts

15.7.7 General Industrial-7 (MG-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-7 (MG-7) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses prohibited

(ii) Non-Residential Uses shall include only the following:

a transport truck terminal a commercial garage an open storage area
 off-site parking a public use a business office accessory to a permitted use

(iii) The use of a property or any part of a property zoned General Industrial-7 (MG-7) for a Waste Transfer/Processing Facility shall be prohibited.

(b) Special Regulations:

(i) Minimum Lot Frontage 125.0 metres

(ii) Minimum Lot Area 2.0 hectares

(iii) Maximum Lot Coverage 15%

(c) Special Definitions:

(i) For the purposes of the MG-7 Zone, "Truck Transport Terminal," "Open Storage Area," and "Waste Transfer/Processing Facility" shall mean as defined in Section

3.0 of this By-law.

(d) Holding Provision:

- (i) The Holding (H) symbol which applies to the MG-7-H Zone shall only be removed when a site plan agreement under the provisions of Section 41 of the *Planning Act* has been approved by the Municipality and registered on title. Prior to the removal of the Holding (H) symbol, only uses which existed as of April 7, 2003 shall be permitted.

15.7.8 General Industrial-8 (MG-8) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-8 (MG-8) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

prohibited

(ii) Non-Residential Uses shall include only the following:

(b) Special Regulations:

(i) Minimum Lot Frontage 135.0 metres

(ii) Minimum Lot Area 4.0 hectares

a manufacturing plant for the manufacture of custom church organs within an enclosed building.

(iii) Minimum Front Yard 30.0 metres

- (iv) Minimum Interior Side Yard Width 30.0 metres
- (v) Minimum Exterior Side Yard Width 30.0 metres
- (vi) Gross Floor Area of a Manufacturing Plant (Maximum) 600.0 square metres

(vii) Section 15.2.7(a) shall not apply.

15.7.9 General Industrial-9 (MG-9) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-9 (MG-9) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses prohibited

(ii) Non-Residential Uses shall include only the following:

a warehouse an outside storage area a business office accessory to a permitted use

(b) Special Regulations:

(i) Minimum Front Yard (measured on a line perpendicular to Highway No. 7) 30.0 metres

(ii) Minimum Interior Side Yard Width 15.0 metres

(iii) Minimum Rear Yard Depth (measured on a line perpendicular to the unopened road allowance) 105.0 metres

(c) Special Regulations for an Outside Storage Area Permitted in Section 15.7.9(a)(ii):

Notwithstanding the provisions of Sections 15.2 and 15.4 of this Bylaw, the following special regulations shall apply to an outside storage area:

- (i) Minimum Front Yard (measured on a line perpendicular to Highway No. 7) 235.0 metres
- (ii) Minimum Interior Side Yard Width 15.0 metres
- (iii) Minimum Rear Yard Depth (measured on a line perpendicular to the unopened road allowance) 15.0 metres
- (iv) An outside storage area shall be permitted in a rear yard which abuts a lot having a Residential use situated thereon.
- (v) No portion of any outside storage area for combustible materials shall be located closer than 15.0 metres to any lot line.

(d) Special Regulations for “Front Lot Line” and Access:

Notwithstanding the definition of “Front Lot Line” in Section 3 of this By-law, and any other provision of this By-law to the contrary, buildings or structures may be erected on lands zoned MG-9 provided the lot upon which the building or structure is to be erected is accessed via a private right-of-way along the unopened road allowance to an improved public street.

For the purposes of the MG-9 Zone, Highway No. 7 shall be deemed the front lot line.

