

## **TOWNSHIP OF WARWICK**

### **ZONING BY-LAW 121 OF 2012**

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, Chap. P. 13 as amended from time to time, allows a governing body of a Municipal Corporation to pass By-laws to regulate the Use of land and the character, location and Use of Buildings and Structures;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Township of Warwick as follows:

#### **SECTION 1 – ADMINISTRATION, ENFORCEMENT & INTERPRETATION**

##### **1.1 TITLE**

This Zoning By-law shall be known as the Zoning By-law of the Corporation of the Township of Warwick

##### **1.2 ADMINISTRATOR**

This Zoning By-law shall be administered by the By-law Enforcement Officer, Manager of Development Services, Senior Planning Official, Chief Building Official and/or Deputy Chief Building Official, or any other Person designated by the Council of the Township of Warwick as “Zoning Administrator”.

##### **1.3 APPLICATION**

The provisions of this Zoning By-law shall apply to all lands within the boundaries of the Corporation of the Township of Warwick.

##### **1.4 SCOPE**

- a) No person shall use any land or Erect or use any Building or Structure on lands subject to this By-law except for a Use permitted, and in accordance with the regulations provided, by this By-law for the Zone in which the Lot is located.
- b) No person shall change the Use of any Lot, Building, or Structure, Erect or enlarge any Building or Structure, or sever any lands from any Existing Lot if the effect of such action is to cause the original, remaining, or new Building, Structure, or Lot to be in contravention of the Zoning By-law.

## **1.5 REPEAL OF EXISTING BY-LAWS**

The provisions of Zoning By-law 121 of 2012, and all amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

## **1.6 VALIDITY / SEVERABILITY**

Should any section, clause, provision, or schedule of this Zoning By-law be held by a court of competent jurisdiction to be invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

## **1.7 EFFECTIVE DATE**

This Zoning By-law shall be deemed to be valid and to have come into force on the day of passing hereof subject to the provisions of the *Planning Act*.

## **1.8 COMPLIANCE WITH OTHER RESTRICTIONS**

Nothing in this Zoning By-law shall relieve any person from the obligation to conform to the requirements of any other by-law municipal or County, or Province of Ontario or Government of Canada, or the requirement of obtaining any permit, licence, or permission that may be required from an authority having jurisdiction in a particular matter.

References to “the Zoning By-law” in other Township By-laws or documents shall be deemed to refer to this By-law where this By-law applies.

## **1.9 ENTRY AND INSPECTION OF PREMISES**

Pursuant to Section 49 of the *Planning Act*, a By-law Enforcement Officer or a Person acting under their instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property in respect of which they believe a contravention of this By-law is occurring.

## **1.10 VIOLATIONS AND PENALTIES**

Every person who contravenes a provision of this By-law and, if the person is a Corporation, every director or officer of the Corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable to fines under the *Planning Act*.

## **1.11 LICENSES AND PERMITS**

The requirements of this By-law must be met before a municipal permit, certificate or license is issued for a proposed Use of land or proposed erection, Alteration, enlargement or Use of any Building or Structure.

## **1.12 REQUESTS FOR AMENDMENTS AND FEES**

The Township may by by-law, establish fees for the processing of any application, permit, licence, variance or amendment sought or required by this Zoning By-law as provided under Section 69 of the *Planning Act*. A fee as prescribed by the Corporation's By-law, which sets a tariff of fees, shall accompany every application requesting an amendment or minor variance to this By-law.

## **1.13 TRANSITION MATTERS**

Notwithstanding Sections 1.4 and 1.5 of this By-law, a Building permit may be issued in accordance with Section 1.13 of this By-law for the following scenarios. For the purposes of determining zoning compliance for matters covered by this Section of this By-law, the provisions of Zoning By-law 121 of 2012, as amended, as it read on the effective date of this By-law shall apply.

### **1.13.1 Building Permit Applications**

Nothing in this By-law shall prevent the erection of a Building or Structure for which an application for a Building permit was filed on or prior to the effective date of this By-law provided the Building permit application satisfies the following requirements:

- a) The Building permit application complies with the provisions of Zoning By-law 121 of 2012, as amended, as it read on the effective date of this By-law.
- b) All information is provided to allow for a zoning review to be undertaken.
- c) All planning approvals have been obtained.

### **1.13.2 Recently Approved Planning Applications**

- a) The requirements of this By-law do not apply on a Lot where a minor variance to Zoning By-law 121 of 2012, as amended, was authorized on or after DATE OF OP APPROVAL BY LAMBTON and on or before the effective date of this By-law and a Building permit for the applicable project has not yet been issued.
- b) The requirements of this By-law do not apply to a Lot where a conditional or final Site Plan Approval has been granted on or after DATE OF OP APPROVAL BY LAMBTON and on or before the effective date of this By-law and a Building permit for the applicable project has not yet been issued.
- c) The requirements of this By-law do not apply to a Lot where a provisional consent has been given on or after DATE OF OP APPROVAL BY LAMBTON and on or before the effective date of this By-law and a Building permit for the applicable project has not yet been issued, the Lot has not yet been registered at the Land

Registry Office, or the applicable Easement or agreement has not yet been registered on title.

- d) For clarity, where a minor variance to Zoning By-law 121 of 2012, as amended, was authorized on or after DATE OF OP APPROVAL BY LAMBTON and on or before the effective date of this By-law as a requisite condition for a Site Plan Approval, Section 1.13.2(a) and (b) shall apply to give effect to the applicable Site Plan Approval.
- e) For approved site plans and minor variances where this By-law has subsequently been amended, the regulations in effect on the date of approval of the site plan or minor variance shall apply to any Building permit applications.

### **1.13.3 Cessation of Relief**

- a) The relief provided by Section 1.13 of this By-law shall not continue beyond the issuance of the permit, approval, or agreement upon which the exemption is founded, unless otherwise provided for in this By-law. Once the permit, agreement, or approval has been granted in accordance with Section 1.13, the provisions of Zoning By-law 121 of 2012, as amended shall cease to be in effect.
- b) Notwithstanding subsection (a) above, the relief provided by Section 1.13 of this By-law ceases to be in effect on the date of the lapsing of the applicable approval:
  - i) For a minor variance, a maximum of two years from the date of authorization;
  - ii) For a Site Plan, a maximum of two years from the date of final approval; and,
  - iii) For a provisional consent, a maximum of three years from the date of giving.

## SECTION 2 – DEFINITIONS

*Note: The words, which are capitalized within the text of the definitions and throughout this document, are also defined.*

### GENERAL

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

In this By-law the word "shall" is mandatory. Words in the singular include the plural. Words in the plural include the single number. Words used in the present tense include the future.

# A

**"Abattoir"** means the Use of lands, Buildings, Structures or part thereof used for the penning and slaughter of Livestock or other animals for the purpose of processing or rendering, and may also include the storing and sale of the product on the Premises.

**"Accessory"** means incidental, subordinate, and devoted exclusively to a principal Use, Building or Structure, as applicable within the context in which the term Accessory is used.

**"Adult Entertainment Parlour"** means any premise in which the following is provided:

- a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the Premises or part of the Premises; or
- b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the Premises or part of the Premises, excluding Premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under a statute of Ontario.

**"Agri-tourism Use"** means farm-related tourism Uses that promote the enjoyment, information, education, or activities related to the principal farm operation on a Lot, including, but not limited to processing demonstrations, make-your-own operations, pick-your-own produce operations, farm machinery and equipment exhibitions (on a temporary basis), tours, petting zoos, hayrides and sleigh rides, small-scale farm theme playgrounds, small-scale educational establishments, culinary experiences, and retail of farm products and value-added farm products as well as ready-to-eat products.

**"Agricultural Processing Establishment "** means Premises used for the processing of products derived from Agricultural Uses including seed, grain, feed, and forage processing, storage, and transport; fruit and vegetable storage and treatment; an egg grading establishment, and a Sawmill, but shall not include an Abattoir.

**"Agricultural Service And Supply Establishment"** means the Use of land, Buildings, or Structures for the supply of goods, materials, equipment, and/or services that support Agricultural Uses.

**"Agricultural Use"** means the growing of crops, including nursery, energy crops, and horticultural crops; farm greenhouses; raising of Livestock; raising of other animals for food, fur or fibre, including poultry; aquaculture; apiaries; agro-Forestry; maple syrup production; and associated on-farm Buildings and Structures, including, but not limited to Livestock Facilities, Manure Storages, Value-retaining Agricultural Uses, and housing for farm workers, when the size and nature of the operation requires additional employment.

**"Agricultural Use, Value Added"** means any activity or process that is completed by the farm operator, which alters the original agricultural product or commodity grown on site and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking and baking and marketing activities.

**"Agricultural Use, Value-retaining"** means a Use that serves to maintain the quality of agricultural commodities (i.e., prevent spoilage) including, but not limited to, egg-grading, bagging, packaging, bundling, washing, cutting, refrigeration, and freezing, to ensure they remain saleable, or that provides a minimum amount of processing to make the agricultural commodities produced on that farm saleable.

**"Agricultural-related Uses"** means farm-related commercial and farm-related Industrial Uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a principal activity, which may include Agricultural Service And Supply Establishments, and farm products processing and storage facilities.

**"Aisle"** means the area used by vehicles to access all off-Street Parking Spaces, but does not include an access driveway.

**"Alter"**

- a) When used in reference to a Building or part thereof, means to change any one or more of the internal or external dimensions of such Building or to change the Use, to change the number of Uses or Dwelling Units, or to change the type of construction of the exterior walls or roof thereof.

- b) When used in reference to a Lot, means to change the area, frontage or depth thereof; to change the width, depth or area of any required Yard, Landscaped Open Space or Parking Area, or to change the Use or the number of Uses on such Lot.

**“Amenity Area”** means an area within a Lot designed for active and/or passive recreation for the personal, shared, or communal Use and benefit of the occupants of a premise. This may include open spaces, patios, Balconies, pools, and other similar features, but does not include service areas, Parking Areas, and driveways.

**“Anaerobic Digester”** means a device or Structure designed for the decomposition of organic matter by bacteria in an oxygen-limited environment.

**“Animal Hospital ”** means Premises in which facilities are provided for the medical or surgical treatment or prevention of disease to animals, which may include shelter facilities during the period of treatment.

**“Antenna”** means the Use of land, Buildings or Structures for the purpose of sending or receiving electromagnetic waves.

**“Area Of Operation”** means, in relation to an On-farm Diversified Use, all areas dedicated to the Use, including associated Buildings, outside storage, landscaped areas, berms, well and septic systems, Parking Areas and new, dedicated Lanes, and shall exclude Existing Lanes shared with the principal agriculture Use on the Lot.

**“Art Gallery”** means a Building or part thereof where painting, sculptures and other works of art are displayed for public viewing and may include the sales of art and/or art supplies.

**“Assembly Hall”** means a Building or Structure used for the assembly of persons for civic, political, travel, religious, social, educational, recreational or similar purposes, which may include the preparation, serving, and consumption of food and beverages, but does not include a Place Of Worship, a school, or a Restaurant.

**“Attached”** means a Building otherwise complete in itself that depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent Building(s), including Buildings connected by a Breezeway or similar Structure.

**“Attic”** means that portion of a Building situated wholly or partly within the roof of such Building and which is not a Storey or a one-Half Storey.

**“Auction Establishment”** means a Building, Structure or lands used for the storage of goods and materials, which are sold on the premise for public auction, and for the sale of the said goods and materials for public action on an occasional basis, but does not include a retail or Wholesale Establishment, or a Livestock auction.

# B

**"Backyard Poultry"** means small-scale, non-commercial raising of domesticated birds for the purpose of harvesting animal products or companionship but does not include waterfowl.

**"Bakery"** means the Use of lands, Buildings and Structures, or parts therein for the preparation, baking, storage, wrapping and packing, and other related activities associated with the sale and distribution of baked goods, including the retail sale of baked goods on the Premises.

**"Bake Shop"** means a Retail Store where Bakery goods are offered for sale, some or all of which may be prepared on the Premises.

**"Balcony"** means a horizontal platform that may be unenclosed or partially enclosed, covered or uncovered, and without a foundation Attached to, projecting from the exterior of a Building at the second-floor level or above, and is only accessible from within a Building.

**"Basement"** means one or more Storeys of a Building located below the First Storey.

**"Batching Plant"** means an industrial establishment used for the production of mixing cementing materials, aggregate, water and mixtures to produce concrete, asphalt, or products thereof used in Building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the Premises and the storage and maintenance of required equipment, but does not include the retail sales of finished product. This does not include a dry plant used for the dry mixing of aggregate, concrete, or asphalt materials on site to produce or manufacture packaged products which are sold as ready mix off site.

**"Bed And Breakfast Establishment"** means a Dwelling that operates or offers no more than three (3) Guest Rooms as places of temporary residence, lodging or Occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement throughout all or any part of a calendar year and that is the principal residence of the establishment's proprietor. Bed And Breakfast Establishment shall not mean or include Motel, Hotel, short term accommodation, tourist cabin or cottage, Hospital or similar commercial or Institutional Uses.

**"Breezeway"** means a covered walkway that may be open on all sides or partially/fully enclosed, connecting two or more Structures on the same Lot.

**"Brewing On Premises Establishment"** means a commercial establishment where customers produce beer, wine or cider for personal consumption off the Premises;



where beer, wine or cider ingredients are purchased; and where equipment and storage is used for a fee by the same customers.

**"Building"** means any Structure or part thereof, whether temporary or permanent, consisting of walls and a roof, used or intended to be used for the shelter, accommodation, or enclosure of persons, animals, materials, or equipment, but does not include a boundary wall or fence.

**"Building, Main"** means the Building or Buildings designed and/or intended to accommodate the principal Use Permitted by this By-law.

**"Building Supply Establishment"** means the Use of land, Building, or Structure for the storage, sale, rental, and lease of construction and/or home improvement supplies and equipment.

**"Bulk Fuel Establishment"** means the Use of lands, Buildings or Structures for the purpose of storage and wholesale distribution or bulk sales of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid.

**"Bulk Sales Establishment"** means the Use of lands, Buildings or Structures for the purpose of buying or selling coal, fuel oil, wood, lumber, Building materials, feed, fertilizer and allied commodities in bulk format, but does not include any manufacturing, assembling, or processing Use.

## C

**"Campground"** means land used for the temporary seasonal accommodation of the traveling or vacationing public in travel trailers, tents, Recreational Vehicles or similar, and may include an Accessory Office but shall not include a Mobile Home Park.

**"Campsite"** means a parcel of land within a Campground used for a Recreational Vehicle or a tent.

**"Cannabis Production Facility"** means lands exclusively containing any indoor Buildings or Structures licensed by Health Canada to undertake cultivation, processing, sale, analytical testing, and research of cannabis, pursuant to the Cannabis Regulations under the *Cannabis Act*, or successor legislation, but does not include the outdoor cultivation and processing of cannabis.

**"Canopy"** means an unenclosed roof-like Structure projecting more than 0.3 m from the face of a Building but does not include awnings or Balconies.

**"Cantilever"** means a projecting architectural feature including a beam or Structure supported at only one end, but shall not include any portion of an upper Storey overhanging a lower Storey beyond the extent of the foundation.

**"Carport"** means a covered and unenclosed Structure Attached to the wall of the Main Building and used for the storage of Motor Vehicles, where the roof of said Structure shall be supported only by piers or columns so that at least 50% of its wall area adjacent to the Lot Line is unenclosed.

**"Cemetery"** means land that is set apart or used as a place for the interment of the deceased or in which human bodies have been buried and may include a crematorium, mausoleum and a columbarium.

**"Chicken Coop"** means an Accessory Building or Structure, or any part thereof, that is fixed to the ground and is used for the permanent or temporary keeping and raising of a Chicken Hen and shall include any wholly or partially enclosed cage or run.

**"Chicken Hen"** means a domesticated female chicken that is at least four months old.

**"Chicken Rooster"** means a domesticated male chicken.

**"Clinic"** means the Use of lands, Buildings, or Structures for the examination, diagnosis and/or treatment of outpatients by regulated health professionals as well as Accessory Uses such as associated Laboratories, facilities and equipment, drug and optical dispensing to outpatients, and the Accessory sales of medical supplies and equipment.

**"Commercial Greenhouse"** means a Building or Structure used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same Lot containing such Building or Structure, but are sold directly from such Lot at Wholesale or Retail.

**"Commercial Storage Facility"** means Premises used for the storage of goods, materials, equipment and personal belongings for gain or profit in an enclosed Building.

**"Commercial Use"** means the Use of land, Buildings or Structures for the purpose of buying, renting or selling commodities and supplying services, but does not include an Industrial Use.

**"Community Facility"** means the Use of lands and/or Buildings for recreational, institutional, social, or cultural facilities and activities for the general public, and may include a community centre, arena, library, or museum.

**"Conservation"** means the Use of land dedicated to the preservation, protection, enhancement, and stewardship of natural heritage features and its ecological functions, which may include Accessory Uses such as hazard management, Passive Recreational Uses, and associated Buildings and/or Structures.

**"Contractor's Facility"** means Premises used by a general contractor, landscaper, or any Building trade or maintenance service, for the assembly, welding, fabrication, repair or storage of Building components or for the repair, maintenance or storage of machinery, equipment and materials used in the Building trade, and includes associated Offices.

**"Convenience Store"** means a small-scale Retail Store serving a limited range of daily or convenience household necessities of the immediate area, which may include a variety of goods such groceries but does not include a drug store, video rental, or general merchandise store, with a maximum Gross Floor Area of 300 square meters.

**"Corporation"** means the Corporation of the Township of Warwick.

**"Council"** means the Council of the Corporation of the Township of Warwick.

**"County"** means the Corporation of the County of Lambton.

**"Crushing Plant"** means an industrial establishment where aggregate is processed through a crushing and sorting operation into various grades of gravel.

**"Custom Workshop"** means Premises used by a person or persons with a trade, craft or guild or other skilled labour for the repair, custom fabrication, or custom assembly of articles, items or things, and may include a machine shop, a pattern shop, a sheet metal shop, a wood working shop, a cabinetwork shop or other similar operation.

## D

**"Dangerous Goods"** means explosives, flammable or combustible liquids or gases, toxic substances, radioactive material, corrosives or any other product or substance that is considered dangerous to life when handled or transported.