15.7.10 General Industrial-10 (MG-10) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the General Industrial-10 (MG-10) Zone the following provisions shall apply:

(a) Permitted Uses:

- (i) Residential Uses

(ii) Non-Residential Uses: a repair shop, a service shop, and associated retail sales

an accessory dwelling

SECTION 16 - EXTRACTIVE INDUSTRIAL (ME) ZONE

No person shall within a Extractive Industrial (ME) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

16.1 PERMITTED USES

- 16.1.1 an aggregate storage area
- 16.1.2 an agriculture use
- 16.1.3 an aggregate processing plant
- 16.1.4 a sand and gravel pit
- 16.1.5 a quarry
- 16.1.6 forestry and conservation uses
- 16.1.7 outside storage accessory to a permitted use
- 16.1.8 a wayside pit and a wayside quarry
- 16.1.9 accessory uses including a weigh scale and weigh scale building, and an accessory business, professional or administrative office

16.2 REGULATIONS FOR USES PERMITTED IN SECTION 16.1

- 16.2.1 Minimum Lot Area 1.0 ha (2.47 ac.)
- 16.2.2 Minimum Lot Frontage 10.0 m (32.8 ft.)
- 16.2.3 Minimum Front Yard Depth 30.0 m (98.42 ft.)
- 16.2.4 Minimum Rear Yard Depth 15.0 m (49.21 ft.)
- 16.2.5 Minimum Exterior Side Yard Width 30.0 m (98.42 ft.)
- 16.2.6 Minimum Interior Side Yard Width 15.0 m (49.21 ft.)
- 16.2.7 Minimum Water Yard 30 m (98.42 ft.)
- 16.2.8 Special Setback Requirements:

(a) No sand and gravel pit or quarry (no blasting) shall be established or made within 120 metres (393.70 ft.) of any Residential, Commercial or Community/Open Space Zone or an existing residential dwelling located in a Rural/Agricultural Zone.

(b) No quarry which includes blasting shall be established or made within 215 metres of any Residential, Commercial or Community/Open

Space Zone or an existing residential dwelling located in a Rural/Agricultural Zone.

16.2.9 For the purposes of the Extractive Industrial (ME) Zone, “Front Yard Depth,” Rear Yard Depth,” “Exterior Side Yard Width,” and Interior Side Yard Width,” shall include the setback of any excavation or processing equipment and any lot line.

16.3 ASPHALT PLANTS AND CONCRETE BATCHING PLANTS

An asphalt plant or a concrete batching plant shall be permitted in the Extractive Industrial (ME) Zone only in those areas specifically zoned to permit those uses.

16.4 BUFFER STRIP REQUIREMENTS

Where interior side or rear lot line abuts a Residential, Commercial or Community/Open Space Zone, a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

16.5 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Extractive Industrial (ME) Zone shall apply.

16.6 SPECIAL EXTRACTIVE INDUSTRIAL (ME) ZONES

16.6.1 Extractive Industrial-1 (ME-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Extractive Industrial-1 (ME-1) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses Prohibited

(ii) Non-Residential Uses shall include only the following: An asphalt plant

- A concrete batching plant
- A private fuel refill island
- A business office as an accessory use to a permitted use
- Outside storage

(b) Special Regulations:

- (i) Minimum Lot Area 0.8 hectares
- (ii) Minimum Lot Frontage As existing
- (iii) Maximum Lot Coverage 35%
- (iv) Minimum Front and Rear Yard Depths 15.0 metres
- (v) Minimum Side Yard Widths 15.0 metres
- (vi) Exceptions to (b)(iv) and (v): Where a lot line abuts a Zone other than an ME or MD Zone, the minimum Yards shall be 24.0 metres. Where a lot line abuts a railroad right-of-way, the minimum side yard shall be 0.0 metres.
- (vii) Building Separation (minimum) 3.0 metres
- (viii) Maximum Building Height 24.0 metres
- (ix) Minimum Landscaped Open Space 10%
- (x) A buffer strip shall be required along any portion of a lot line which abuts a Zone other than an ME or MD Zone, or which abuts a street.
- (xi) Parking Spaces (minimum): Shall be the greater of 5 per lot, or 1 for each 90.0 square metres of gross floor area or portion thereof.
- (xii) Loading Spaces (minimum): Shall be the greater of 3 per lot, or 1 for each 4.0 hectares of lot area or portion thereof.
 - (xiii) No part of any loading space shall be located in a front yard.
- (xiv) No part of any gasoline pump island shall be located closer than 6.0 metres to any street line, or 4.5 metres to any other lot line.
 - (xv) No part of any outside storage area shall be located: in a front yard; closer than 6.0 metres to any lot line; or closer than 30.0 metres to any lot line which abuts a Zone other than an ME or MD Zone.

16.6.2 Extractive Industrial-2 (ME-2) Zone

Not applied.

16.6.3 Extractive Industrial-3 (ME-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Extractive Industrial-3 (ME-3) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 30.0 hectares

(ii) Minimum Lot Frontage 279.0 metres

(iii) Notwithstanding the provisions of Section 16.2, the excavation setback from the north lot line shall be 0.0 metres, with the exception that no part of any excavation shall be located closer than:

- 15.0 metres to any other lot line,
- and □ 30.0 metres to any street line.

SECTION 17 - WASTE DISPOSAL INDUSTRIAL (MD) ZONE

No person shall within the Waste Disposal Industrial (MD) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

17.1 PERMITTED USES

- 17.1.1 a recycling facility
- 17.1.2 a salvage yard
- 17.1.3 a sanitary landfill site or solid waste landfill site
- 17.1.4 a sewage treatment facility, including a sewage lagoon
- 17.1.5 a waste transfer station

17.2 REGULATIONS FOR USES PERMITTED IN SECTION 17.1

(a) No sanitary landfill site shall be located within 500 metres (1,640.41 feet) of any Residential, Commercial or Community/Open Space Zone.

(b) No waste transfer station, recycling facility, sewage treatment facility or salvage yard shall be located within 120 metres (393.7 feet) of any

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Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit

Residential, Commercial or Community/Open Space Zone.

17.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential, Commercial or Community/Open Space Zone, a buffer strip shall be provided in accordance with Section 4.6 of this By-law.

17.4 TIRE STORAGE AND RECYCLING

Notwithstanding any other provision of this By-law to the contrary, the storage and/or recycling of used vehicle tires as a main or principal use of a lot shall not be permitted on any property zoned Waste Disposal Industrial (MD). The storage of used vehicle tires shall be permitted only as an ancillary component of a permitted salvage yard establishment on the same lot. Under no circumstances shall the bulk volume of used vehicle tires or shredded tires stored at a permitted salvage yard exceed 300 cubic metres.

17.5 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Waste Disposal Industrial (MD) Zone shall apply.

17.6 SPECIAL WASTE DISPOSAL INDUSTRIAL (MD) ZONES

17.6.1 Waste Disposal Industrial-1 (MD-1)

Notwithstanding the uses permitted in the Waste Disposal Industrial (MD) Zone, within the Waste Disposal Industrial-1 (MD-1) Zone, only a closed sanitary landfill site shall be a permitted use.

17.6.2 Waste Disposal Industrial-2 (MD-2)

Notwithstanding any other provisions of this By-law to the

contrary, within the Waste Disposal Industrial-2 (MD-2) Zone
the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

An accessory dwelling

(ii) Non-Residential Uses shall include only the following:

a wrecking yard a body shop outside storage a paint shop

For the purposes of the MD-2 Zone, a “wrecking yard” shall mean an establishment where scrap metals, wrecked vehicles or parts therefrom are stored wholly or partly in the open. This definition shall not include any uses which relate to tire storage, tire disposal or tire recycling.

(b) Special Regulations:

(i) Minimum Front Yard Depth 15.0 metres

(ii) Entrances per Lot (maximum) For a permitted residential use 1 For permitted disposal industrial uses 2

(iii) Parking Spaces (minimum) 30

(iv) Outside Storage Area and Wrecking Yard Area

Regulations:

No part of the outside storage area or the wrecking yard area shall be located closer than 60 metres to any lot line, or be larger than 11,625 square metres.

The outside storage area and wrecking yard area shall be surrounded by a perimeter fence to contain the use. Outside storage uses outside of the perimeter fence shall be strictly prohibited.

17.6.3 Waste Disposal Industrial-3 (MD-3)

Notwithstanding any other provisions of this By-law to the contrary, within the Waste Disposal Industrial-3 (MD-3) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

(ii) Non-Residential Uses shall include only the following:

prohibited

a waste transfer station a recycling facility/depot

(b) Special Regulations:

- (i) Minimum Lot Area 1.6 hectares
- (ii) Minimum Lot Frontage 120.0 metres
- (iii) Minimum Front Yard Depth 18.0 metres
- (iv) Minimum Exterior Side Yard Width 18.0 metres
- (v) Minimum Rear Yard Depth 3.0 metres
- (vi) Minimum Interior Side Yard Width 15.0 metres

17.6.4 Waste Disposal Industrial-4 (MD-4)

Not applied.