**"Data Processing Establishment"** means a Building, or part thereof, used for input, processing and printing of computerized data.

**"Day Care Centre"** means the Use of Premises where temporary care, guidance, and/or supervision are provided for more than five (5) children or adults for a continuous period not exceeding twenty-four hours, as may be required to be licensed by the Province of Ontario, but which does not provide overnight accommodation for those being cared for.

**"Deck (Unenclosed)"** means an Attached or free-standing Structure not covered by a roof or walls which may include stairs but does not include a Balcony or Porch as defined herein.

**"Drive-through"** means any Premises including stacking Lanes that is used to provide products or services, either wholly or in part, through an attendant or an automated machine to patrons remaining in their vehicles, and may be the primary or Accessory Use of the site.

**"Dry Cleaning Depot"** means a Building, or part thereof for the purpose of receiving articles or goods of fabric to be subjected, off the Premises, to a process of dry cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any article or good of fabric received at such an outlet.

**"Dry Cleaning Establishment"** means a Building, or part thereof, in which the business of laundering, dry cleaning, dye drying, cleaning or pressing of articles or goods of fabric is carried on, in which only non-combustible and non-flammable solvents are used, which emits no odours, fumes, noise or vibration causing a nuisance or inconvenience within or outside the Premises, and may include a laundromat and a self-service Dry Cleaning Establishment.

**"Dwelling"** means a Building occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, containing one or more Dwelling Units, but shall not include any Hotel, Motel, Recreational Vehicle, or trailers.

- a) **"Group Home"** means a Dwelling that is licensed, approved, or funded under Federal or Provincial statute, in which three (3) to ten (10) residents (excluding staff) live as single Housekeeping Unit under responsible supervision.
- b) **"Correctional Group Home"** means a Dwelling that is licensed, approved, or funded under Federal or Provincial statute, that is maintained and operated by staff on a daily basis for individuals who have been placed on probation, released on parole, or admitted for correctional purposes, for the accommodation of not less than three (3) and not more than eight (8) residents (excluding staff), which shall not include any detention or correctional facility.
- c) **"Dwelling, Apartment"** means a residential Building containing four (4) or more Dwelling Units, not including additional residential units, which have access from a common and/or independent entrance(s) at-grade and where occupants have the right to Use common halls, stairs, elevators, and/or Yards, but does not include a boarding house.
- d) **"Dwelling, Boarding House"** means a Dwelling in which lodging with or without meals is supplied for more than four (4) people other than the owner, lessee, or tenant of the Dwelling Unit, in return for remuneration or the provision of services or both, but shall not include any other term defined in this By-law.
- e) **"Dwelling, Cluster Housing"** means a development containing two (2) or more types of Dwellings such as an Apartment Dwelling or various forms of Townhouse Dwellings on the same Lot, and may include mixed-Use Buildings

where permitted in this By-law, and where at least one Dwelling Unit does not have frontage onto a public Street.

- f) **"Dwelling, Duplex"** means a Dwelling divided horizontally into two (2) separate Dwelling Units, each of which has an independent entrance either directly from the outside or through a common entrance.
- g) **"Dwelling, Modular"** means a prefabricated Dwelling designed and constructed in accordance with the Canadian Standards Association (CSA) that is manufactured off-site and intended to be transported and assembled on-site, but shall not include a mobile home, motor home, Recreational Vehicle, or travel trailer.
- h) **"Dwelling, Mobile Home"** means a prefabricated Building designed to be made mobile (notwithstanding whether its running gear is or may be removed) and manufactured to provide cooking, eating, living, sleeping and sanitary facilities constructed to Canadian Standards Association (CSA) and which is designed to be used as a place of residence.
- i) **"Dwelling, Fourplex"** shall mean the whole of a Dwelling divided into 4 (four) separate Dwelling Units, each such Dwelling Unit having an independent entrance from outside or from a common hallway or stairway inside the Building.
- j) **"Dwelling, Single Detached"** means a Building with only one Dwelling Unit that is free-standing, separate and detached from other Buildings or Structures, but does not include a mobile home.
- k) **"Dwelling, Seasonal Farm Help"** means a Building or Structure for the temporary housing of farm employees of the principal Agricultural Use.
- l) **"Dwelling, Semi-detached"** means a Building that is divided vertically into two Dwelling Units, that share a common wall and each of which has an independent entrance from the exterior of the Dwelling.
- m) **"Short Term Vacation Rental"** means the Use of Dwelling Unit, or any part thereof, that is operating or offering a place of temporary residence, lodging or Occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period of 30 consecutive calendar days or less, throughout all or any part of a calendar year.
- n) **"Dwelling, Street Townhouse"** means a Townhouse Dwelling wherein each Dwelling Unit is located on a separate Lot.

- o) **"Dwelling, Townhouse"** means the whole of a Dwelling divided vertically into three (3) or more separate Dwelling Units, each such Dwelling Unit having an independent entrance directly from outside the Building.
- p) **"Dwelling, Triplex"** means a Building that is divided horizontally into three (3) separate Dwelling Units each of which has an independent or common entrance from the exterior of the Building.

**"Dwelling Unit"** means a place of residence containing one (1) or more Habitable Rooms, occupied as an independent and separate housekeeping establishment, in which cooking and sanitary facilities are provided separately for the exclusive Use of the unit, and which can be accessed through an independent or common entrance from the exterior of the Building, but shall not include a Hotel, Motel, motor home, Recreational Vehicle, or travel trailer.

- a) **"Dwelling Unit, Accessory"** means a Dwelling Unit that is Accessory to a non-residential Use on the Lot.
- b) **"Dwelling Unit, Additional Residential"** means a Dwelling Unit authorized by the *Planning Act* that is ancillary or subordinate to the primary Dwelling Unit on a property, and may be contained in a single-detached, semi-detached, Street townhouse, or Townhouse Dwelling or an associated Accessory Building.

## E

**"Easement"** means any right or privilege in, over, along, or under a defined area of land in which the owner of the land has granted to another party for a specific Use, right, or purpose, while retaining ownership of the said land, and is created in accordance with the *Planning Act* and legally described in a registered deed.

**"Erect"** means to build, construct, reconstruct, Alter, or relocate, and without limiting the generality of the foregoing, shall include:

- a) any preliminary operation such as excavation, filling, or draining; or,
- b) altering any Existing Building or Structure by an addition, removal, enlargement, extension or other structural change.

**"Established Building Line"** means the average distance from the Street Line of Existing Buildings on one side of one block where more than one-half of the Lots on that side of the block have been built upon.

**"Existing"** means Existing on the date of passing of this By-law.

# F

**"Farm Help Dwelling"** means a Building or Structure for the permanent housing of farm employees of the principal Agricultural Use.

**"Farm Produce Outlet"** means a Use Accessory to an Agricultural Use which consists of the storage, handling, and retail sale of agricultural products raised, grown, or processed by the property owner or an agricultural operation conducted on the farm.

**"Farm Implement Sales And Service Establishment"** means Premises where farm implements and related equipment and parts are serviced, repaired, and sold, leased, or rented.

**"Farmer's Market"** means Premises for the retail sale of primarily locally sourced agricultural, food, art, and craft products by individual vendors, including produce and value-added products, with the majority of vendors being the primary producers of the products.

**"Feed Mill"** means a mill or factory in which food for animals is manufactured and includes storage for ingredients and completed feeds as well as Accessory Office space.

**"Financial Establishment"** means Premises where money management services are provided to patrons for the depositing, lending, exchange, or investment of money.

**"Finished Grade"** means the average elevation between the highest and lowest point of the finished surface of the ground measured around the perimeter of the base of a Building or Structure exclusive of any embankment in lieu of steps.

**"Flea Market"** means the occasional or periodic market held in an open area or in a Building or Structure, where groups of individual sellers display and offer goods for sale to the public, but does not include a Garage Sale.

**"Floor Area, Gross"** means the total floor area of all Buildings and Structures on a Lot, whether located above, at, or below grade, as measured from the exterior walls or from the centre line of any common walls, but excluding Parking Areas within the Building.. Where the Floor Area is within a roofed Structure without exterior walls the Gross Floor Area shall be the area covered by the roof, or in the case of a Building other than a Dwelling,

**"Floor Area, Ground"** means the area of the First Storey of a Building or Structure as measured from the outside of the exterior walls at-grade and exclusive of any Attached Accessory Building, terrace, unenclosed sunroom, Porch, or Balcony.

**"Forestry"** means the Use of land for the management, cultivation, and maintenance of trees for the purpose of producing commercial or non-commercial wood resources.

**"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 and may include a chapel for funeral purposes.

## G

**"Garage Sale"** means an occasional sale held by the occupants of a Dwelling Unit on their own Premises, of household goods and not merchandise which was purchased for resale or obtained on consignment

**"Garden Centre And Nursery"** means the Use of land, Building, or Structure for the purpose of buying, selling, and growing trees, shrubs, flowers, and other plants for transplanting, grafting, or retail or wholesale trade, and may include the Accessory sale of soil, fertilizer, planting materials, garden equipment, and other similar materials.

**"Gas Bar"** means one or more fuel pumps for the sale of motor fuels, including propane, and related products for Motor Vehicles, together with the necessary pump islands, light standards, kiosk, concrete aprons, Canopy, storage tanks and related facilities required for the dispensing of fuel.

**"Gas Compressor Station"** means the Use of land, Buildings or Structures for the storage, regulation of flow and distribution of natural gas.

**"Gasoline Retail Facility"** means a Premises where the Retail sale of fuel, including propane, or lubricants for Motor Vehicles constitutes either the sole Use, such as a Gas Bar, or an Accessory Use, such as a Gasoline Pump Island. This definition shall not include a Motor Vehicle Service Establishment. **"Gazebo"** means an Accessory Structure that consists of a platform and roof but no walls and that is unenclosed except that a wire-mesh bug screen, benches and/or railings around its perimeter and such posts as are reasonably necessary to hold the roof Erect shall be permitted.

**"Gift Shop"** means Premises operated for the retail sale of crafts, souvenirs, gifts, ornaments, cards, confectionaries, or similar items.

**"Golf Course"** means Premises operated for the purpose of playing golf which may include a clubhouse, Restaurant, meeting rooms, banquet hall, and retail Uses Accessory to the Golf Course, but does not Miniature Golf Courses.



**"Golf Course, Miniature"** means a Use which provides facilities designed and operated primarily for what is commonly known as miniature golf but does not include a Golf Driving Tee Or Range or a Golf Course as defined herein.

**"Golf Driving Tee Or Range"** means a Use which provides facilities designed and operated primarily for the practising of golf shots but does not include Miniature Golf Courses or Golf Courses as defined herein.

**"Grain Elevator"** means Premises where farm commodities such as grain and corn are brought, stored, dried, processed, and sold, and also includes the drying, processing, and elevation for storage of farm commodities.

**"Guest Room"** means a room or suite of rooms which contain no facilities for cooking or for the installation of cooking equipment and which is used or designed for gain or profit by providing accommodation to the travelling or vacationing public.

## H

**"Habitable Room"** means any room used or intended for human habitation but does not include a bathroom, garage, hallway, Porch, unfinished Attic or unfinished Basement.

**"Height"** means the vertical distance between Finished Grade and the highest vertical point of the Building, Structure, Sign, fence, Planting Strip or other object.

**"Home Industry"** means a small-scale business activity of an industrial nature Accessory to a Dwelling Unit or Agricultural Use, but shall not include the servicing or repair of any Motor Vehicles or heavy equipment.

**"Home Occupation"** means an occupation that is operated as an Accessory Use by occupants that are residing full-time on a property, and is conducted entirely within a permitted Dwelling Unit or permitted Accessory Building, but which does not include an agricultural Home Industry.

**"Hospital"** means any institution, Building, or Premises established for the purposes of treatment of patients as defined in the *Private Hospitals Act* or in *Public Hospitals Act* but shall not include an Animal Hospital .

**"Hotel"** means a Building or group of Buildings with a minimum of four (4) Guest Rooms used to accommodate the travelling public by providing temporary sleeping accommodations that are accessed by a common corridor from the interior of the Building, with or without meals and without private cooking or housekeeping facilities, but may include Accessory Uses such as retail Uses, a Restaurant, meeting rooms, a gym, and other amenities for Use by guests.

**"Housekeeping Unit"** means a group of people under one tenancy agreement with a single payment, as opposed to a boarding, lodging, or rooming house, and no occupant has exclusive possession of any part of the unit, there are no individual leases and everyone has equal access to all areas and share areas as a in a traditional family.

## I

**"Industrial Use"** means the Use of lands, Buildings, or Structures for the purpose of manufacturing, fabrication, dismantling, recovery, processing, assembly, treatment, packaging, repairing and servicing, warehousing and distribution, which may include the incidental storage of goods and materials in conjunction with the Use, and may involve noise, vibration, or emissions provided they are in accordance with the Province's guidelines, but shall not include a Home Occupation or an agricultural Home Industry.

**"Industrial Use, Dry"** means an Industrial Use in which the operations do not require the consumption or Use of water or the discharge of industrial liquid wastes as part of the industrial process, but may include water and/or sanitary used for the personal needs of employees, and Uses ancillary to the manufacturing process such as the indirect cooling and pressure testing of equipment.

**"Industrial Use, Light"** means an Industrial Use in which:

- a) all activities are conducted within a wholly enclosed Building; and,
- b) the operations do not involve machinery that emits noxious fumes or gases; discharges effluents, contaminants, dirt, dust, or particle matters; and does not result in noise or vibration impacts.

**"Institutional Use"** means the Use of lands, Buildings, or Structures for non-commercial and non-residential purposes which may include government, educational, social, charitable, health, or religious Uses.

## K

**"Kennel"** means Premises where a minimum of four (4) domestic animals such as dogs or cats that do not include Livestock or poultry, are kept for the purposes of breeding, training, boarding, or commercial purposes.

# L

**"Laboratory"** means a Building, or part thereof, used for scientific, medical and/or research purposes.

**"Landscaped Open Space"** means the open unobstructed space on a Lot from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping, and includes any surfaced walk, patio or similar area but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, Parking Area, or any open space beneath or within a Building or Structure.

**"Lane"** means a private thoroughfare which affords only a secondary means of access for vehicular traffic to abutting Lots and which is not intended for general traffic circulation.

**"Livestock"** means farm animals kept for Use, for propagation, or intended for profit or gain, and without limiting the generality of the foregoing includes dairy and beef cattle, swine, poultry, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds and other animals as definitions in the Province's Minimum Distance Separation (MDS) Guidelines.

**"Livestock Facility"** means a barn, Building or Structure with Livestock occupied portions intended for keeping or housing of Livestock, which shall also include all Manure Storage, and manure and Anaerobic Digesters.

**"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 Motor Vehicle while loading or unloading merchandise or materials, and which abuts a Street, Lane or other appropriate means of access.

**"Long Term Care Facility"** means a facility which provides personal care, support, and services for residents in a supervised setting, as licensed by Provincial statute, and may include Accessory Uses such as common dining, kitchen, lounging, and recreational areas, and administrative and medical Offices serving residents of the facility.

**"Lot"** means a parcel or tract of land capable of being legally conveyed as a separate parcel pursuant to the provisions of the *Planning Act*, as amended, but shall not include a right-of-way, Easement, or reserve.

- a) **"Lot, Corner"** means mean a Lot situated at the intersection of two Streets where the angle of intersection is not more than one hundred and thirty-five (135) degrees.

- b) **"Lot, Interior"** means a Lot situated between adjacent Lots and having access to one Street.
- c) **"Lot, Through"** means a Lot bounded on two opposite sides by Streets, provided however, that if any Lot qualifies as being both a Corner Lot and a Through Lot as defined herein, such Lot shall be deemed a Corner Lot for the purpose of this By-law.

**"Lot Area"** means the total horizontal area within the Lot Lines of a Lot.

**"Lot Coverage"** means the percentage of the Lot Area, covered by all Buildings and Structures above grade, and shall not include Balconies, Canopies, overhanging eaves, uncovered decks, patios, or swimming pools.

**"Lot Depth"** means the horizontal distance between the front and Rear Lot Lines, but where these Lot Lines are not parallel, the Lot Depth shall be the length of a line joining the mid points of the front and Rear Lot Lines; and where there is no Rear Lot Line, the Lot Depth shall be measured from the midpoint of the Front Lot Line to the converging point of the Side Lot Lines.

**"Lot Frontage"** means the horizontal distance between the Side Lot Lines, such distance being measured as:

- a) where the Side Lot Lines are parallel, the distance between the Side Lot Lines measured at right angles; or,
- b) where the Side Lot Lines are not parallel, the length of a line drawn between the Side Lot Lines parallel to the Front Lot Line at the minimum required Front Yard Setback; or,
- c) where the Side Lot Lines are not parallel and where the Front Lot Line is curved, the length of a line drawn between the Side Lot Lines back from and parallel to the chord of the Lot Frontage at the minimum required Front Yard Setback. The chord of the Lot Frontage is a straight line joining the two points where the Side Lot Lines intersect the Front Lot Line.

**"Lot Line"** means any boundary of a Lot.

- a) **"Lot Line, Front"** means in the case of:
  - i) an Interior Lot, the line dividing the Lot from the Street;
  - ii) a Corner Lot, the shorter Lot Line abutting a Street shall be deemed the Front Lot Line and the longer Lot Line abutting a Street shall be deemed the Exterior Side Lot Line; or,

- iii) a Through Lot or a Corner Lot whose exterior Lot Lines are the same length, the Lot Line where the principal access to the Lot is provided shall be deemed to be the Front Lot Line.
- b) **"Lot Line, Rear"** means in the case of:
  - i) a Lot having four or more Lot Lines, the Lot Line farthest from and opposite to the Front Lot Line; or,
  - ii) a Lot having less than four Lot Lines, the point of intersection of the Side Lot Lines.
- c) **"Lot Line, Side"** means a Lot Line other than a Front or Rear Lot Line, and shall include Interior Side Lot Line and Exterior Side Lot Line.
- d) **"Lot Line, Exterior Side"** - on a Corner Lot, means the longer Lot Line abutting a Street.
- e) **"Lot Line, Interior Side"** - means a Side Lot Line other than an Exterior Side Lot Line.