17.6.5 Waste Disposal Industrial-5 (MD-5)

Not applied.

17.6.6 Waste Disposal Industrial-6 (MD-6)

Notwithstanding the uses permitted and regulations of the Waste Disposal Industrial (MD) Zone, within the Waste Disposal Industrial-6 (MD-6) Zone, the following special provisions shall apply:

17.6.6.1 Permitted Uses in the MD-6 Zone

(a) Residential Uses:

(i) residential uses shall be prohibited

(b) Non-Residential Uses:

(i) a solid waste landfill site established, operated and maintained in accordance with a certificate of approval, issued under the *Environmental Protection Act*, and the Regulations made thereunder;

(ii) a composting facility;

- (iii) a material recycling/transfer facility;
- (iv) an accessory landfill gas electricity generating station;
- (v) buildings and structures accessory to the uses permitted in Section 17.6.6.1(b)

17.6.6.2 Special Regulations for the MD-6 Zone

- (a) Minimum Lot Area 20.0 ha
- (b) Minimum Lot Frontage 100.0 m
- (c) Maximum Lot Coverage (all buildings) 10%
- (d) Minimum Front Yard Depth 18.0 m
- (e) Minimum Rear Yard Depth 15.0 m
- (f) Minimum Side Yard Width 15.0 m
- (g) Minimum Building Separation 3.0 m
- (h) Maximum Building Height 12.0 m
- (i) Minimum Landscaped Open Space Area 10%
- (j) A buffer strip in accordance with Section 4.6 of this By-law or a berm shall be required between the front, side and rear lot lines and the limit of the landfill.
- (k) Parking Spaces (minimum) 5 spaces
- (l) No part of any parking space shall be located closer than 3.0 metres to any street line or 9.0 metres to any lot line
- (m) Loading Spaces (minimum) 3 spaces

17.6.7 Waste Disposal Industrial-7 (MD-7)

Notwithstanding the uses permitted and regulations of the Waste Disposal Industrial (MD) Zone, within the Waste Disposal Industrial-7 (MD-7) Zone, the following special provisions shall apply:

17.6.7.1 Permitted Uses in the MD-7 Zone

(a) Residential Uses:

(i) residential uses shall be prohibited

(b) Non-Residential Uses:

(i) Permitted when the Waste Transfer/Processing Facility is operating:

- a waste transfer/processing facility
- a material testing laboratory accessory to a waste transfer/processing facility
- a truck transport terminal
- a contractors yard
- a municipal or provincial garage and storage area
- a fuel refill island
- an open storage area
- off-site parking
- a business office accessory to a permitted use

(ii) Permitted when the Waste Transfer/Processing Facility is not operating:

- a truck transport terminal
- a municipal or provincial garage and storage area
- a fuel refill island
- a contractors yard
- an open storage area
- a warehousing or storage use
- a manufacturing, fabricating and assembly establishment
- off-site parking
- a building supply yard
- a commercial garage
- a public use

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a retail outlet, wholesale outlet accessory to a permitted use a business office accessory to a permitted use

17.6.7.2 Special Regulations for the MD-7 Zone

(a) General:

Notwithstanding any other provision of this By-law to the contrary, for the purpose of lands within the MD-7 Zone, such lands shall be deemed and treated as one single lot for the purpose of implementing all applicable regulations:

(b) General Regulations:

- (i) Minimum Lot Area 2.2 ha
- (ii) Minimum Lot Frontage (County Rd. 28) 127.0 m
- (iii) Minimum Front Yard Depth 21.0 m
- (iv) Minimum Rear Yard Depth 21.0 m
- (v) Minimum Interior Side Yard Width 12.0 m
- (vi) Minimum Exterior Side Yard Width 21.0 m
- (vii) Maximum Building Height 12.0 m
- (viii) Maximum Lot Coverage 20%
- (ix) Minimum Landscaped Open Space 10%

(c) Special Regulations for a Waste Transfer/Processing Facility:

Notwithstanding the regulations of Section 17.6.7.2(b), a waste transfer/processing facility shall be located in accordance with the following:

- (i) Minimum Front Yard Depth 60.0 m
- (ii) Minimum Rear Yard Depth 21.0 m
- (iii) Minimum Interior Side Yard Width 40.0 m

(d) Special Regulations for a Material Testing Laboratory:

Notwithstanding the regulations of Section 17.6.7.2(b), a material testing laboratory accessory to a waste transfer/processing facility shall be located in accordance with the following:

- (i) Maximum Total Floor Area 46.5 sq.m

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(ii) Maximum
 Building Height
 One (1) Storey

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space

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(iii) A Material testing laboratory accessory to a waste transfer/processing facility shall only be permitted with in the front yard or exterior side yard as defined in Section 17.6.7.2(a).

(e) Special Regulations for a Fuel Refill Island:

Notwithstanding the regulations of Section 17.6.7.2(b), a fuel refill island shall be located in accordance with the following:

- (i) Minimum Front Yard Depth 45.0 m
- (ii) Minimum Rear Yard Depth 21.0 m
- (iii) Minimum Exterior Side Yard Width 21.0 m
- (iv) Maximum Exterior Side Yard Width 60.0 m
- (v) A fuel refill island shall not be permitted within the interior side yard.

(f) Special Regulations for an Open Storage Area:

Notwithstanding the regulations of Section 17.6.7.2(b), an open storage area shall be in accordance with the following:

- (v) No open storage area shall cover more than 35% of the lot area.

(g) Special Regulations for Parking Areas:

Notwithstanding the regulations of Section 17.6.7.2(b) above and Section 4.25 of this By-law, parking areas shall be in accordance with the following:

- (i) Minimum Number of Parking Spaces 23
- (ii) Minimum Front Yard Depth 12.0 m
- (iii) Minimum Rear Yard Depth 21.0 m
- (iv) Minimum Interior Side Yard Width 12.0 m

(v) Minimum Exterior Side Yard Width 21.0 m

(vi) A maximum of 84 truck trailer parking spaces shall be provided, which spaces shall be no less than 15.0 metres in length and 3.0 metres in width.

(h) Special Regulations for In-Transit PCB Storage:

Notwithstanding the regulations of Section 17.6.7.2(b), facilities for in-transit storage of PCB materials shall be in accordance with the following:

(i) Minimum Front Yard Depth 118.0 m

(ii) Minimum Rear Yard Depth 9.0 m

(iii) Exterior Side Yard Width Minimum 50.0 m Maximum 60.0 m

(i) Removal of Holding (“H”) Symbol:

Where the MD-7 zone symbol on Schedule “A” is followed by a holding symbol (H), holding provisions under Section 36 of the *Planning Act* are in effect. The permitted uses and relevant zone provisions applicable to that zone do not apply until such time as the holding symbol (H) is removed in accordance with the provisions of Section 36 of the *Planning Act*. Prior to the removal of the holding symbol (H), only uses that existed as of March 3, 2003 shall be permitted.

A Holding (“H”) symbol applied to the MD-7 Zone shall only be removed at such time as a site plan agreement under Section 41 of the *Planning Act* has been approved by the Township and registered on title.

17.6.8 Waste Disposal Industrial-8 (MD-8)

Notwithstanding any other provisions of this By-law to the contrary, within the Waste Disposal Industrial-8 (MD-8) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) Residential Uses

(ii) Non-Residential Uses shall include only the following:

- prohibited
- a salvage yard

(b) Special Regulations:

- (i) Minimum Lot Area as existing

SECTION 18 - COMMUNITY FACILITY (CF) ZONE

No person shall within a Community Facility (CF) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