**"Lumber Yard"** means the Use of land, Buildings or Structures for the purpose of buying, selling and storing of wood and wood products and lumber but does not include any manufacturing or processing Uses.

## M

**"Manure Storages"** means Premises, with or without a roof or covering enclosing the surface area of the Premises, used for the storage of liquid or solid Livestock manure.

**"Marine Sales And Service Establishment "** means Premises where boats, watercraft, and related Accessories and products are sold, rented, stored, serviced, repaired, and/or cleaned.

**"Mixed Use Building"** means a Building containing residential Uses and at least one other non-residential Use, where there is a Ontario Building Code separation between the residential and non-residential elements.

**"Minimum Distance Separation"** or **"MDS"** shall mean the Setbacks that non-Agricultural Uses must meet from Livestock Facilities (MDS I) and that Livestock Facilities must meet from non-Agricultural Uses (MDS II) as required in Section 6.3.2 of this By-law and calculated in **Appendix "A"** to this By-law.

**"Mineral Aggregate Operations"** means an operation, other than a wayside pit, conducted under a license or permit under the *Aggregate Resources Act*, and associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.

**"Mobile Home Lot"** means a parcel of land within a Mobile Home Park used to accommodate one mobile home and for the exclusive Use of the lessee or tenant of such area.

**"Mobile Home Park"** means a parcel of land containing two or more Mobile Home Lots and which is under single management and ownership.

**"Mobile Home Sales Establishment"** means land, Building or Structure used for the sale and display of new Mobile Homes, modular homes, and tourist trailers and may include the servicing and repair of such Structures and vehicles, but shall not include any other Uses defined in this By-law.

**"Model Home"** means a Building which is used on a temporary basis as a sales Office and/or as an example of the type of Dwelling that will be for sale in a related development, and which is not and shall not be occupied or used for human habitation.

**"Motel "** means any Building or group of Buildings containing Guest Rooms used to accommodate the travelling public by providing temporary sleeping accommodations that are accessed from the outside, with or without meals and without private cooking or housekeeping facilities, but may include Accessory Uses such as a Restaurant and other amenities for Use by guests.

**"Motor Vehicle"** means an automobile, motorcycle, all-terrain vehicle and any other vehicle propelled or driven otherwise than by muscular power; but does not include other Motor Vehicles running only upon rails, or a farm tractor, self-propelled implement of husbandry or road-Building machine.

**"Motor Vehicle, Commercial"** means a Motor Vehicle having permanently Attached thereto a truck or delivery body, and includes ambulances, hearses, fire apparatus, catering truck, food truck, buses and tractors used for hauling purposes on the highway, but does not include a Recreational Vehicle or recreational trailer, or vehicles that are used for commercial purposes but are otherwise of a physical form that does not meet this definition.

**"Motor Vehicle Repair Establishment"** means any Premises used for the mechanical repair, replacement, servicing, polishing, and greasing of Motor Vehicles, which may include vehicular body repair, re-painting, and cleaning of the exterior and/or undercarriage of Motor Vehicle bodies, where the provision of fuels or lubricants is incidental to the principal Use, and which may include a Motor Vehicle Washing Establishment as an Accessory Use and the temporary parking of Motor Vehicles in the process of repair and Accessory Uses such as towing services.

**"Motor Vehicle Sales And Rental Establishment"** means any Premises used for the display, sale, lease, and/or rental of new and/or used Motor Vehicles, and which may include a Motor Vehicle Repair Establishment and a Motor Vehicle Washing Establishment.

**"Motor Vehicle Service Establishment"** means any Premises used for the retail sale of lubrication oils, motor fuels, electric Motor Vehicle power, Motor Vehicle Accessories, and may include servicing and minor repair essential to the operation of the establishment, and may include Accessory Uses such as retail and a Motor Vehicle Washing Establishment.

**"Motor Vehicle Washing Establishment"** means Premises used for the operation of automobile washing equipment which is automatic, semi-automatic, and/or coin operated.

**"Municipality"** means the Corporation of the Township of Warwick.

## N

**"Non-complying"** means a Permitted Use which does not comply with one or more provisions of this By-law for the Zone in which such Building or Structure is located on the date of passing of this By-law or amendments thereto.

**"Non-conforming"** means a lawfully Existing Use, Building or Structure prohibited by this By-law in the Zone in which it is situate.

## O

**"Obnoxious Use"** means a Use which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, contaminants or objectionable odours, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material, but nothing herein shall be deemed to prohibit animal waste disposed of in accordance with normal farming practices and in accordance with the requirements of the Province.

**"Occupancy"** means to reside in as owner or tenant on a permanent or temporary basis.

**"Office"** means a Building or part thereof designed, intended or used for the practice of a profession, the carrying on of a business, and/or the conduct of public administration, but shall not include a Clinic.

**"On-farm Diversified Use"** means Uses that are secondary to the principal Agricultural Use of the property is limited in area.

**"Open Storage"** means the storage of goods, equipment, and materials outside of a Building or Structure which are associated with the principal Use on the Lot, but shall not include a wrecking/salvage Yard.

**"Outdoor Display"** means an area located outside of a Building or Structure used in conjunction with a business located on the same Lot, for the orderly display of completely assembled or finished products, merchandise, or equipment for sale or rental.

## P

**"Park, Private"** means any open space or recreational area that is designed and/or maintained for active or passive recreational purposes and is not operated by a public authority.

**"Park, Public"** means any open space or recreational area owned or controlled by a public authority that is designed and/or maintained for active or passive recreational purposes, and which may include walking trails, swimming pools, athletic fields, botanical gardens, skating rinks, tennis courts, refreshment stand, or similar Uses.

**"Parking Area"** means an area or Structure provided for the parking of Motor Vehicles and includes any related Aisles, Parking Spaces or driveways, accessible to or from a Street or Lane but shall not include any part of a Street. This definition may include a Private Garage.

**"Parking Lot"** means the principal Use of a Lot for the purposes of providing public Motor Vehicle parking, whether or not for gain or profit.

**"Parking Space"** means a portion of a Parking Area, exclusive of any Aisles or driveways, which may be used for the temporary parking or storage of a Motor Vehicle, accessible from an Aisle, Street or Lane.

**"Personal Service Establishment"** means a Building, or a part thereof, in which Persons are employed in furnishing services and otherwise administering to the individual and Personal needs of Persons, and including Premises such as a barber, hairdresser, beautician, tailor, dressmaker, Laundromat, dry cleaning and laundry depot, suntanning shop and a formal rentals shop but shall not include a body massage



parlour. The sale of merchandise shall be permitted only as an Accessory Use to the Personal service provided.

**"Petroleum Well"** as defined by the *Oil, Gas and Salt Resources Act*, R.S.O. 1990, Chap. P.12, as amended, means a hole drilled into a geological formation of Cambrian or more recent age, except a hole where no oil or gas is encountered that is drilled for the production of fresh water.

**"Petroleum Work"** as defined by the *Oil, Gas and Salt Resources Act*, R.S.O. 1990, Chap. P.12, as amended, means a pipe line or a Well and every part thereof and adjunct thereto that is used in the drilling for or the production or storage of oil or gas.

**"Place Of Entertainment "** means Premises used to provide entertainment, amusement, social, and/or leisure time activities to the public, such as a Theatre, concert hall, billiard hall, indoor miniature golf, axe throwing, escape room, video game arcade, or similar type of Uses, and which may include the incidental preparation and sales of food and beverages on the Premises, but does not include gambling establishments or an adult entertainment establishment.

**"Place Of Worship"** means the Use of lands and/or Buildings for the practice of religion and faith-based spiritual purposes wherein people assemble for religious worship, faith-based teaching, fellowship and community social outreach, and may include Accessory Uses such as a place of assembly, day nursey, associated religious school, convent, parish hall and/or manse, if the manse is located on the same Lot as the Place Of Worship.

**"Planting Strip"** means an area used exclusively for landscaping and can be crossed by driveways and walkways accessing a Lot from the Street.

**"Porch"** means a covered Accessory platform Structure that is enclosed or unenclosed with direct access to the ground that is Attached to a Dwelling.

**"Portable Asphalt Or Concrete Plant"** means a Building or Structure a Building or Structure:

- a) 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; or
- b) with equipment 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,
- c) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**"Premises"** means the whole or part of lands, Buildings or Structures, or any combination of these.

**"Printing And Publishing Establishment"** means Premises used for the primary purpose of printing, engraving, lithographing, duplicating, or publishing.

**"Private Club"** means a Lot, Building, or Structure, or part thereof, used as a meeting place for athletic, social, community, or recreational functions carried out by a private organization solely for its members and their guests.

**"Private Home Day Care"** means a home-based occupation where temporary care, guidance, and/or supervision is provided for up to five children or five adults for a continuous period not exceeding twenty-four hours, but which does not provide overnight accommodation for those being cared for.

**"Private Garage"** means an Accessory Building or part of a Building which is fully enclosed and used for the parking and storage of a Motor Vehicle, commercial vehicle, and/or Recreational Vehicle, but shall not include a Carport or other open shelter.

**"Propane Transfer Facility"** means a facility for the storage or transfer of propane, but does not include the retail sale of propane to the public.

**"Public Use"** means the Use of a Lot, Building, or Structure by, or on behalf of, a public authority to provide a service to the public.

## Q

**"Quarry"** means the Use of land as licensed by the *Aggregate Resources Act*, where consolidated aggregate has been or is being removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside Quarry.

## R

**"Recreational Use"** means the Use of land for Public Parks or Private Parks, playgrounds, tennis courts, basketball courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, picnic areas, swimming pools and similar Uses, together with necessary and Accessory Buildings and Structures which may include a refreshment booth and pavilion.

**"Recreational Establishment"** means Premises operated for the purpose of indoor or outdoor physical sporting and recreational activities, such as a pool hall, bowling alley,

paintball facility, gym or fitness centre, health spa, skating rink and other similar sporting activities, but does not include any other Use otherwise classified or defined herein.

**"Recreational Use, Passive"** means Recreational Uses that have minimal impact on the natural environment and require minimum facilities, development, or alteration of the environment, including but not limited to, nature observation, walking trails, hiking, canoeing, or kayaking.

**"Recreational Vehicle"** means a Motor Vehicle designed to provide temporary living, sleeping, or eating accommodation for travel, vacation, seasonal camping, or Recreational Use and designed to be driven, towed, transported or relocated from time to time, whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA), and may also include a truck camper, tent trailer, travel trailer, fifth-wheel trailer, and park model trailer and motorized recreation equipment, including a snowmobile, and an off-road vehicle.

**"Recreational Vehicle Sales And Service Establishment"** means Premises used for the sale, display, or service of Recreational Vehicles and, notwithstanding the definition of a Recreational Vehicle, may also include the sale and service of trailers.

**"Recycling Depot"** means the Use of lands, Building, or Structure where recyclable materials are received and temporarily stored for the purpose of sorting and consolidating, and resale or delivery to another location, but does not include on-site processing.

**"Research And Development Facility "** means Premises used for the purpose of conducting scientific and technological research, experimentation, development, testing, and/or the creation of advanced technology products, services, systems, processes, and/or prototyping.

**"Restaurant"** means a Building or part thereof where food is prepared and offered for sale to the public for consumption on-site or off the Premises and may include an outdoor patio area as an Accessory Use.

**"Retail Store"** means a Building or part of a Building in which goods, wares, merchandise, substances, articles or things are offered or kept for Retail sale to the public.

**"Retail Warehouse"** means a Building or part of a Building used for the storage and display of goods, merchandise, or materials and may include the carrying out of commercial transactions involving the sale of such goods, merchandise or materials by Retail sale to the general public.

**"Retirement Home"** means Premises used for semi-independent living accommodation for primarily senior citizens containing a common dining area, and may include a common lounge, recreational room, and medical care facilities.

**"Riding Stable Or Equestrian Centre"** means Premises used for the boarding and exercising of horses, the training of horses and riders, and the staging of equestrian events, but shall not include the racing of horses.

## S

**"Sawmill"** means Premises used for processing timber into lumber and related products, which may include the operation of machinery such as saws and planers.

**"School, Commercial"** means a school operated by an individual or company for gain or profit, providing instruction or training in a specific trade, skill, vocation, service, or for general learning, such as academics, arts, Motor Vehicle driving, language, modelling, business or trade, and any other such specialized school conducted for gain.

**"School, Private"** means a school other than a Public School or Commercial School. .

**"School, Public"** means a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained by a public authority.

**"Service Shop, Heavy"** means Premises used for the servicing, repair, or renting of major construction and industrial articles, appliances, and equipment, such as but not limited to heating/cooling systems, farm equipment, power tools, mobile construction equipment, and moving equipment, and includes a service shop, light.

**"Service Shop, Light"** means Premises used for the servicing or repair of personal and/or household articles, appliances, and equipment, but shall not include operations related to Motor Vehicles and heavy equipment.

**"Service Trade"** means the Use of lands, Buildings, or Structures, or portion thereof, other than an auto-oriented Use and a contractor facility, associated with the provision of a service or trade, including a plumber's shop, roofing company, a painter's shop, a courier service, a carpenter's shop, an electrician's shop, or other similar Uses.

**"Setback"** means the minimum horizontal distance between a Lot Line and the nearest part of the foundation of any Building or Structure on the Lot or the nearest Open Storage Use on the Lot.

**"Shipping Container"** means a new or used standardized metal commercial shipping or cargo container that is fully enclosed and designed to be used interchangeably between two or more modes of transportation for the shipment of goods and material, but does not include a Motor Vehicle or trailer or a modified Shipping Container used as a structural element.

**"Shopping Centre"** means a group of Commercial Uses with at least three (3) individual business establishments designed and developed to be a single comprehensive planned development.

**"Sight Triangle"** means the triangular space formed by the Street Lines of a Corner Lot and a line drawn from a point in one Street Line to a point in the other Street Line, each such point being a minimum distance specified in **Section 3.36** of this By-law from the point of intersection of the Street Lines (measured along 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.

**"Sign"** means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a Building, Structure or Lot which directs attention to an object, product, place, activity, Person, institute, organization or business.

**"Solar Energy Facility"** means a device or structural design feature which provides for the collection, storage, and distribution of solar energy for space heating or cooling, electrical generation, or water heating.

**"Stock Yard"** means the Use of land, a Building or a Structure for the temporary containment of Livestock.

**"Storm Sewer"** means a pipe located entirely within the ground and designed, used, or intended for Use for the conveyance of precipitation.

**"Storey"** means that portion of a Building, other than an Attic or Basement included between any floor level and the floor, ceiling or roof next above it.

- a) **"Storey, First"** means the Storey that has its floor closest to the Finished Grade and its ceiling 1.8 m or more above the Finished Grade.
- b) **"Storey, One-half"** means a portion of a Building situated wholly or partly within the roof and in which there is sufficient space to provide a Height between finished floor and finished ceiling of at least 2.29 m over a floor area equal to at least 50% of the area of the floor next below.

**"Street"** means any public thoroughfare, other than a Lane, which is maintained by a public authority and shall include a Street on a registered plan of subdivision, where the Street has not yet been assumed by the Municipality but is being maintained pursuant to a subdivision agreement, or any other type of agreement, pursuant to applicable legislation.

**"Street Line"** means the limit of the Street Allowance and is the dividing line between a Lot and a Street.

**"Street, Private"** means a private right-of-way that is used by vehicles but is not owned by the Municipality or any other public authority, which includes a right-of-way maintained by a Corporation created pursuant to the provisions of the *Condominium Act*.

**"Structure"** means anything that is erected, built, or constructed of parts joined together with a fixed location on the ground, or Attached to something having a fixed location on the ground, but for the purpose this by-law, shall not include free-standing walls, fences, Signs, satellite dishes, and flag poles.

**"Surplus Farm Dwelling"** means an Existing habitable farm Dwelling that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)

**"Swimming Pool, Private"** means an in-ground or above-ground outdoor Structure which creates an artificial body of water and used for swimming or leisure activities such as wading, diving, or bathing, but shall not include stormwater management facilities or ponds.

## T

**"Theatre"** means Premises intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience, and may include Accessory Uses such as the serving of food and alcoholic beverages or an arcade.

**"Top-of-bank"** means, when used with reference to a watercourse, the highest elevation of land which ordinarily confines the waters of such watercourse when they rise out of the stream bed and/or the highest point of a stable slope associated with valley corridors containing a river or stream channel, as determined by the Conservation Authority.

**"Tourist Information Centre"** means Premises used for providing tourism or promotional information to the traveling public, including virtual information kiosks.

**"Transport Terminal "** means Premises used for storing, parking, dispatching, or loading of trucks, transport trailers, buses, and other similar commercial vehicles, and may include Accessory servicing or repair within an enclosed Building, and Accessory Uses such as a canteen, Office, and overnight accommodation facilities.

**"Truck Transport Terminal"** means a Building, Structure, or Lot used for the parking, repairing, or dispatching of Commercial Motor Vehicles or trailers (as defined by the *Highway Traffic Act*, R.S.O. 1990, Chap. H.8, as amended.).

**"Type A Land Uses"** include Industrial (excluding M4 Zones), Rural Commercial (C3 Zones) and Passive Recreation Uses and/or Zones Permitting such Uses. For the purposes of MDS I a Dwelling or up to three new non-Agricultural Lots are also Type A Land Uses. For the purposes of MDS II, Dwellings and residential Uses not recognized as residential areas in the Township Official Plan, or Cemeteries located in an Agricultural Zone are also Type A Land Uses.

**"Type B Land Uses"** include Institutional, Active Recreation and Commercial (excluding C3 Zones) Uses and/or Zones Permitting such Uses. For the purposes of MDS I, Cemeteries, a Building with three or more Dwelling Units, expansion of a settlement area, more than three new non-Agricultural Lots, Zones for residential Use, or a consent that would result in Four contiguous residential Lots are also Type B Land Uses. For the purposes of MDS II, Cemeteries not in an Agricultural Zone and areas specifically designated in the Township Official Plan as residential or settlement areas are also Type B Land Uses.

## U

**"Use"** where it appears as a noun, means the purpose for which a Lot, Building or Structure, or any combination thereof is designed, arranged, occupied or maintained. **"Uses"** shall have a corresponding meaning.

**"Utility Service Building"** means a Building used in connection with the supplying of Public Utilities including a water and sewage pumping station, a water storage reservoir, a gas regulator Building, a hydro sub-station, a telephone exchange Building or similar Buildings.