18.1 PERMITTED USES

- 18.1.1 an accessory single detached dwelling which is accessory only to a place of worship
- 18.1.2 an accessory dwelling unit which is accessory only to a place or worship
- 18.1.3 an arena
- 18.1.4 an assembly hall or auditorium
- 18.1.5 a cemetery
- 18.1.6 a community centre
- 18.1.7 a curling rink
- 18.1.8 a day nursery
- 18.1.9 an elderly persons centre
- 18.1.10 a fraternal lodge
- 18.1.11 a home for the aged or retirement lodge
- 18.1.12 a hospital
- 18.1.13 a medical or dental clinic
- 18.1.14 a municipal office
- 18.1.15 a municipal fire hall
- 18.1.16 a museum
- 18.1.17 a nursing home
- 18.1.18 a place of worship
- 18.1.19 a private club
- 18.1.20 a library;
- 18.1.21 a public or private school
- 18.1.22 a parking lot
- 18.1.23 a public park

18.2 REGULATIONS FOR USES PERMITTED IN SECTION 18.1

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Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space

18.2.5 Minimum Interior Side Yard Width 7.5 m (24.60 ft.)

-except where the interior side lot line abuts a Residential Zone, the minimum interior side yard shall be 10.5 m (34.45 ft.)

18.2.6 Minimum Rear Yard Depth 7.5 m (24.60 ft.)

-except where the rear lot line abuts a Residential Zone, the minimum rear yard shall be 10.5 m (34.45 ft.)

18.2.7 Minimum Accessory Single Detached Dwelling Floor Area
93.0 m² (1,001.08 ft.²)

18.2.8 Maximum Building Height 11 m (36.09 ft.)

18.2.9 Maximum Lot Coverage of All Buildings 50%

18.2.10 Minimum Landscaped Open Space 30%

18.2.11 Maximum Number of Single Detached Dwellings or Dwelling Units Per Lot 1

18.3 BUFFER STRIP REQUIREMENTS

Where the interior side or rear lot line abuts a Residential Zone, a buffer strip shall be provided in accordance with the Section 4.6 of this By-law.

18.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Community Facility (CF) Zone shall apply.

18.5 SPECIAL COMMUNITY FACILITY (CF) ZONES

18.5.1 Community Facility-1 (CF-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Community Facility-1 (CF-1) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) A municipal fire hall, which may include the following uses or facilities:

- Facilities for vehicle parking
- Apparatus bays
- Equipment storage
- Staff administration offices
- Staff locker rooms
- Staff lunch rooms
- Training areas
- A hose drying tower
- A dispatch centre
- An emergency operations centre
- Public washrooms

(b) Special Regulations:

(i) Minimum Lot Area As existing

(ii) Minimum Lot Frontage As existing

(iii) Minimum Front Yard Depth 6.5 metres

(iv) Minimum Interior Side Yard Width 5.5 metres

(v) Minimum Exterior Side Yard Width 4.0 metres

(vi) Minimum Rear Yard Depth 4.5 metres

(vii) Parking Spaces (minimum) 9 spaces

(viii) Parking Space Location: A parking space may extend over a street line, but shall not be located closer than 4.5 metres to any lot line that abuts a Residential Zone.

SECTION 19 - OPEN SPACE (OS) ZONE

No person shall within the Open Space (OS) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

19.1 PERMITTED USES

- 19.1.1 an accessory dwelling unit
- 19.1.2 an athletic field
- 19.1.3 a camping park
- 19.1.4 conservation
- 19.1.5 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 19.1.6 a forestry use
- 19.1.7 a private park
- 19.1.8 a public park
- 19.1.9 a boat docking and launching facility

19.2 REGULATIONS FOR USES PERMITTED IN SECTION 19.1

- 19.2.1 Minimum Lot Area: All provisions of Section 4, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Open Space (OS) Zone shall apply.

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Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)
Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit

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Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time
Bank, Business and/or Professional Office, Retail Commercial Establishment, Service Shop, Personal Service Shop	One (1) parking space for each 28 m ² (301.4 ft. ²) of total floor area of building directly related to the specified permitted use
Hospital, Home for the Aged, Nursing Home	One (1) parking space for each four (4) dwelling units, or four (4) beds, or fraction thereof
Hotel, Motel, Tourist Establishment, Trailer Camp or Park, Camping Park	1.2 parking spaces for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the Liquor Licence Act, as amended
Manufacturing, Processing, Assembly/ Fabricating Plant, Wholesale Establishment, or Workshop	One (1) parking space per 37 m ² (398.28 ft. ²) of total floor area or portion thereof
Medical or Dental Clinic	Six (6) parking spaces per doctor, plus one parking space for each examination room exceeding five (5) such rooms per office
Bed and Breakfast Establishments and Boarding and/or Lodging House	Two (2) parking spaces per dwelling unit, plus one (1) parking space per guest room
Home Occupation or Home Industry	Two (2) parking spaces per dwelling unit, plus one (1) parking space for every per 28 m ²

19.5 SPECIAL OPEN SPACE (OS) ZONES

19.5.1 Open Space-1 (OS-1) Zone – Golf Courses

Notwithstanding any other provisions of this By-law to the contrary, within the Open Space-1 (OS-1) Zone the following provisions shall apply:

- (a) Permitted Uses:
 - (i) all uses of Section 19.1
 - (ii) a golf course
 - (iii) an eating establishment accessory to a golf course
- (b) Minimum Lot Area 4.0 ha (9.9 ac.)
- (c) Minimum Lot Frontage 60.0 m (196.8 ft.)
- (d) Minimum Front Yard Depth 15.0 m (49.2 ft.)
- (e) Minimum Interior Side Yard 15.0 m (49.2 ft.)

19.5.2 Open Space-2 (OS-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Open Space-2 (OS-2) Zone the following provisions shall apply:

- (a) Permitted Uses:
 - (i) an accessory dwelling
- (b) Dwellings per lot (maximum): one (1)
- (c) The building setback between the OS-1 Zone and the OS-2 Zone shall be 0.0 metres.
- (d) All other provisions of the OS-1 Zone shall apply.

SECTION 20 – FUTURE DEVELOPMENT (FD) ZONE

No person shall within a Future Development (FD) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

20.1 PERMITTED USES

- 20.1.1 a single detached dwelling
- 20.1.2 an existing farm or agriculture use
- 20.1.3 a farm produce outlet
- 20.1.4 a bed and breakfast establishment
- 20.1.5 a home occupation
- 20.1.6 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use as provides for the preservation of the natural environment
- 20.1.7 a public park

20.2 REGULATIONS FOR USES PERMITTED IN SECTION 20.1

General Industrial Zone Extractive
 Industrial Zone Waste Disposal
 Industrial Zone

MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space
 Zone Future Development Zone

CF OS FD

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for each additional 9,300 m ² (100,107.64 ft. ²) or fractional part thereof in excess of 7,500 m ² (80,731.97 ft. ²)

Type or Nature of Use	Minimum Off-Street Parking Requirements
Single Detached, Duplex, Semi-Detached, Converted or Row Dwelling	Two (2) parking spaces per dwelling unit
Triplex or Fourplex Dwelling	1.5 parking spaces per dwelling unit
Multi-Unit Dwelling	1.25 parking spaces per dwelling unit
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein, an Eating Establishment, including premises licensed in accordance with the Liquor License Act, as amended.	The greater of: a) one (1) parking space per six (6) fixed seats b) one (1) parking space per 9 m ² (96.88 ft. ²) of total floor area or portion thereof c) one (1) parking space for each four (4) persons that may be legally accommodated at any one time
Bank, Business and/or Professional Office,	One (1) parking space for each 28 m ² (301.4

36.09 ft.)

20.2.9 Maximum Lot Coverage of All Buildings 40%

20.2.10 Maximum Number of Dwellings or Dwelling Units per Lot 1

20.3 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Future Development (FD) Zone shall apply.

20.4 SPECIAL FUTURE DEVELOPMENT (FD) ZONES

20.4.1 Future Development-1 (FD-1) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Future Development-1 (FD-1) Zone the following provisions shall apply:

(a) Permitted Uses:

(i) All uses of the Future Development (FD) Zone shall be permitted, except that an existing barn shall not be used as a livestock facility.

(b) Special Regulations:

(i) Minimum Lot Area 7.0 hectares

(ii) Minimum Lot Frontage 180.0 metres

20.4.2 Future Development-2 (FD-2) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Future Development-2 (FD-2) Zone the following provisions shall apply:

(a) Special Regulations:

(i) Minimum Lot Area 3.84 hectares (9.5 ac.)