## V

**"Value-added Business"** means an Accessory Use to the primary Agricultural Use(s) on the Lot involving value-added Agricultural Uses such as processing and/or marketing of commodities and by-products of the main agricultural operations, as well as the retail sale of the value-added products produced on-site.

## W

**"Warehouse"** means a Building used for the storage and distribution of goods and equipment, and may include the wholesale of products as an Accessory Use.

**"Waste Disposal Site"** means Premises operated by a public authority or authorized by the Ministry of Environment, where residential, commercial, or industrial waste is disposed of or dumped, and includes a landfill, waste transfer station, recycling facility, processing facility, and sewage treatment plant.

**"Wayside Pit or Wayside Quarry"** means a temporary pit or Quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road Right-Of-Way.

**"Wholesale Establishment"** means Premises used for the purpose of selling goods, wares, or merchandise to retailers or other business users, including other wholesalers, or for acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or businesses, but shall not include direct wholesale or retail sales to the public. .

**"Wind Farm"** means a development of two or more Wind Turbines on one or more Lots, together with any appurtenances, electrical transmission infrastructure and Accessory facilities, intended to provide electricity off-site for sale to an electrical utility, or other intermediaries.

**"Wind Turbine"** means a Structure including a tower, nacelle, blades, internal transformers and related appurtenances which is designed to convert wind into useable energy for the purpose of inclusion into the electrical grid system or an electrical grid system operated by Ontario Power Authority.

**"Wind Turbine, Accessory"** means a Wind Turbine that produces electricity primarily for Use on the Lot on which it is located or to produce credits for Use on another Lot under the same ownership as the Wind Turbine operator. Although it may be connected to the utility grid and/or practice net metering, it does not produce electricity for sale to the utility grid.

**"Wind Turbine, Commercial"** means a Wind Turbine that produces electricity primarily for profit by sale to the utility grid.

**"Wind Turbine, Derelict"** means a Wind Turbine that is no longer operable; exhibits Signs of compromised structural integrity; has rusted, missing or damaged part; has not been operated for a period of one year or more; is no longer fit to produce electricity; or no longer meets applicable safety standards.

**"Winery"** means the Use of land, Buildings or Structures for manufacturing and sale of wines which may include tasting and dining facilities and the retail sale of related items.

**"Wrecking/Savage Yard"** means Premises where vehicles, farm implements, Building products, scrap material, and other goods which are used, worn out, cast, or discarded, are dismantled, crushed, condensed, and/or stored for the purpose of reclamation, recycling, reuse, or consignment



# Y

**"Yard"** means an open, uncovered space on a Lot appurtenant to a Building and unoccupied by Buildings or Structures, except as specifically permitted elsewhere in this by-law, and shall be determined through the Use of the minimum horizontal distance from the respective Lot Lines.

- a) **"Yard, Front "** means a Yard extending across the full width of a Lot between the Front Lot Line and the nearest Building line of any Building or Structure on the Lot, with the minimum Front Yard meaning the minimum depth of a Front Yard on a Lot between the Front Lot Line and the nearest Building line of any Main Building or Structure on the Lot.
- b) **"Yard, Rear"** means a Yard extending across the full width of a Lot between the Rear Lot Line and the nearest Building line of any Building or Structure on the Lot, with the minimum Rear Yard meaning the minimum depth of a Rear Yard on a Lot between the Rear Lot Line and the nearest Building line of any Main Building or Structure on the Lot.
- c) **"Yard, Side"** means a Yard extending from the Front Yard to the Rear Yard of a Lot between a Side Lot Line and the nearest Building line of any Building or Structure on the Lot, with the minimum Side Yard meaning the minimum width of a Side Yard on a Lot between a Side Lot Line and the nearest Building line of any Main Building or Structure on the Lot.
- d) **"Yard, Exterior Side"** means the Side Yard of a Corner Lot which extends from the Front Yard to the Rear Yard between the exterior Lot Line and the nearest Building line of any Main Building or Structure, with the minimum Exterior Side Yard meaning the minimum depth of an Exterior Side Yard on a Lot between the Exterior Side Lot Line and the nearest Building line of any Main Building or Structure on the Lot.
- e) **"Yard, Interior Side"** means a Side Yard other than an Exterior Side Yard.

# Z

**"Zone"** means a designated area of land Use shown on Schedule "A" and established and designated by this By-law for the purposes of a specific Use or Uses that are erected and maintained in accordance with the provisions of this By-law.

**"Zoning Administrator"** shall mean the officer or employee of the Municipality charged with the duty of enforcing provisions of this By-Law.

## SECTION 3 – GENERAL PROVISIONS

### 3.1 ACCESSORY BUILDINGS, STRUCTURES OR USES

#### 3.1.1 General

- a) Where this By-law provides that land may be used for a Building or Structure or may be erected or used for a purpose, that purpose shall include any Accessory Building, Structure or Use, but shall not include any of the following Uses, except as specifically permitted in this By-law;
  - i) Any occupation for gain or profit conducted within or Accessory to a Dwelling Unit; nor,
  - ii) Any Building used for human habitation, except in accordance with Section 3.14.
- b) Unless otherwise provided in this By-law, Accessory Buildings and Structures larger than the principal Building on a Lot is prohibited in all Zones.
- c) Despite any other Yard provisions of this By-law, drop awnings, flag poles, garden trellises, fences, retaining walls, legal Signs, or similar Accessory Uses and Structures shall be Permitted in any Yard provided they are placed outside of any Sight Triangle as defined in Section 3.36.

#### 3.1.2 Location of Accessory Uses, Buildings, and Structures

- a) In any Zone, the minimum distance between an Accessory Building or Structure and the principal Building(s) on a Lot shall be 1.8 m.
- b) In any Residential Zone, Accessory Buildings or Structures shall comply with the following provisions:
  - i) Except as otherwise provided for in any Residential Zone, an Accessory Building or Structure, which is not Attached to the Main Building, shall not be erected in any Yard other than the Interior Side Yard or Rear Yard.
  - ii) An Attached-Accessory Building or Structure may be erected in a Front Yard or Exterior Side Yard provided it is not located in a required Yard ~~and provided that it is constructed of the same type of material as the Main Building and is of similar design.~~
  - iii) When an Accessory Building or Structure is located in an Interior Side Yard, it shall be no closer than 1.2 m to the Interior Side Lot Line except where a mutual private garage is erected on the common Lot Line between two Lots, in which case no Interior Side Yard is required.

- iv) When an Accessory Building or Structure is located in the Rear Yard, it shall be no closer than 1.2 m to the Rear Lot Line.
- v) No Accessory Building shall be located closer to the Exterior Side Lot Line than the Exterior Side Yard Setback required for the Zone in which each Lot is located.
- vi) ~~An area of 1.2 metres which is open and unobstructed from the ground to the sky shall be maintained between a Detached Accessory Building or Structure and the Main Building on the same Lot.~~

### **3.1.3 Lot Coverage and Height**

- a) The total Lot Coverage of all Accessory Buildings and Structures on a Lot in any Residential Zone shall not exceed 10% of the Lot Area to a maximum of 115 m<sup>2</sup>.
- b) The total Lot Coverage of all Accessory Buildings and Structures on a Lot in all other Zones shall not exceed 10% of the Lot Area.
- c) In a Residential Zone, the maximum Height of any Accessory Building or Structure shall be 5.5 m.
- d) In all other Zones, the maximum Height of any Accessory Building or Structure shall be the maximum Height permitted in the applicable Zone.
- e) Except where specifically excluded by this By-law, Accessory Buildings and Structures shall be included in the calculation of Lot Coverage for the purposes of determining compliance with maximum Lot Coverage as provided in the applicable Zone.
- f) Decks (Unenclosed) and Gazebos shall not be considered as part of the Lot Coverage and shall be subject to the same Setbacks as Accessory Buildings or Structures in the Zone they are permitted, except as provided for in Section 3.31.1.

### **3.1.4 Accessory Buildings and Structures on Rural Residential Lots**

- a) On any Lot less than 2 ha in Lot Area located in the A1 or A2 Zones and containing a Dwelling, the provisions of Section 3.1.2 and 3.1.3 shall apply to any detached Building or Structure with the following modifications:
  - i) Minimum Interior Side and Rear Yard 2 m
  - ii) Maximum Permitted Height 6 m
  - iii) Maximum Ground Floor Area 190 m<sup>2</sup>

### **3.1.5 Accessory Dwelling Units in Non-Residential Buildings**

- a) Where permitted in this By-law, Accessory Dwelling Units shall be subject to the Setback requirements of the primary non-residential Building.
- b) A maximum of one Accessory Dwelling Unit shall be permitted per Lot.
- c) An Accessory Dwelling Unit shall be permitted as part of the Main Building on the Lot, provided that the Accessory Dwelling Unit shall be located either on the second Storey of the Main Building, or at the rear of such Building if the Accessory Dwelling Unit is located within the First Storey.
- d) The Accessory Dwelling Unit shall have an independent Building entrance that is separate from the Building entrance provided for the non-residential Use.
- e) The Accessory Dwelling Unit shall have a separate Parking Space in accordance with the requirements of Section 4.

### **3.1.6 Shipping Containers in ~~Agricultural~~ Non-Residential Zones (B/L 47/2018)**

- a) The permanent placement of Shipping Containers as Accessory Uses shall be permitted in the Agricultural, Commercial, and Industrial Zones provided that:
  - i) No Shipping Containers as an Accessory Use Building shall be permitted within 20 m of a residential Lot;
  - ii) No Shipping Container shall be permitted within the required Yard Setbacks for the Zone in which each Lot is located;
  - iii) The maximum number of Shipping Containers may be two (2) per Lot;
  - iv) Shipping Containers shall not be stacked;
  - v) Shall not be permitted as the sole Structure on any property;
  - vi) Shipping Containers shall be used for storage purposes only that shall not include hazardous materials and shall be Accessory to the main permitted Use on the property;
  - vii) Shall be included in all calculations for the purpose of maximum Lot Coverage;
  - viii) ~~Shall be in a condition free from rust, peeling paint and any other form of visible deterioration.~~

### **3.1.7 Shipping Containers in All Zones (B/L 47/2018)**

- a) Except as otherwise provided, Shipping Containers and the like shall not be permitted in any Zone, save and except Agricultural, Commercial, and Industrial Zones under the provisions as set out in Section 3.1.6.
- b) A Shipping Container shall be permitted in all Zones only for the purpose of facilitating the relocation of a household to or from the Lot on which the Shipping Container is placed, provided the Lot does not have a Shipping Container located thereon for more than 30 days in any period of 365 consecutive days.

## **3.2 ADDITIONAL RESIDENTIAL UNITS (ARUs)**

### **3.2.1 General**

- a) ARUs shall be permitted on residential Lots in residential areas where Zones permit single detached, semi-detached, Street townhouse, or Townhouse Dwellings.
- b) ARUs are permitted in a single-detached Dwelling, Semi-detached Dwelling, Street Townhouse Dwelling, or Townhouse Dwelling. An additional residential unit shall be permitted in an Accessory Building or Structure.
- c) Where an ARU is established on a parcel where there are municipal services, the ARU shall be connected to municipal services.
- d) In areas served with private on-site sewage systems and water, the proposed ARU must be approved under Part 8 of the Ontario Building Code before the ARU is established.
- e) ARUs in the A1 and A2 Zone are only permitted on Lots with a minimum area of 0.8 ha.
- f) The entrance to an ARU within a principal Dwelling shall be provided in accordance with the following:
  - i) The entrance shall be separate from the main entrance of the principal Dwelling, either as a separate exterior entrance located on a side wall or rear wall of the principal Dwelling, via an Attached garage, or from an indoor common vestibule within the Dwelling.
  - ii) A new entrance shall not be permitted on the same wall as the main entrance to the principal Dwelling Unit.
- g) ARUs shall be accessed from the Street via a driveway or a surface walkway providing for a minimum width of 1.2 m unobstructed path of travel.

- h) Notwithstanding the Lot Coverage requirements of each Zone, in accordance with the Ontario Regulation 299/19, a residential Lot serviced by municipal water and sewers containing an ARU is permitted to have a Lot Coverage of up to 45%.
- i) All provisions of the Ontario Fire Code, Building Code, and all other relevant municipal and provincial standards, are to be complied with for the establishment of any ARU.
- j) The ARU must be inspected by the Corporation's Building Inspector before the ARU is occupied.
- k) An ARU shall not be used as a Short-Term Vacation Rental.
- l) Where an ARU is to be developed on a parcel served with private on-site sewage systems and water, the ARU must be in the farm Building cluster.
- m) An ARU shall not be developed on any parcel, or portion thereof, that has an Environmental Protection Zone: (EP-WET, EP-WD, EP-H).
- n) Any ARU located in a primary Dwelling must have signage showing appropriate civic addressing, to the satisfaction of the Township.
- o) An ARU shall not be severed onto a separate parcel.
- p) An ARU may only be severed in an A1 or A2 Zone if severed together on the same Lot as a Surplus Farm Dwelling.
- q) In Agricultural Zones, an ARU shall be located in compliance with Section 6.3.2.1 MDS I of this By-law.
- r) An ARU shall be prohibited on or within the following:
  - i) A Plan of Condominium.
  - ii) A Mobile Home Park.
  - iii) Environmental Protection Zone or Conservation Authority regulated hazard lands.
  - iv) On a Lot that is used for a Group Home or Day Care Centre.

### **3.2.2 Number and Location of ARUs**

- a) The maximum number of ARUs on any parcel with municipal water and sewer servicing shall not exceed two (2) in total and can be in any of the following combinations:
  - i) Two (2) ARUs are Permitted within the primary Dwelling, or
  - ii) One (1) ARU is Permitted within the primary Dwelling, and One (1) ARU is Permitted in an Accessory Building that is secondary to the primary Dwelling which can be:
    - 1. Attached to or above the Accessory Building; or
    - 2. In a stand-alone Accessory Building not containing a Private Garage.
- b) The maximum number of ARUs on parcels with private servicing shall be one (1) and can be in any of the following combinations:
  - i) One (1) ARU is permitted within the primary Dwelling, or
  - ii) One (1) ARU is permitted in an Accessory Building that is secondary to the primary Dwelling which can be:
    - 1. Attached to or above the Accessory Building; or
    - 2. In a stand-alone Accessory Building not containing a private garage

### **3.2.3 Parking for ARUs**

- a) Parking requirements for an ARU shall be provided in accordance with Section 4 of this By-law.
- b) All Parking Spaces are to be located in a Front Yard, Interior Side Yard, Rear Yard or in a Private Garage. The parking provided may be tandem parking.

### **3.2.4 ARUs in an Accessory Building or Structure**

- a) Where an ARU is developed in accordance with Section 3.2, the following requirements will apply:
  - i) The Building containing the ARU shall be located in a Rear Yard.



- ii) An ARU shall not be located further than 20 m from the Primary Dwelling.
- iii) The Lot Coverage and Height of Accessory Buildings in Section 3.1.3 of this By-law will apply to the Building containing an ARU but in no case shall the ARU exceed 115 m<sup>2</sup> in size.
- iv) Notwithstanding Section 3.1.3 c) and d), the maximum Height of an ARU shall be 7 m in the A1 and A2 Zones, and 5.5 m in any Residential Zone, and in A3 and A4 Zones.
- v) The ARU must comply with Setback requirements contained in Section 3.1.2 of this By-law.
- vi) Notwithstanding the Setback requirements contained in Section 3.1.2, the Building containing the ARU shall be at least 1.5 m from an interior side or Rear Lot Line.
- vii) Notwithstanding subsection (iii) above, if the ARU is to be on the Storey above a Private Garage, the ARU must be at least 3 m from an interior side or Rear Lot Line.
- viii) A hard surfaced pathway at least 1 m wide shall be provided from the entrance of the ARU to the required parking stall, to the satisfaction of the Township.
- ix) A Sign not exceeding 0.2 m<sup>2</sup> in size and 0.5 m in Height shall be provided to direct guests to the ARU, which must display the civic address and directions to entrance of the ARU. This Sign is to the satisfaction of the Township.

### **3.3 AMENITY AREA REQUIREMENTS FOR APARTMENT DWELLINGS AND MIXED-USE BUILDINGS**

- a) Where permitted in this By-law, Apartment Dwellings and mixed-Use Buildings containing 25 units or more shall provide a minimum Amenity Area of 5 m<sup>2</sup> per Dwelling Unit.

### **3.4 BACKYARD POULTRY**

In any Residential Zone, the following provisions shall apply to the raising and keeping of Backyard Poultry:

- a) The raising and keeping of poultry shall not be permitted where the minimum Lot Area is less than 0.5 ha.

- b) The maximum number of Chicken Hens shall be subject to the following requirements:
  - i) Where the total Lot Area is 0.5 ha or less, the maximum number of domesticated birds shall be six (6).
  - ii) Where the total Lot Area is greater than 0.5 ha, the maximum number of domesticated birds shall be ten (10).
- c) Any Accessory Building or Structure, or part thereof, used as a Chicken Coop shall be subject to the Accessory Buildings and Structures requirements of this By-law in Section 3.1, with the following exception:
  - i) The maximum Height shall be 2.4 m.
  - ii) The minimum Setback to an adjacent Dwelling shall be 10 m.
- d) The raising and keeping of a Chicken Rooster shall be prohibited.
- e) The processing of Chicken Hens, including any Use defined as an Abattoir, shall be prohibited.
- f) The retail sale of any by-product of a Chicken Hen shall not be permitted, and without limiting the generality of the foregoing, this shall include the retail sale of chicken, eggs, and manure.

### **3.5 BED AND BREAKFAST ESTABLISHMENT**

Where permitted in this By-law, a bed and breakfast shall be in accordance with the following provisions:

- a) A bed and breakfast shall only be permitted in a single-detached Dwelling.
- b) A bed and breakfast shall be operated by the person or persons whose principal residence is in the single-detached Dwelling.
- c) Parking shall be provided in accordance with Section 4.
- d) A bed and breakfast shall be limited to a maximum of three (3) Guest Rooms.