(ii) Minimum Lot Frontage 82.9 metres (270.0 ft.)

(iii) A Livestock facility and the housing of livestock shall be prohibited.

20.4.3 Future Development-3 (FD-3) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Future Development-3 (FD-3) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) No building or structure shall be erected within 23.0 metres of the lands identified as Part 2 of Plan 45R-6864, shown as the line connecting the points marked by an asterisk (“*”) within the FD-3 zone area.

20.4.4 Future Development-4 (FD-4) Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Future Development-4 (FD-4) Zone the following provisions shall apply:

(a) Special Regulations:

- (i) Minimum Lot Area 5.0 hectares
- (ii) Minimum Lot Frontage 20.0 metres

SECTION 21 - ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within an Environmental Protection (EP) Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

21.1 PERMITTED USES

- 21.1.1 residential uses are prohibited with the exception of an existing dwelling or an existing dwelling unit
- 21.1.2 an agricultural use, excluding buildings
- 21.1.3 a forestry use
- 21.1.4 a conservation area including outdoor recreation activities, nature study and wildlife areas, or other similar use which provides for the preservation of the natural environment
- 21.1.5 a private park
- 21.1.6 a public park

General Industrial Zone Extractive Industrial Zone Waste Disposal Industrial Zone MG ME MD

Community/Open Space Zones

Community Facility Zone Open Space Zone Future Development Zone CF OS FD

8

Area of Building	Loading Space
280 m ² (3,013.99 ft. ²) or less	1 space
Exceeding 280 m ² (3,013.99 ft. ²) but not 2,300 m ² (24,757.80 ft. ²)	2 spaces
Exceeding 2,300 m ² (24,757.80 ft. ²) but not 7,500 m ² (80,731.97 ft. ²)	3 spaces
Exceeding 7,500 m ² (80,731.97 ft. ²)	3 spaces, plus 1 additional space for

- 21.1.7 structures required for flood and erosion control
- 21.1.8 a marine facility
- 21.1.9 existing uses, buildings and structures

21.2 REGULATIONS FOR USES PERMITTED IN SECTION 21.1

21.3 ALTERATIONS AND EXTENSIONS TO PERMITTED EXISTING USES

Any alteration, enlargement, extension or reconstruction of any permitted

existing use shall comply with the regulations imposed by the Otonabee
Region Conservation Authority.

21.4 GENERAL ZONE PROVISIONS

All provisions of Section 4, General Zone Provisions, of this By-law where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply.

SECTION 22 - PENALTIES & ADOPTION

22.1 REMEDIES

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure 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 insistence of any ratepayer, or of the Council of the Municipality pursuant of the provisions of the *Planning Act*.

22.2 VIOLATION AND PENALTY

Every person or corporation who uses any land or erects or uses any building or structure in a manner contrary to any requirements of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or causes or permits a violation, is guilty of an offence and upon conviction thereof shall be liable to penalties prescribed in Section 67 of the *Planning Act*, R.S.O. 1990, as amended.

22.3 REPEALS

All Zoning By-laws and amendments thereto, passed pursuant to Section 34, of the *Planning Act*, R.S.O. 1990, c. P.13 as amended, or a predecessor thereto, including but not limited to By-law No. 12-79, By-law No. 74-8 and By-law No. 1080, with the exception of By-law No. 2010-27 (as it applies to property number 1506-010-005-13700) and all provisions of By-law No. 12-79 related thereto, shall be repealed immediately upon this By-law coming into full force and effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

22.4 EFFECTIVE DATE

If no objection is filed with the Clerk within 20 days of the date of passing of this By-law, this By-law shall become effective on the date of passing.

If any appeal is filed with the Clerk within the 20 day period following the passing of the By-law, this By-law shall become effective on the

date of passing hereof subject to receiving an Order from the Ontario
Municipal Board, resolving any appeals so filed.

Read a **FIRST TIME** this 18th day of October, 2010. Read a **SECOND TIME**
this 18th day of October, 2010.

REEVE CLERK

Read a **THIRD TIME** and **FINALLY** passed this 18th day of October, 2010.

REEVE CLERK

SCHEDULE "A" MAPS 1 TO 13