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

Where any Commercial Zone or Industrial Zone fronts on a Street or road opposite to, or directly abuts any Residential Zone, Institutional, or Open Space Zone, the following provisions shall be complied with:

- a) No Loading Space shall be located in, nor open onto any Yard adjacent to a neighbouring Zone as listed above;
- b) Exterior lighting and illuminated Signs shall be so arranged as to deflect light away from the adjacent Zone;
- c) Outside/Open Storage shall be prohibited in any Front Yard or Side Yard adjacent to the neighbouring Zone. Where Permitted, the provisions of Section 3.28 shall apply.
- d) A Planting Strip shall be provided in accordance with the provisions of Section 3.32.

### **3.7 COMMERCIAL VEHICLES, RECREATIONAL VEHICLES, AND TRAILERS**

- a) The parking or storage of a commercial vehicle or Recreational Vehicle on a vacant Lot shall be prohibited.
- b) Commercial vehicles shall be subject to the following requirements:
  - i) Commercial vehicles shall only be permitted to be parked, stored, or kept in a driveway or private garage.
  - ii) Where parked in a driveway, a commercial vehicle, including any Attached equipment or Accessories, shall not exceed 2.2 m in Height and 5.6 m in length. A commercial vehicle in excess of these requirements shall only be permitted within a private garage.
- c) Recreational Vehicles, trailers, or similar vehicles shall be subject to the following requirements:
  - i) The number of Recreational Vehicles out in the open shall be one.
  - ii) Recreational Vehicles or trailers shall only be permitted to be parked, stored, or kept in a driveway, private garage, Interior Side Yard, or Rear Yard.
  - iii) Recreational Vehicles or trailers parked or stored in the Front Yard or Exterior Side Yard shall only be parked on a driveway and shall not encroach into a Sight Triangle on Corner Lots.

- iv) Recreational Vehicles shall not occupy a required Parking Space.
- v) Recreational Vehicles or trailers shall not exceed 7.5 m in length, excluding any hitch or tongue, and shall not exceed 3.4 m in Height.
- d) Commercial vehicles, Recreational Vehicles, or trailers on a Lot shall be located a minimum of 1.2 m away from a Side Lot Line and Rear Lot Line.
- e) No commercial vehicle, Recreational Vehicle, or trailer shall be used for human Occupancy within the Municipality, subject to Section 3.19 of this By-law.

### **3.8 CONSERVATION AUTHORITY REGULATED AREA**

- a) Lands within the Regulated Area as shown on Schedule “A” shall be subject to the following:
- b) Any lands located within the Regulated Area as shown on Schedule “A” shall be subject to the regulation of the applicable Conservation Authority under Section 28 of the *Conservation Authorities Act*, as amended, and Ontario Regulation 41/24 or any successors to this legislation, for any development where an application was made under the *Planning Act*, *Condominium Act*, or *Building Code Act*, as amended, any interference with wetlands, and alterations to shorelines and waterbodies.
- c) The Regulated Area may differ from those lands shown on Schedule “A” as the boundaries may be subject to change resulting from new environmental information. The final boundaries of the Regulated Area shall be determined by the Conservation Authority. If there is a conflict between the description of regulated areas in the text of the regulation and the areas as shown on the regulated area mapping on Schedule “A”, the description of areas in the regulation prevails.
- d) Development as defined in the *Conservation Authorities Act* within the Regulated Area as shown on Schedule “A” is subject to the Conservation Authority review and may require a permit pursuant to the Conservation Authority’s regulation, prior to any works taking place.
- e) The following Uses shall be prohibited in lands identified as hazard lands, as determined by the Municipality in consultation with the Conservation Authority:
  - i) Institutional Uses including Hospitals, long-term care homes, Retirement Homes, pre-schools, school nurseries, day cares and schools;
  - ii) additional residential units;

- iii) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or,
- iv) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- f) Where Buildings and Structures are permitted in areas adjacent to the river, they will be floodproofed in accordance with the Provincial Planning Statement to a minimum elevation of 178.3 m (Canadian Geodetic Datum).

### **3.9 DAY CARE CENTRE AND PRIVATE HOME DAY CARE**

- a) Where permitted in this By-law, a Day Care Centre shall be subject to the following regulations:
  - i) Access is required from a public Street.
  - ii) A Day Care Centre located shall have a minimum Lot Frontage of 15 m and minimum Lot Area of 420 m<sup>2</sup> and meet all other provisions of the Zone in which it is located.
- b) Where permitted in this By-law, a Private Home Day Care shall be subject to the provisions for Home Occupations in Section 3.38.1 of this By-law.

### **3.10 DECK (UNENCLOSED)**

A Deck (Unenclosed) shall not be considered as part of the Lot Coverage and shall be subject to the same Setbacks as Accessory Buildings or Structures in the Zone they are Permitted.

### **3.11 DRIVE-THROUGH**

Where permitted in this By-law, a Drive-through shall be provided in accordance with the following:

- a) A Drive-through shall provide a minimum number of designated stacking spaces in accordance with **Table 3-1.**

| <b><u>Table 3-1: Stacking Space Requirements</u></b>          |                                                   |
|---------------------------------------------------------------|---------------------------------------------------|
| <b>Permitted Use</b>                                          | <b>Minimum Number of Stacking Spaces Required</b> |
| <b><u>All Other Uses</u></b>                                  | <b><u>3</u></b>                                   |
| <b><u>Motor Vehicle Washing Establishment (Automated)</u></b> | <b><u>8</u></b>                                   |

**Table 3-1: Stacking Space Requirements**

| Permitted Use            | Minimum Number of Stacking Spaces Required |
|--------------------------|--------------------------------------------|
| <b><u>Restaurant</u></b> | <b><u>8</u></b>                            |

- b) A stacking space shall be a minimum of 5.5 m in length and 3 m in width.
- c) Stacking spaces shall not be included in the calculation of required parking and shall not be located within any Street, parking Aisle, Loading Space, or driveway.
- d) A stacking Lane shall not be permitted within 20 m of a Residential Zone.
- e) No part of a stacking space shall be located in the required minimum Front Yard or required minimum Exterior Side Yard.
- f) No part of a stacking Lane shall be located such that any Motor Vehicle which Uses it will block, impede, or interfere with the Use of required Parking Spaces or drive Aisles on the Lot on which the Drive-through facility is located.

### 3.12 DWELLING UNITS

#### 3.13.1 Cellar Location

~~No Dwelling Unit shall be located in a Cellar.~~

#### 3.12.2<sup>1</sup> Basement Location

A Dwelling Unit, in its entirety, may be located in a Basement, provided that:

- a) The finished floor level of such Basement is not below the level of any Sanitary Sewer or Storm Sewer serving the Building in which such Basement is located, and;
- b) There is at least one story located above such Basement containing habitable space.

### 3.13 ENVIRONMENTAL PROTECTION ZONES

No, Building or Structure shall be used or erected in any Environmental Protection Zone, except for activities that create or maintain infrastructure authorized under an environmental assessment process, or works subject to the *Drainage Act*.

### **3.13.1 Environmental Protection Wetland Zone**

Development may be Permitted on lands within 120 m of the Environmental Protection Wetland (EP-WET) Zone, subject to the execution of a site plan agreement, or other agreement, specifying development conditions and boundaries, based on an environmental impact evaluation, prepared by a qualified professional in accordance with the provisions of the Official Plan and to the satisfaction of the Municipality. The environmental impact evaluation must demonstrate that there will be no negative impact on the natural features or on the ecological functions for which the area is identified.

### **3.13.2 Environmentally Hazardous Lands**

Notwithstanding any other provisions of this By-law, no permanent Buildings or Structures shall be erected or used on lands which exhibit, or potentially exhibit, a hazardous condition as a result of their susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes, or on land where, by reasons of its low lying, marshy or unstable character, the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive.

### **3.14 FARM HELP DWELLING**

Where permitted in this By-law, a Farm Help Dwelling shall be in accordance with the following:

- a) A Farm Help Dwelling shall only be permitted as Accessory to an Agricultural Use.
- b) A Farm Help Dwelling shall not be permitted within the primary Dwelling Unit of the owner or operator of the Agricultural Use, or within the same Building or Structure used to shelter Livestock or other farm animals.
- c) The minimum floor area of a Farm Help Dwelling shall be 58 m<sup>2</sup>.
- d) The maximum floor area of a Farm Help Dwelling shall be 182 m<sup>2</sup>.
- e) Access to a Farm Help Dwelling shall be from a shared driveway.
- f) The Lot and Building requirements of the applicable Agricultural Zone shall apply.
- g) Parking shall be provided in accordance with Section 4 of this By-law.

### **3.15 GREENHOUSES**

Where permitted in this By-law, a greenhouse shall be in accordance with the following:

- a) The construction of all new greenhouse facilities and the expansion of Existing facilities must be comply with the following requirements in **Table 3-2**:

| <b>Table 3-2: Requirements for Greenhouses</b>                    |                                                  |
|-------------------------------------------------------------------|--------------------------------------------------|
| <b>REGULATION</b>                                                 | <b>REQUIREDMENT FOR GREENHOUSES</b>              |
| <u><b>Minimum Lot Area</b></u>                                    | <u><b>2 ha</b></u>                               |
| <u><b>Minimum Lot Frontage</b></u>                                | <u><b>60 m</b></u>                               |
| <u><b>Maximum Lot Coverage</b></u>                                | <u><b>80%</b></u>                                |
| <u><b>Minimum Front Yard</b></u>                                  | <u><b>15 m</b></u>                               |
| <u><b>Minimum Side Yard</b></u>                                   | <u><b>15 m</b></u>                               |
| <u><b>Minimum Rear Yard</b></u>                                   | <u><b>15 m</b></u>                               |
| <u><b>Minimum Distance of Packing and Shipping Facilities</b></u> | <u><b>15m from all Lot Lines</b></u>             |
| <u><b>Minimum Distance of Loading Areas</b></u>                   | <u><b>15 m from all Lot Lines</b></u>            |
| <u><b>Minimum Distance of Waste Storage Areas</b></u>             | <u><b>7.5 m from all Lot Lines</b></u>           |
| <u><b>Minimum Distance of Stormwater Management Ponds</b></u>     | <u><b>3 m from all Lot Lines</b></u>             |
| <u><b>Minimum Distance from Driveways</b></u>                     | <u><b>4.5 m from side and Rear Lot Lines</b></u> |

- b) All greenhouses and associated facilities shall be located a minimum distance of 300 m away from all Residential and Institutional Zones.
- c) All greenhouses and associated facilities shall be subject to site plan control.



### 3.16 GROUP HOMES

Where permitted in this By-law, a Group Home or a Correctional Group Home shall be in accordance with the following.

- a) The Group Home or Correctional Group Home shall comprise the sole Use of the Dwelling and shall not be located within an additional residential unit (ARU).
- b) A maximum of one Group Home or Correctional Group Home shall be permitted per Lot.
- c) The Group Home or Correctional Group Home shall comply with the provisions of the applicable Zone.
- d) A Dwelling or Dwelling Unit used or constructed for the purposes of a Group Home or a Correctional Group Home shall maintain the residential character of the Dwelling and be compatible with the character of the neighbourhood in which it is located.
- e) ~~The Group Home or Correctional Group Home shall be located a minimum distance of 250 m away from the other.~~
- f) The Group Home and Correctional Group Home shall be subject to Provincial approval or licensing, as may be required.
- g) Parking shall be provided in accordance with Section 4.

### 3.17 HEATING, VENTILATION, AND AIR CONDITIONING (HVAC)

- a) Ground-level HVAC equipment is only permitted in the Interior Side Yard, Exterior Side Yard, and Rear Yard.
- b) Roof-mounted HVAC equipment exceeding 2 m in Height shall be enclosed within a mechanical penthouse except where the roof-mounted HVAC equipment is Setback a minimum of 5 m from all edges of a roof.
- c) Rooftop mechanical penthouses shall not exceed 6 m in Height as measured from the roof.
- d) Rooftop mechanical penthouses shall not exceed 50% of the area of the roof.

### 3.18 HEIGHT RESTRICTIONS

The Height provisions of this By-law shall not apply to the following:

- a) an air conditioner duct;
- b) a belfry;
- c) a chimney;
- d) a church spire;
- e) a clock tower;
- f) an elevator penthouse;
- g) a farm Building;
- h) a flag pole;
- i) a Grain Elevator;
- j) a radio Antenna;
- k) a television Antenna;
- l) a farm silo;
- m) a water tower; and
- n) a Wind Turbine.

### **3.19 HUMAN OCCUPANCY OF TRUCK, BUS AND COACH BODIES OR TRAVEL TRAILERS, TRUCK CAMPERS, MOTOR HOMES OR TENTS**

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

No Recreational Vehicle, truck camper, or Motor Home shall be used for the living, sleeping or eating accommodation of Persons within any Residential Zone for a period of more than thirty (30) days in any period of ten (10) consecutive months.

### **3.20 KEEPING OF LIVESTOCK**

- a) The keeping of Livestock, notwithstanding Backyard Poultry, shall only be permitted in an Agricultural Zone and shall be prohibited within any urban residential or communally serviced residential Zone.
- b) No person shall keep Livestock on any Lot unless the Lot contains a minimum of 0.4 ha of pasture area.
- c) The keeping of Livestock shall be subject to the Township's Animal Control By-law.

### **3.21 LOT DEVELOPMENT REQUIREMENTS**

#### **3.21.1 Access and Frontage on a Public Street**

- a) No Lot shall be used and no Building on a Lot erected or used unless the Lot fronts on a public Street which is opened and maintained on a year-round basis.
- b) All Uses, Buildings or Structures shall have frontage on and access to a Street.
- c) Notwithstanding Section 3.21.1 a), a Building or Structure may be erected upon the following Lots which do not have frontage on a public Street:
  - i) Within a registered plan of subdivision in accordance with the provisions of a Subdivision Agreement in respect of such plan of subdivision even though the Streets within such plan of subdivision have not been assumed and are not being maintained by the Corporation; or,
  - ii) Within a plan of condominium on a Private Street that provides direct access to a public Street or connects to other Private Streets within the plan of condominium that provides access to a public Street.

#### **3.21.2 More Than One Use on a Lot**

When a Lot contains more than one Use, each such Use shall conform to the provisions of this By-law for such Use in the Zone where it is located.

#### **3.21.3 More Than One Zone on a Lot**

When a Lot is divided into more than one Zone, each such portion of the Lot shall be used in accordance with the provisions of this By-law for the applicable Zones. Where a portion of a Lot is Zoned Environmental Protection, such portion may be included in determining the minimum Lot Area requirements and the Environmental Protection Zone line shall not be considered a Lot Line for Setback purposes on the adjoining Zoned area provided that no Building or Structure is located on that part of the Lot Zoned Environmental Protection.

#### **3.21.4 Number of Main Buildings on a Residential Lot**

Unless otherwise stated, in a Residential 1 (R1), Residential 2 (R2) or Residential 4 (R4) Zone, no Lot that is used for residential purposes, shall be occupied by more than one (1) Main Building.

#### **3.21.5 Existing Lots**

In any Zone, where one or more Existing Lots are held in separate ownership and have insufficient Lot Area and/or Frontage, this By-law shall not prevent the Use of such Lot and the construction of any Building or Structure Permitted by this Bylaw, provided that

all other provisions of this By-law are complied with and provided that the Lot can be serviced with a potable water supply and sanitary sewerage facilities or septic system.

Notwithstanding the above clause, the erection of new Dwellings containing more than one Dwelling Unit shall comply with the Lot Area and/or frontage provisions per Dwelling Unit.

### **3.22 LOTS REDUCED BY PUBLIC ACQUISITION**

Where the area of a Lot is reduced by means of an acquisition of part of the Lot by any authority having power of expropriation, and where such acquisition causes the Lot as reduced, or any Building or Structure Existing lawfully on the Lot on the date of such acquisition, to not comply with one or more provisions of this By-law, then nothing in this By-law shall apply to prevent the continued Use of the Lot as reduced as if no such acquisition had taken place, provided that:

- a) No further change is made in the dimensions, area or any other characteristic of the Lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-compliance; and
- b) No Building or Structure or addition thereto is erected on the Lot as reduced, subsequent to the date of such acquisition, except in accordance with the provisions of this By-law.

### **3.23 MODEL HOMES**

- a) Notwithstanding any other provisions of this By-law, where a subdivision agreement or condominium plan has been registered, any Model Home(s) can be constructed on a Lot or block within a registered plan of subdivision or condominium, subject to the following restrictions:
  - i) The Use shall be permitted in the Zone in which the Dwelling is to be located;
  - ii) Each Dwelling Unit shall be used for the purpose of a Model Home only and shall not be occupied as a Dwelling Unit until Occupancy is issued by the Chief Building Official;
  - iii) A Model Home shall comply with the applicable Zone regulations and Setback requirements in which the Use is permitted
  - iv) The number of Model Homes for any registered plan shall not exceed the lesser of six (6) or 10% of the total number of registered Lots.

### **3.24 MOTOR VEHICLE SERVICE ESTABLISHMENTS**

Where permitted in this By-law, a Motor Vehicle Service Establishment, shall have a minimum Lot Frontage and minimum Lot Depth in accordance with **Table 3-3:**

**Table 3-3: Motor Vehicle Service Establishment Lot Frontage and Depth Requirements**

| Requirements                       | Interior Lot | Corner Lot  |
|------------------------------------|--------------|-------------|
| <b><u>Minimum Lot Frontage</u></b> | <u>45 m</u>  | <u>55 m</u> |
| <b><u>Minimum Lot Depth</u></b>    | <u>40 m</u>  | <u>55 m</u> |

- a) No portion of any pump island on a service station shall be located closer than six (6.0) m from the Street Line of any Street.
- b) The minimum distance from the intersection of two Street Lines to the nearest ingress or egress ramp shall not be less than nine (9.0) m, or in the case of the intersection of two arterial Streets, the minimum distance shall not be less than fifteen (15.0) m.
- c) The minimum distance from any portion of any ingress or egress ramp to any Interior Side Lot Line which abuts any other Lot shall not be less than three (3.0) m.
- d) The width of any ingress or egress ramp along any Street Line shall not be more than nine (9.0) m or less than seven and one-half (7.5) m from the property line.
- e) The minimum distance between ramps shall not be less than nine (9.0) m.
- f) The minimum interior angle of any ramp to the Street Line shall be greater than sixty degrees (60°).
- g) All parts of the ingress and egress ramps shall be maintained with a cement, or asphaltic binder or any other type of permanent surfacing to prevent the raising of dust or loose particles.
- h) Land which is not used for Buildings, ramps or paving shall be Landscaped in lawn, trees or shrubs and maintained in a healthy growing condition and neat and clean in appearance.

### **3.25 NON-COMPLYING USES**

#### **a) Re-Building or Repair Permitted**

Where in any Zone, a Non-complying Use, Building or Structure is destroyed by fire or natural disaster, such Non-complying Use, Building or Structure shall be reconstructed in compliance with this By-law. When it is not possible for legal, technical or insurance reasons to build in compliance with this By-law, such reconstruction shall comply as close as possible with the By-law unless this is also not possible for legal, technical or insurance reasons; in which case, such

Non-complying Use, Building or Structure may be reconstructed to its prior dimensions at its exact prior location.

**b) Strengthening to a Safe Condition**

Nothing in this By-law shall prevent the repair or restoration to a safe condition of any Non-complying Use, Building or Structure provided that such repair or restoration does not Further Contravene any of the provisions of this By-law or constitute a Replacement.

**c) Additions And Accessory Uses Permitted**

- i) Nothing in this By-law shall prevent an addition to a Non-complying Use, Building or Structure, provided that such addition does not Further Contravene any of the provisions of this By-law.
- ii) Nothing in this By-law shall prevent the erection or enlargement of Buildings, Structures and Uses Accessory to a Non-complying Use, Building or Structure, provided that such erection or enlargement does not Further Contravene any of the provisions of this By-law.

### **3.26 NON-CONFORMING USES**

This By-law acknowledges that Section 34(9)(a) and (b) of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended, provides that "no By-law passed under this section applies:

- a) To prevent the Use of any land, Building or Structure for any purpose prohibited by the By-law if such land, Building or Structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose; or
- b) To prevent the erection or Use for a purpose prohibited by the By-law of any Building or Structure for which a permit has been issued under Section 5 of the *Building Code Act*, R.S.O. 1990, Chap. B.13, as amended, prior to the day of the passing of the By-law, so long as the Building or Structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 8 of the *Building Code Act*, R.S.O. 1990, Chap. B.13, as amended."

Furthermore, Sections 34(10) and 45(2) of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended, contain provisions:

- c) To permit the extension or enlargement of any land, Building or Structure used for any purpose prohibited by the By-law if such land, Building or Structure continues to be used in the same manner and for the same purpose as it was used on the day such By-law was passed.

### 3.27 NON-CONFORMING USES - RESTORATION

- a) Where in any Zone, any Building or Structure exists as a legal Non-conforming land Use and the said Dwelling is destroyed by fire or natural disaster, this By-law does not prevent the reconstruction of the said Building or Structure to its prior dimensions at its exact prior location. Should the exact prior location be impossible to build upon for legal, technical or insurance reasons, then the location may be adjusted only to the extent necessary to overcome such reasons.
- b) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any Non-conforming Use, Building or Structure provided that such repair or restoration will not increase the Height, size or volume or change the Use of such Building or Structure or constitute a Replacement.

### 3.28 OPEN STORAGE

Where permitted by this By-law, Open Storage shall be provided in accordance with the following:

- a) Open Storage shall only be permitted as an Accessory Use. Without limiting the generality of the foregoing, Open Storage shall not be permitted on a vacant Lot.
- b) Open Storage shall be prohibited in the Front Yard and Exterior Side Yard.
- c) Open Storage shall only be permitted within an Interior Side Yard and Rear Yard.
- d) Open Storage shall be permitted no closer than:
  - i) 3 m to an Interior Side Lot Line and Rear Lot Line where the Lot Line abuts a Lot within a Commercial or Industrial Zone; or,
  - ii) 1 m within an Agricultural Zone, where an Interior Side Lot Line and Rear Lot Line abuts a Lot in the same Zone.
  - iii) 0 m within an Industrial Zone, where an Interior Side Lot Line or Rear Lot Line abuts a Lot in the same Zone.
- e) Open Storage shall not be permitted within any Yard abutting a Residential Zone boundary.
- f) Open Storage areas shall be in addition to and separate from any required Loading Space or parking Aisle.
- g) Where lighting facilities are provided in conjunction with Open Storage, such lighting shall be so arranged as to deflect light onto the Open Storage area and away from any adjoining properties.

- h) Open Storage areas shall be screened with an opaque fence, landscaping, or a combination of both, not less than 1.8 m in Height.
- i) Any portion of a Lot used for Open Storage in an Industrial Zone shall be enclosed by a fence in accordance with the Township's fence by-law.
- j) Any Open Storage area shall be maintained with a stable surface and treated so as to prevent the raising of dust or loose particles and drained in accordance with the requirements of the Municipality.

### **3.29 OUTDOOR DISPLAY AREA**

#### **3.29.1 General**

Where permitted in this by-law, Outdoor Display area and the associated sale of goods and materials shall be provided in accordance with the following:

- a) The Outdoor Display area is Accessory to a permitted Use on the Lot.
- b) The Outdoor Display area shall be located a minimum of 3 m away from any side or Rear Lot Line.
- c) The Outdoor Display area shall not exceed 35% of the Lot Area.
- d) The Outdoor Display area shall not be located within:
  - i) A required Yard or minimum Setback;
  - ii) A required Planting Strip;
  - iii) A required Parking Space or Loading Space;
  - iv) A driveway or stacking Lane; or,
  - v) A Sight Triangle.
- e) Where Interior Side Lot Lines or Rear Lot Lines of a Lot containing an Outdoor Display area abuts a Residential Zone, a Planting Strip shall be provided in accordance with Section 3.32.
- f) Where lighting facilities are provided in conjunction with the Outdoor Display area, such lighting shall be so arranged as to deflect the light onto the Outdoor Display area, and away from adjoining properties and Streets.
- g) The Outdoor Display area shall be surfaced and maintained with either concrete, asphalt, crushed stone and other hard surface and dust free materials, or maintained as a lawn in a healthy growing condition.



### **3.29.2 Seasonal Outdoor Display Area**

- a) Notwithstanding Section 3.29.1 d), an Outdoor Display area operated on a seasonal basis for a period not exceeding eight months during each calendar year may occupy up to 10% of the required Parking Spaces.

### **3.30 OUTDOOR PATIOS**

Where permitted in this By-law, an outdoor patio shall be provided in accordance with the following:

- a) An outdoor patio shall not be permitted in any Yard abutting a Residential Zone or a Lot used for residential purposes.
- b) The area used for an outdoor patio shall be included in the calculation of Lot Coverage.
- c) Parking for an outdoor patio shall be provided in accordance with Section 4 of this By-law.
- d) Notwithstanding Section 3.30 d), an outdoor patio that is operated on a seasonal basis for no longer than eight consecutive months within a calendar year shall not be required to provide additional parking above that required for the principal Use on the Lot.
- e) Where an outdoor patio covers a portion of the Parking Area, it shall not occupy greater than 10% of the required Parking Spaces for the Use on the Lot nor cause a deficiency in meeting the minimum required parking for the Existing Uses on the Lot or obstruct accessible Parking Spaces or required fire route access.

### **3.31 PERMITTED ENCROACHMENTS**

#### **3.31.1 Yard Encroachments Permitted**

- a) Unless otherwise specified by this By-law, every part of any Yard required by this By-law shall be open and unobstructed by any Building or Structure from the ground to the sky, provided however, those Structures listed below shall be Permitted to encroach into the Required Yards indicated for the distances specified in **Table 3-4**:

| <b>Table 3-4: Permitted Yard Encroachments</b>                                                    |                                                |                                                                                  |
|---------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------|
| <b>STRUCTURE</b>                                                                                  | <b>YARD IN WHICH ENCROACHMENT IS PERMITTED</b> | <b>MAXIMUM ENCROACHMENT PERMITTED INTO REQUIRED YARDS UNDER ZONE REGULATIONS</b> |
| <b>Sills, belt courses, cornices, eaves, gutters, chimneys or similar architectural Structure</b> | Any Yard                                       | 0.5 m                                                                            |
| <b>Outdoor heating and air conditioning unit</b>                                                  | Any Yard                                       | 1 m                                                                              |
| <b>Porches (unenclosed) excluding eaves</b>                                                       | Any Yard                                       | 2 m                                                                              |
| <b>Decks (unenclosed)</b>                                                                         | Any Yard                                       | 2 m                                                                              |
| <b>Balconies and Steps (unenclosed)</b>                                                           | Any Yard                                       | 2 m                                                                              |
| <b>Bay Windows and Awnings</b>                                                                    | Front Yard and Rear Yard                       | 1 m                                                                              |
| <b>Cantilever</b>                                                                                 | Front Yard and Rear Yard                       | 1 m                                                                              |

- b) Notwithstanding **Table 3-4**, architectural features such as sills, belt courses, cornices, eaves, gutters, and chimneys shall not be any closer than 0.3 m to any Lot Line.
- c) Notwithstanding **Table 3-4**, outdoor heating and air conditioning units shall not be any closer than 0.6 m to the interior and Rear Lot Lines, and no closer than 1.5 m to the front and exterior Lot Lines.
- d) Notwithstanding **Table 3-4**, Porches (unclosed) excluding eaves, decks (unenclosed), Balconies and steps (unenclosed), and bay windows and awnings shall not be any closer than 1.2 m to an Interior Lot Line.

- e) Notwithstanding Table 3-4, bay windows and awnings and Cantilevers shall have a maximum width of 3 m or one-third (1/3) the width of the wall from which they project, whichever is less.

### **3.31.2 Building in Built-Up Areas**

Where a Building is to be erected within a Built-Up area where there is an Established Building Line, such Building may be erected closer to the Street Line than required by this By-law provided that such Building is not erected closer to the Street Line than the Established Building Line.

### **3.31.3 Yard Depth Non-Compliance**

Where in any Zone, a Building or Structure lawfully existed on the date of passing of this By-law and is used for a Permitted Use and the Existing Building or Structure does not comply with the minimum required Yards for the Zone in which it is situated, the Existing Yards shall be deemed to be the minimum required Yards for that Building or Structure. Any expansion to the Existing Building or Structure shall comply with all provisions of this By-law.

## **3.32 PLANTING STRIPS**

A Planting Strip shall be located within the Zone and on the Lot for which it is required. It shall be planted, nurtured and maintained by the owner of the Lot on which the Planting Strip is located. ~~The responsibility of maintenance of trees and plants rests with the owner.~~

### **3.32.1 Required Location**

Where a Lot is for a non-residential purpose and:

- a) The Interior Side Lot Line or Rear Lot Line abuts any residential Use or undeveloped land in a Residential Zone; or
- b) Where such Lot is in an Industrial Zone and the Front, Side or Rear Lot Line abuts a Street Line and the opposite Street Line abuts any residential Use or undeveloped land in any Residential Zone then the land adjoining such abutting Lot Line or Street Line shall be used for no purpose other than a Planting Strip in accordance with the provisions of this subsection.

### **3.32.2 Width**

Where, in any Zone, land is required to be used for no purpose other than a Planting Strip, it shall have a minimum width of 3 m measured perpendicularly to the Lot Line adjoining such Planting Strip.

### **3.32.3 Height**

The minimum Height of a Planting Strip shall be 1 m at the time of planting.

### **3.32.4 Interruption for Driveway or Walk**

Where a driveway or walk extends through a Planting Strip it shall be permissible to interrupt the Planting Strip within 3 m of the edge of such driveway or within 1.5 m of such walk.

### **3.32.5 Landscaped Open Space**

A Planting Strip may form part of any Landscaped Open Space required by this By-law.

## **3.33 RAILWAYS**

### **3.33.1 Residential Use Setbacks**

New residential development adjacent to Existing rail lines shall have a minimum Setback of 30 m from the boundary of the railway right of way. Reductions in the required Setback shall only be permitted through the submission of a Zoning By-law Amendment Application with the provision of technical studies demonstrating that there are little to no adverse impacts. Lawfully Existing Buildings and Structures shall comply with Section 3.31.3, Yard Depth Non-Compliance.

### **3.33.2 Railway Crossings**

Where a Street crosses a railway at the same grade, no Building or Structure shall be erected closer to the point of intersection of the centre lines of both the railway and Street Right-Of-Ways than:

- a) 75 m in all Agricultural (A) Zones and Industrial (M) Zones, and;
- b) 30 m in all other Zones.

## **3.34 SEASONAL FARM HOUSING**

Where permitted in this By-law, a Seasonal Farm Help Dwelling shall be in accordance with the following:

- a) A Seasonal Farm Help Dwelling shall only be permitted as an Accessory Use to an Agricultural Use.
- b) A Seasonal Farm Help Dwelling shall not be permitted within the primary Dwelling Unit of the owner or operator of the Agricultural Use, or within the same Building or Structure used to shelter Livestock or other farm animals.
- c) Access to a Seasonal Farm Help Dwelling shall be from a shared driveway.

- d) The maximum floor area of a Seasonal Farm Help Dwelling shall be 150 m<sup>2</sup>.
- e) A mobile home or Recreational Vehicle may be used for a Seasonal Farm Help Dwelling.
- f) Seasonal Farm Help Dwellings may be contained in more than one Building. For clarity, Seasonal Farm Help Dwellings may not exceed the maximum floor area set out in Section 3.34 d).
- g) A covenant shall be registered on title that the Building will be used only for a Seasonal Farm Help Dwelling.
- h) The Use of a Seasonal Farm Help Dwelling shall not exceed ten (10) months per seasonal worker in each calendar year.
- i) Where permitted by this By-law, the Lot and Building requirements of the applicable Zone shall apply to the Seasonal Farm Help Dwelling.
- j) Parking shall be provided in accordance with Section 4 of this By-law.

### **3.35 SHORT-TERM VACATION RENTALS**

Short-term vacation rentals shall be permitted within all Zones where residential Uses are permitted, in accordance with the following:

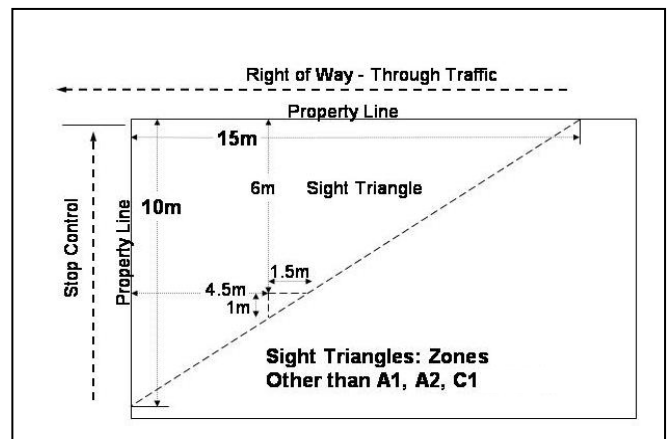
- a) A short-term vacation rental may only be located within a principal Dwelling.
- b) A maximum of one short-term vacation rental shall be permitted in one principal Dwelling per Lot.
- c) A short-term vacation rental shall not contain more than three (3) Guest Rooms. A short-term vacation rental with four (4) or more Guest Rooms may be permitted by a Site-Specific Amendment to this By-law.
- d) A short-term vacation rental shall not take place on the same Lot as a bed and breakfast.
- e) A short-term vacation rental Use shall have frontage on an arterial road or collector road and be appropriately serviced through municipal water and sewage services or private services.
- f) Where a short-term vacation rental Use abuts a Residential Zone, Planting Strips shall be provided in accordance with Section 3.32, and in accordance with the following:
  - i) A minimum 3 m wide Planting Strip adjacent to the full length of the Rear Lot Line.

- ii) A minimum 3 m wide Planting Strip adjacent to the full length of the Exterior Side Lot Line, save and except within a Sight Triangle.
- iii) A minimum 1 m wide Planting Strip adjacent to the full length of the Interior Side Lot Line.
- g) A short-term vacation rental shall be subject to a Site Plan Control Agreement pursuant to Section 41 of the *Planning Act*.
- h) Short-term vacation rentals are required to be licensed by the Municipality.
- i) Parking for the short-term vacation rental Use shall be provided in accordance with Section 4. In addition, the following parking provisions shall apply.
  - i) Tandem parking shall be permitted for Parking Spaces permitted on a private driveway.
  - ii) Parking Spaces shall not be located in the outdoor Amenity Area nor in the required Exterior Side Yard.
- j) A short-term vacation rental shall provide for a minimum on-site outdoor Amenity Area of 135 m<sup>2</sup>.
- k) Proper waste disposal facilities shall be enclosed and provided on-site.

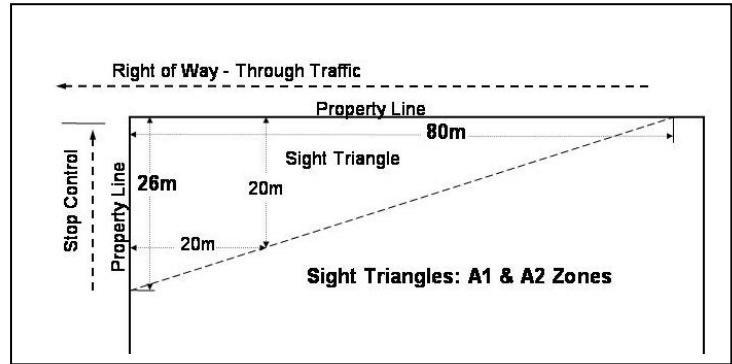
### **3.36 SIGHT TRIANGLES**

Within any area defined as a Sight Triangle, the following shall be prohibited:

- a) Any vegetation, shrubs or foliage planted or maintained higher than 1 metre above the elevation of the centre line of any adjoining Street. This requirement shall not apply to Agricultural Uses.
- b) A Finished Grade exceeding the elevation of the centre line of the Street intersection by more than 60 ~~cm~~ centimetres.
- c) Buildings, Structures, Signs or fences, the top of which exceeds the elevation of the centre line of the adjoining Streets by more than 1 metre in Height.



- d) In all Zones other than the (C1) Zone and the Agricultural (A) Zones, a Sight Triangle of 9 metres shall be required from the point of intersection of the Street Lines 15 m measured down the Street Line where traffic has the right of way and 10 m down the other Street Line shall be required. Where both or neither Street Line is a designated right of way, a 15 m by 10 m Sight Triangle shall be required along both Street Lines.



- e) In the Agricultural (A) Zones, a Sight Triangle of 75 metres shall be required from the point of intersection of the Street Lines, notwithstanding minimum Yard requirements. 80 m measured down the Street Line where traffic has the right of way and 26 m down the other Street Line shall be required. Where both or neither Street Line is a designated right of way, an 80 m by 26 m Sight Triangle shall be required along both Street Lines.
- f) The Sight Triangle shall be measured from the edge of the Street Line, where known. In all other cases, the Sight Triangle shall be measured from the property line.
- g) Any driveway.

### 3.43 SIGNS

- a) ~~Nothing in this By-law shall apply to prevent the erection, alteration or Use of any Sign, provided such Sign complies with the By-laws of the Corporation regulating Signs and provided such Sign complies with the provisions of this By-law.~~
- b) ~~Signs that are lawfully erected and maintained, directly related to, and pertinent to the function of any of the Permitted Uses of this By-law are Permitted provided that in any Residential Zone the following shall be Permitted:~~
- ~~i) One non-illuminated real estate Sign having a maximum area of 0.5 square metres advertising the sale, rental or lease of the Building, Structure or Lot upon which the Sign is displayed.~~
  - ~~ii) One non-illuminated Sign having a maximum area of 0.3 square metres displaying the name and address of a Person engaged in a Permitted Home Occupation, residing on the Lot on which the Sign is displayed.~~
  - ~~iii) One non-illuminated Sign having a maximum area of 5 square metres advertising the name and particulars of a subdivision or similar development project provided such Sign shall be removed upon completion of the project.~~

- ~~c) For any Permitted Home Occupation or Agricultural Home Industry located in an Agricultural (A) Zone, one non-illuminated Sign having a maximum area of 2 square metres displaying the name and address of a Person engaged in a Permitted Home Occupation or Agricultural Home Industry, residing on the Lot on which the Sign is displayed, shall be Permitted.~~

### **3.37 SPECIAL SETBACKS**

#### **3.37.1 Environmental Features**

No Building or Structures shall be erected, after the date of passing of this By-law closer than 15 m from any Environmental Zone.

#### **3.37.2 Ditches and Drains**

No Buildings or Structures shall be erected after the date of passing of this By-law closer than 15 m from the Top of Bank of any open drainage ditch or natural watercourse. No Building or Structure shall be erected:

- a) Closer than 9 m, measured perpendicularly, from the centre line of a Closed Municipal Drain or,
- b) Closer than 5 m measured perpendicularly, from the centre line of a Storm Sewer, sanitary sewer or water main; or,
- c) Closer than the actual depth of a Storm Sewer, sanitary sewer or water main, where such facility is located more than 5 m below grade.

#### **3.37.3 Provincial Highways**

- a) Where a Lot abuts a Provincial Highway, the following shall be located a minimum distance of 14 m away from any Lot Line abutting a Provincial Highway:
  - i) Any Building or Structure;
  - ii) Any part of the minimum required Parking Area or loading area, including any minimum required Parking Space, Loading Space, stacking space, bicycle Parking Space, and any associated Aisle or driveway;
  - iii) A required amenity space;
  - iv) A stormwater management facility.
- b) The 14 m Setback shall be Landscaped Open Space.



### 3.37.4 Through Lots and Corner Lots

Notwithstanding any other provisions of this By-law where a Lot is a Through Lot or has 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 the Lot is located.

### 3.44.4 Wind Turbines & Meteorological Masts

~~With the exception of the Setback described in Sections 3.22, the Erection of a Livestock Facility and the Erection of a Dwelling on a Lot in a Residential Zone, if there is any Setback, under Section 3.22, that a Wind Turbine or Meteorological Mast is required to meet from a Structure, Use or Zone, the establishment or expansion of any such Structure, Use or Zone shall meet the same Setback from a Meteorological Mast or a Wind Turbine, if the Wind Turbine has a rotor diameter greater than 6m.~~

## **3.38 SUPPLEMENTAL BUSINESSES TO RESIDENTIAL OR AGRICULTURAL USES**

### **3.38.1 Home Occupations**

Where permitted by this By-law, a Home Occupation shall be Accessory to the main residential Use in accordance with the following provisions:

- a) The Home Occupation shall be clearly secondary to the main residential Use, be operated and contained entirely within the Dwelling, and shall not change the residential character of the Dwelling or the Lot.
- b) The Home Occupation shall employ at least one (1) individual who resides full-time in the Dwelling Unit and shall not employ more than one (1) individual who does not reside in the Dwelling Unit.
- c) A Home Occupation may include, but is not limited, to the following Uses:
  - i) Clinic;
  - ii) Personal Service Establishment;
  - iii) Private Home Day Care; and,
  - iv) Office.
- d) No more than 1 physician, dentist or drugless practitioner shall practice in a Clinic where such Clinic constitutes a Home Occupation. Such physician, dentist or drugless practitioner shall reside in the Dwelling Unit, where such Clinic is located.

- a) A non-illuminated Sign shall be permitted having a maximum area of 0.3 m<sup>2</sup> and displaying the name of the business or person engaged in such Home Occupation on the Lot ~~in accordance with Section 3.43 of this By-law.~~
- e) Not more than 25% of the Gross Floor Area of the Dwelling shall be exclusively devoted to the Home Occupation.
- f) There shall be no Open Storage or display of materials, containers or finished products.
- g) The following Uses are prohibited as a Home Occupation:
  - i) Uses involving the storage or repair of construction equipment, welding, auto body repair, automobile maintenance, or metal fabrication;
  - ii) Retail Stores.
- h) The Home Occupation may involve the sale of goods associated with a craft that is produced in the Dwelling as an ancillary Use.
- i) The Home Occupation shall not create or become a public nuisance in regard to noise, traffic, parking or interference with radio or television reception, vibration, smoke, dust, heat, odorous material, humidity, glare, refuse or other objectionable omission.
- j) In areas served with private on-site sewage systems, the Home Occupation must be approved under Part 8 of the Ontario Building Code before the Home Occupation is established.
- k) Parking shall be provided in accordance with Section 4 of this By-law.

### **3.38.2 Rural Home Occupations**

A Home Occupation may be operated as an Accessory Use to a Dwelling on a Lot in an A1 or A2 Zone and shall comply with the regulations of Section 3.38.1, unless provided otherwise, and be subject to the following:

- a) The Use shall not change the main residential or agricultural character and Use of the Lot.
- b) The amount of floor area used by the Home Occupation shall not exceed 33% of the total finished floor area of the Dwelling Unit or 56 m<sup>2</sup>, whichever is the lesser and, outside the Dwelling, shall not exceed 93 m<sup>2</sup> in all Buildings combined.
- c) Open Storage or Outdoor Display totaling up to 93 m<sup>2</sup> shall be permitted and shall be screened from view of Streets and neighbouring Dwellings by solid
- d) fences, Buildings, or hedges.

- e) A transport truck and trailer or heavy equipment that is operated by only the Home Occupation owner may be parked on site as an Accessory Use.
- f) Instructional or educational activities for more than 4 students shall be permitted provided all fire, health, and life safety requirements have been investigated and met.
- g) One non-illuminated Sign shall be permitted having a maximum area of 2 m<sup>2</sup> and displaying the name of the business or person engaged in such Home Occupation on the Lot.

### **3.38.3 Home Industries**

Where permitted by this By-law, a Home Industry shall be in accordance with the following:

- a) A Home Industry shall include, but is not limited to, the following Uses:
  - i) Carpentry and woodworking shop;
  - ii) Custom Workshop;
  - iii) Metalworking;
  - iv) Welding;
  - v) Electrical, plumbing, and Building contractor shops.
- b) In addition to those Uses permitted under Section 3.38.3 a), where a Home Industry is Accessory to a principal Agricultural Use, the following shall also be permitted:
  - i) Repair shop for appliances and vehicles;
  - ii) Machine shop; and,
  - iii) Sawmill.
- c) A Home Industry shall be carried on entirely within an Accessory Building or Structure, in accordance with Section 3.1 of this By-law.
- d) A Home Industry shall have a maximum of three (3) employees, where at least one (1) employee shall be a resident of the principal Dwelling.
- e) A Home Industry shall have a maximum Gross Floor Area of ~~90~~115 m<sup>2</sup>.
- f) Display and retail sales shall be permitted as an Accessory Use to a Home Industry.

- g) Open Storage associated with a Home Industry shall not exceed 90 m<sup>2</sup> and shall be in accordance with Section 3.28 of this By-law.
- h) One non-illuminated Sign shall be permitted having a maximum area of 2 m<sup>2</sup> and displaying the name of the business or person engaged in such Home Industry on the Lot.
- i) A Home Industry that includes an Obnoxious Use shall be prohibited.
- j) Parking shall be provided in accordance with Section 4 of this By-law.

#### **3.38.4 On-farm Diversified Uses**

Where permitted in this By-law, On-farm Diversified Uses shall be in accordance with the following:

- a) An On-farm Diversified Use shall be located on a Lot having a minimum Lot Area of 4 ha and containing a principal Agricultural Use.
- b) The Area Of Operation for an On-farm Diversified Use shall not exceed a combined total of 1 ha or 2% of the Lot Area on which the Use is proposed, whichever is less, provided that:
  - i) The maximum Gross Floor Area of all Buildings and Structures shall be 20% of the Area Of Operation.
  - ii) In calculating the Area Of Operation, 100% of the area needed for Parking Spaces and Open Storage for the On-farm Diversified Use shall be included.
  - iii) In calculating the Area Of Operation, where an On-farm Diversified Use Uses an Existing access laneway or Parking Area, the area of the laneway or Parking Area shall not be included.
  - iv) The Area Of Operation shall be contained to one portion of the Lot.
- c) All Open Storage for an On-farm Diversified Use shall be in accordance with Section 3.28 of this By-law.
- d) Display and retail sales shall be permitted as an Accessory Use to an On-farm Diversified Use.
- e) Where an On-farm Diversified Use includes an Agri-tourism Use, provides food service, or provides overnight accommodations, it shall be subject to the Minimum Distance Separation (MDS) I Formulae per Section 6.3.2.1.

### **3.38.5 Agri-tourism Uses**

Any Agri-tourism Use shall be subject to the following provisions, in addition to the requirements of Section 3.38.4:

- a) Display and retail sales of off-farm products shall be permitted, but shall be no greater than one-third of the total Gross Floor Area of the commercial component of the Agri-tourism Use, to a maximum of 93 m<sup>2</sup>.
- b) Lands used for agriculture and simultaneously used as part of the Agri-tourism Use shall not be included in the calculation of the Area Of Operation in accordance with Section 3.38.4 b).
- c) Agri-tourism Uses greater than 93 m<sup>2</sup> in Gross Floor Area shall be subject to site plan control.

### **3.38.6 Value-added Businesses**

A Value-added Business shall be permitted as an Accessory Use to a Farm Dwelling and shall comply with the regulations of Section 3.14 and be subject to the following:

- a) Home Industries that do not make Use of a commodity produced as part of the Agricultural Use of the Lot are not Value-added Businesses.
- b) A Value-added Business may be visible from neighbouring properties and may be notable as a separate component to an Agricultural Use.
- c) A Value-added Business may result in increases in traffic volumes on Streets serving the Use.
- d) The total floor area used by a Value-added Business shall not exceed 375 m<sup>2</sup> outside of the Dwelling and not more than 33% of the Dwelling's finished floor area.
- e) Open Storage of up to 190 m<sup>2</sup> shall be Permitted.
- f) The retail sale of products produced on-site permitted.
- g) A Value-added Business may employ up to 10 Persons not residing on the Lot.
- h) A maximum of 2 delivery vehicles required for delivering finished product may be kept on site.
- i) One non-illuminated Sign shall be Permitted having a maximum area of 2 m<sup>2</sup> and displaying the name of the business or Person engaged in such business on the Lot.

### **3.39 SWIMMING POOLS IN RESIDENTIAL ZONES**

- a) In a residential Zone, a swimming pool shall be permitted as an Accessory Use to any permitted residential Use.
- b) A swimming pool shall not be permitted in the minimum required Front Yard or Exterior Side Yard.
- c) A swimming pool shall not be considered as part of the Lot Coverage.
- d) A swimming pool shall be subject to the same Setbacks as Accessory Buildings and Structures per Section 3.1 of this By-law.
- e) Fences surrounding Private Swimming Pools shall comply with the by-laws of the Municipality regulating pools.

### **3.40 TEMPORARY SALE EVENTS**

Notwithstanding any other provisions of this By-law, the temporary sale and/or display of goods or commodities shall be permitted in any Zone in accordance with the following:

- a) Temporary sales and/or displays such as a Garage Sale shall be permitted provided:
  - i) They are Accessory to a permitted residential Use;
  - ii) There shall be no more than three (3) such sales per calendar year;
  - iii) No such sale shall exceed three (3) consecutive days in duration; and,
  - iv) The area for the temporary sales and/or display shall not impede pedestrian or vehicular circulation.

### **3.41 USES PERMITTED IN ALL ZONES**

The following Uses are Permitted in all Zones within the Corporation:

#### **3.41.1 Public Uses**

Despite any other provisions of this By-law to the contrary, the Corporation of the Township of Warwick, the County of Lambton and any Ministry of the Government of Canada or Province of Ontario or their agents may for the purpose of the public service, Use any land or any Building or Structure in any Zone in spite of the fact that such Use of any Building or Structure does not conform with the provisions of this By-law for such Zone, which may include any Public Use, Conservation Use, or flood and erosion control. Any utility company and Ontario Hydro shall comply with the provisions of this By-law only insofar as such Uses are for administrative or Office purposes.

### **3.41.2 Utility Service Buildings and Non-Recreational Public Uses**

Utility Service Buildings and non-Recreational Public Uses exclusive of Waste Disposal Sites, incinerators and works Yards are Permitted in all Zones. Where such Use is located in any Residential Zone:

- a) it shall comply with the provisions for such Zone;
- b) there shall be no Open Storage; and
- c) any Buildings or Structures erected or used shall be designed, maintained and used in a manner compatible with Residential Buildings of the type Permitted in said Zone.

### **3.41.3 Public Recreational Uses**

Parks and Community Centres operated by or for the Township of Warwick including Uses Accessory thereto.

### **3.41.4 Construction Uses**

Temporary Buildings and Structures normal and incidental to construction shall be permitted in all Zones, such as a construction camp or other such temporary work camp, a construction Office, a tool shed, a scaffold, provided that a valid Building permit has been issued where a Building permit is required, and that these Uses shall only be permitted so long as the same are necessary for any work in progress which has been neither finished nor abandoned for a period of 60 days. Such Buildings, Uses, and Structures shall be removed within 6 months following the termination and or abandonment of the construction project.

### **3.41.5 Pipelines**

Nothing in this By-law shall prevent the Use of any land for any gas, oil, brine or other liquid or gaseous product transmission or distribution pipe line and appurtenances thereto which have been approved under the authority of the National or Ontario Energy Boards.

Any pipe line, as constructed by any distributor, producer or storage company or for any pipe line as constructed by any company under the *Ontario Energy Board Act*, as amended, shall be Permitted in any Zone provided that, where possible, such pipe lines are constructed in or upon Existing Rights-Of-Way, Easements or transmission corridors. Where possible, the pipe lines shall generally be located as follows:

- a) where the proposed pipe line runs northerly and southerly, it shall follow along Lot Lines;
- b) where the proposed pipe line runs easterly and westerly, it shall follow along Road Right of Ways.

Where forest cover is removed it shall be replaced with twice the area of forest cover that is removed.

### 3.41.6 Petroleum Well and Petroleum Work

Nothing in this By-law shall prevent the Use of any land for any Petroleum Well or Petroleum Work subject to the regulations of the *Oil, Gas and Salt Resources Act*, R.S.O. 1990, Chap. P.12, as amended, in accordance with the following:

- a) The exploration and/or production of natural gas or crude oil resources is located a minimum of 300 m from any Dwelling in any Agricultural Zone;
- b) The exploration and/or production of natural gas or crude oil resources is located a minimum of 1,000 m away from any Residential, Institutional, and Open Space Zone; and,
- c) No Building or Structure shall be erected, located, or constructed within 75 m of Existing Petroleum Wells and works, unless the wells or works have been decommissioned in accordance with the *Oil, Gas and Salt Resources Act*, R.S.O. 1990,as amended.

### 3.41.7 Wayside Pits and Quarries and Portable Asphalt Or Concrete Plants

Wayside pits and Quarries and Portable Asphalt Or Concrete Plants, used on public authority contracts shall be permitted in all Zones other than woodlot, wetland, significant natural area, and hazard Zones, except on or adjacent to an Existing built-up area.

### 3.47.8 Wind Turbines & Meteorological Masts

~~Accessory Wind Turbines shall be Permitted in all Zones, Meteorological Masts shall be Permitted in all Zones except for Residential Zones.~~

## 3.42 USES PROHIBITED IN ALL ZONES

Unless specifically Permitted in this By-law, all Uses, including but not limited to the following Uses, are specifically prohibited and shall only be Permitted by amendment to this By-law under Section 34(10), or application under Section 45, of the *Planning Act*, R.S.O. 1990, Chap. P.13, as amended.

- a) Offensive Industrial Uses, including but not limited to the rendering and processing of animal by-products, ~~the boiling of blood, tripe or soap, tanning of hides and skins and other similar Uses~~ that generate odour, noise, emissions, or waste which may be ~~declared by the local Board of Health or Council~~ deemed to be a noxious or offensive Use under applicable municipal by-laws and/or the Ministry of the Environment, Conservation and Parks (MECP) guidelines ~~trade, business or manufacture.~~



- b) The operation of year-round, privately-owned Recreational Vehicle camps or privately-owned camping grounds, but not including the operation of Mobile Home Parks as defined in this By-law.
- c) The outdoor keeping or storage of any derelict Motor Vehicle.
- d) A track for the racing or testing of automobiles, snowmobiles, motorcycles, or any motorized vehicle.
- e) Adult Live Entertainment Parlour as defined by this By-law.
- f) Any manufacturing or processing Use involving the following substances; coal, oil, rock oil, fuel oil, benzine, gasoline, dynamite, dualin, nitro-glycerine or gunpowder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gases or materials.
- g) A Derelict Wind Turbine.
- h) Production and processing of cannabis.

### **3.43 WASTE DISPOSAL SITES AND ADJACENT LAND-USES**

#### **3.43.1 General**

Waste Disposal Sites, including landfills, and land-Uses within 500 m of an active or closed Waste Disposal Site, shall be in accordance with the following:

- a) Any development, or change of Use, on or within 500 m of the Lot Line of an active or closed Waste Disposal Site, will be subject to:
  - i) consultation with the Ministry of Environment, Conservation, and Parks (MECP) before any Official Plan amendment, Zoning By-law amendment, or other Planning Act approval is adopted or granted for such lands;
  - ii) required studies undertaken by a qualified professional in accordance with MECP Guideline D-4 that evaluates the presence and impact of environmental contaminants, assesses potential risks, and identifies feasible mitigation measures, if required;
  - iii) approval from the Province for the proposed Use in accordance with Section 46 of the Environmental Protection Act.
- b) Proposals for new or expansions to Existing Waste Disposal Sites and associated facilities will require an amendment to the County's Official Plan, Township's Official Plan, and Township Zoning By-law.

### **3.43.2 Required Buffering**

- a) Waste Disposal Sites shall provide for and maintain the following permanent buffer area:
  - i) a minimum 100 m wide buffer area, adjacent to the north, west and south sides of the approved landfilling area; and,
  - ii) a minimum 30 m wide buffer area adjacent to the east side of the landfilling area
- b) The permanent buffer area may only include landscaping features, berms, fencing, woodland forest, stormwater management facilities, internal driveways, and Buildings and Structures Accessory and ancillary to the landfill operation.

### **3.44 WASTE STORAGE AREAS**

The storage of garbage, recycling, and other waste shall be in accordance with the following:

- a) Commercial and Industrial Zones, along with Zones where apartment or mixed-Use Buildings are permitted, shall provide for garbage, recycling, and other waste to be stored only in a fully enclosed waste storage area, with or without a roof, within a wholly enclosed Building, or within an in-ground refuse container.
- b) Notwithstanding Section 3.44 a), in-ground refuse containers are not required to be within a fully enclosed waste storage area or wholly enclosed within a Building.
- c) A waste storage area shall only be permitted in an Interior Side Yard or Rear Yard.
- d) A waste storage area, where required, shall be Setback a minimum of 3 m from any abutting Residential Zone or any Lot used for residential purposes and shall be subject to all other provisions for Accessory Structures.
- e) A waste storage area shall be screened from the Street by a fence and/or wall of a minimum Height equal to the Height of the waste storage area or a buffer.
- f) A waste storage area shall not be permitted within any required Planting Strip and shall not obstruct a required Parking Space, parking Aisle, stacking Lane, or driveway.
- g) The provisions of this section shall not apply to any temporary waste disposal Structure used in conjunction with a temporary construction Use.

## SECTION 4 – PARKING AND LOADING PROVISIONS

### 4.1 PARKING AREA REGULATIONS

#### 4.1.1 Requirements

The owner or occupant of every Building or Structure erected or used for any of the purposes hereinafter set forth except for Existing Buildings, Structures or Uses in the Central Commercial (C1) Zone, 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 (1) or more Parking Spaces, each such Parking Space having a minimum overhead clearance of 2 m and a minimum width and length as required in **Appendix “A”**, in accordance with the following:

| <b>Table 4-1: Minimum Parking Requirements</b>         |                                                                                                                                |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Permitted Use</b>                                   | <b>Minimum Number of Parking Spaces</b>                                                                                        |
| <b>Residential</b>                                     |                                                                                                                                |
| <b>Accessory Dwelling Unit</b>                         | 1 space per Dwelling Unit in addition to the requirements for the Existing residential Use                                     |
| <b>Additional Residential Unit</b>                     | 1 space per Dwelling Unit in addition to the requirements for the Existing residential Use                                     |
| <b>Apartment Dwelling</b>                              | 1.5 spaces per Dwelling Unit with 2 or more bedrooms<br>1 space per Dwelling Unit with 0 or 1 bedrooms                         |
| <b>Bed and Breakfast</b>                               | 1 space per Guest Room in addition to the requirements for the Existing residential Use                                        |
| <b>Boarding House</b>                                  | 1 space per Dwelling Unit, plus 1 space per Guest Room                                                                         |
| <b>Dwelling Unit Above Commercial Use</b>              | 1 space per Dwelling Unit                                                                                                      |
| <b>Group Home/Correctional Group Home</b>              | 1 space per staff member                                                                                                       |
| <b>Home Occupation</b>                                 | 1 space for any employee that is not a resident in the Dwelling Unit in addition to the required parking for the Dwelling Unit |
| <b>Mixed-Used Building</b>                             | 1 space per Dwelling Unit in addition to the requirements for other Uses in the development                                    |
| <b>Mobile Home</b>                                     | 1 space for each mobile home                                                                                                   |
| <b>Other Residential Uses Permitted by this By-law</b> | 1 space per Dwelling Unit                                                                                                      |
| <b>Retirement Home</b>                                 | 1 space per 2 rooms                                                                                                            |
| <b>Semi-detached Dwelling</b>                          | 1 space per Dwelling Unit                                                                                                      |

| <b>Table 4-1: Minimum Parking Requirements</b>         |                                                                                                                                                          |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Permitted Use</b>                                   | <b>Minimum Number of Parking Spaces</b>                                                                                                                  |
| <b>Short Term Vacation Rental</b>                      | 2 spaces per Short Term Vacation Rental unit (can be provided in tandem)                                                                                 |
| <b>Single-Detached Dwelling</b>                        | 1 space per Dwelling Unit                                                                                                                                |
| <b>Townhouse</b>                                       | 1 space per Dwelling Unit                                                                                                                                |
| <b>Triplex Dwelling</b>                                | 1 space per Dwelling Unit                                                                                                                                |
| <b>Non-Residential</b>                                 |                                                                                                                                                          |
| <b>Abattoir</b>                                        | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Agricultural Processing Establishment</b>           | 1 per 55 m <sup>2</sup> of Gross Floor Area                                                                                                              |
| <b>Agri-tourism</b>                                    | 1 per 55 m <sup>2</sup> of Gross Floor Area                                                                                                              |
| <b>Animal Hospital</b>                                 | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                                                                        |
| <b>Art Gallery</b>                                     | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                                                                        |
| <b>Assembly Hall, Community Facility, Private Club</b> | 1 Parking Space for every 8 fixed seats plus 1 Parking Space for each 18.5 m <sup>2</sup> of Gross Floor Area (excluding area occupied by fixed seating) |
| <b>Auction Establishment or Flea Market</b>            | 1 space for every 5 m <sup>2</sup> of gross floor space open to the public                                                                               |
| <b>Bakery</b>                                          | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                                                                        |
| <b>Batching Plant</b>                                  | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Building Supply Establishment</b>                   | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                                                                        |
| <b>Bulk Fuel Establishment</b>                         | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Bulk Sales Establishment</b>                        | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Campground</b>                                      | 1 space for each site plus 1 space per 100 m <sup>2</sup> of Gross Floor Area used for commercial purposes accessible by the public                      |
| <b>Cannabis Production and Processing Facility</b>     | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Cemetery</b>                                        | 2 spaces                                                                                                                                                 |
| <b>Clinic</b>                                          | 5 spaces per practitioner or 1 Parking Space per 18.5 m <sup>2</sup> of Gross Floor Area, whichever is greater                                           |
| <b>Commercial Greenhouse</b>                           | 1 per 30 m <sup>2</sup> Gross Floor Area for retail and 1 per 1000 m <sup>2</sup> Gross Floor Area of growing area                                       |
| <b>Commercial Storage Facility</b>                     | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                          |
| <b>Community Facility</b>                              | 1 space for each 37 m <sup>2</sup> of Gross Floor Area                                                                                                   |
| <b>Contractor's Facilities</b>                         | Minimum of 4 per facility or 1 per 30 m <sup>2</sup> Gross Floor Area, whichever is greater                                                              |

| <b>Table 4-1: Minimum Parking Requirements</b>                       |                                                                                                     |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <b>Permitted Use</b>                                                 | <b>Minimum Number of Parking Spaces</b>                                                             |
| <b>Convenience Store</b>                                             | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Day Care Centre</b>                                               | 1 space per staff member                                                                            |
| <b>Dry Cleaning Establishment</b>                                    | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Farm Help Dwelling/Seasonal Farm Help Dwelling</b>                | 1 space per 2 employees                                                                             |
| <b>Farm Implement Sales And Service Establishment</b>                | 1 space per 55 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Farm Produce Outlet</b>                                           | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Farmers Market</b>                                                | 1 space per vendor and 1 space per 30 m <sup>2</sup> of Gross Floor Area                            |
| <b>Financial Establishment</b>                                       | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Funeral Home</b>                                                  | 1 space per 20 m <sup>2</sup>                                                                       |
| <b>Garden Centre And Nursery</b>                                     | 1 space per 35 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Golf Course</b>                                                   | 5 spaces per hole                                                                                   |
| <b>Hospital</b>                                                      | 1 space per 4 beds or 1 space per 100 m <sup>2</sup> of Gross Floor Area, whichever is greater      |
| <b>Hotel/Motel</b>                                                   | 1 per Guest Room plus 1 per 20 m <sup>2</sup> of floor area of each refreshment room or dining room |
| <b>Industrial Use/Light Industrial Use</b>                           | 1 space for each 37 m <sup>2</sup> of Gross Floor Area                                              |
| <b>Institutional Use</b>                                             | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Kennel</b>                                                        | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Long-Term Care Home</b>                                           | 1 space per 4 beds                                                                                  |
| <b>Lumber Yard</b>                                                   | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Marine Sales And Service Establishment</b>                        | 1 space per 30 m <sup>2</sup> of Gross Floor Area plus 1 per employee                               |
| <b>Micro-brewery, Distillery, and Winery</b>                         | 1 space per 50 m <sup>2</sup> of Gross Floor Area                                                   |
| <b>Mineral Aggregate Operations</b>                                  | 1 per employee on the largest shift                                                                 |
| <b>Motor Vehicle Repair Establishment</b>                            | 3 spaces per employee                                                                               |
| <b>Motor Vehicle Sales And Rental Establishment</b>                  | 1 space per 30 m <sup>2</sup> Gross Floor Area plus 1 space per 10 Motor Vehicles on display        |
| <b>Motor Vehicle Service Establishment</b>                           | 3 spaces per service bay or 1 per 100 m <sup>2</sup> or whichever is greater                        |
| <b>Motor Vehicle Washing Establishment i) Self-Service Operation</b> | 3 spaces per wash stall                                                                             |

| <b>Table 4-1: Minimum Parking Requirements</b>                    |                                                                                                                                                                                                                     |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Permitted Use</b>                                              | <b>Minimum Number of Parking Spaces</b>                                                                                                                                                                             |
| <b>Motor Vehicle Washing Establishment ii) Conveyor Operation</b> | 5 tandem spaces per bay                                                                                                                                                                                             |
| <b>Office</b>                                                     | 1 space per 37 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>On-farm diversified</b>                                        | 1 space per 55 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Other Non-Residential Uses</b>                                 | 1 space per 30 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Outdoor Patio</b>                                              | 1 space per 30 m <sup>2</sup> of Gross Floor Area in addition to the requirements for the Use                                                                                                                       |
| <b>Personal Service Establishment</b>                             | 1 space per 37 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Place Of Entertainment</b>                                     | 1 space per 6 seats or 1 space per 10 m <sup>2</sup> of Gross Floor Area, whichever is greater                                                                                                                      |
| <b>Place Of Worship</b>                                           | 1 space per 10 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Printing And Publishing Establishment</b>                      | 1 per 200 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                        |
| <b>Private Club</b>                                               | 1 space for each 18.5 m <sup>2</sup> of Gross Floor Area                                                                                                                                                            |
| <b>Recreation Establishment</b>                                   | 1 space per 18 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Recreational Use</b>                                           | 1 space per 18 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Recycling Depot</b>                                            | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                                                                                     |
| <b>Restaurant</b>                                                 | The greater of:<br><br>a) 1 Parking Space per 14 m <sup>2</sup> of Gross Floor Area, including outdoor patio area; or<br>b) 1 Parking Space per 4 persons design capacity of the dining room and outdoor patio area |
| <b>Restaurant, Drive-through</b>                                  | 1 space per 20 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Retail Store, Service</b>                                      | 1 space per 37 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Retail Warehouse</b>                                           | 1 space per 90 m <sup>2</sup> of Gross Floor Area for the first 900 m <sup>2</sup> plus 1 Parking Space for each 180 m <sup>2</sup> of remaining Gross Floor Area                                                   |
| <b>Riding Stable Or Equestrian Centre</b>                         | 1 per 55 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                         |
| <b>School, Commercial</b>                                         | 1.5 spaces per classroom for elementary schools 5 per classroom for secondary schools                                                                                                                               |
| <b>School, Private</b>                                            | 1.5 spaces per classroom for elementary schools 5 per classroom for secondary schools                                                                                                                               |
| <b>Shopping Mall/Shopping Plaza</b>                               | 1 space per 28 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                   |
| <b>Tavern</b>                                                     | 1 space for each 5 m <sup>2</sup> of Gross Floor Area accessible to the public and devoted exclusively to such Uses, including outdoor patio area                                                                   |
| <b>Transport Terminal</b>                                         | 1 space per 100 m <sup>2</sup> of Gross Floor Area                                                                                                                                                                  |

| <b>Table 4-1: Minimum Parking Requirements</b> |                                                                                                                                                |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Permitted Use</b>                           | <b>Minimum Number of Parking Spaces</b>                                                                                                        |
| <b>Value-Added Agricultural Use</b>            | 1 per 55 m <sup>2</sup> of Gross Floor Area                                                                                                    |
| <b>Value-added Business</b>                    | 1 per 55 m <sup>2</sup> of Gross Floor Area                                                                                                    |
| <b>Warehouse/Wholesale Use</b>                 | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                |
| <b>Waste Disposal Site</b>                     | 1 space per 100 m <sup>2</sup> of Gross Floor Area or 1 per employee on the largest shift, whichever is greater                                |
| <b>Wrecking/Salvage Yard</b>                   | 1 space per 500 m <sup>2</sup> of Gross Floor Area including outdoor storage area or 1 per employee on the largest shift, whichever is greater |

- a) Parking Spaces shall be provided at the time of construction or in association with a change of Use, according to the provisions of this By-law.
- b) If calculation of the required Parking Spaces results in a fraction, the required Parking Spaces shall be the next higher whole number.

#### **4.1.2 Addition to Existing Use**

When an Existing Building or Structure has insufficient Parking Spaces at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. In the case of the expansion or enlargement of an Existing Building or Structure, the requirement for provision of additional Parking Spaces shall be based on said expansion or enlargement.

#### **4.1.3 Change of Use**

Where a change of Permitted Uses takes place in a Commercial Zone within an Existing Building or Structure no additional parking facilities shall be required provided that:

- a) No Existing Parking Spaces are lost due to the change;
- b) The proposed Use does not constitute an increase in intensity with regard to parking requirements;
- c) The previous Use was not residential;
- d) The Gross Floor Area is not increased; and
- e) No additional Residential units are created.

In the case of an increase in Gross Floor Area, the provisions of **Section 4.1.1** shall apply.

#### 4.1.4 More Than One Use On A Lot

- a) When a Building, Structure or Lot accommodates more than one type of Use the Parking Space requirement for such Building, Structure or Lot shall be the sum of the requirements for the separate Uses thereof.
- b) Notwithstanding a), for mixed Use development where more than one of the Uses listed in the table below are located on the same Lot, the minimum parking requirement may be reduced through sharing of Parking Spaces. Using the table below, the required minimum number of total Parking Spaces may be calculated as follows:
  - i) Determine the parking requirement for each Use and calculate the minimum number of Parking Spaces required for each Use;
  - ii) Multiply the required minimum number of Parking Spaces by the Occupancy rate for each Use for each time period; and
  - iii) For each time period, add the Parking Space calculations for all Uses to arrive at a cumulative total; and
  - iv) The largest cumulative total of all the Uses for any time period is the minimum number of Parking Spaces required for the Lot.

| <b>Table 4-2: Calculation of Shared Parking</b> |                               |                  |                |
|-------------------------------------------------|-------------------------------|------------------|----------------|
| <b>Type of Use</b>                              | <b>Parking Occupancy Rate</b> |                  |                |
|                                                 | <b>Morning</b>                | <b>Afternoon</b> | <b>Evening</b> |
| <b>Office</b>                                   | 100%                          | 95%              | 15%            |
| <b>Place Of Entertainment</b>                   | 70%                           | 40%              | 80%            |
| <b>Recreation Establishment</b>                 | 25%                           | 80%              | 100%           |
| <b>Restaurant</b>                               | 30%                           | 90%              | 100%           |
| <b>Retail Store, including services</b>         | 75%                           | 80%              | 75%            |

#### 4.1.5 Location

The required Parking Area shall not form a part of any Street or Lane. The required Parking Area shall be provided on the Lot occupied by the Building, Structure or Use for which said Parking Area is required, except in the case of a non-residential Use, the



required Parking Area may be provided on another Lot if such Parking Area is not more than 150 m from the Building, Structure or Use requiring the Parking Area and the Parking Spaces are available for the exclusive Use of the Building, Structure or Use, provided an agreement is registered on title of the lands used for parking committing said Parking Spaces to the related non-residential site.

#### **4.1.6 Yards Where Parking is Permitted**

Despite any 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 2m from a Front Lot Line or Exterior Side Lot Line or within a required Planting Strip and no portion of a Parking Area is located in a required Sight Triangle.

#### **4.1.7 Access To Parking**

##### **a) Location**

The minimum distance between a driveway and the intersection of Street Lines measured along the Street Line intersected by such driveway shall be 9 m. Driveways shall not be located in any Sight Triangles required.

##### **b) Width**

Access to the required Parking Spaces and Parking Areas shall be provided by means of unobstructed driveways as follows:

- i) Driveways shall be at least 3 m but not more than 9 m in width.
- ii) Notwithstanding i) driveways intersecting with County Roads shall be at least 4.6 m but not more than 9 m in width.
- iii) Notwithstanding i) and ii), for any Commercial, Industrial or Institutional Use, the permitted maximum driveway width shall be determined By Council through site plan agreement pursuant to Section 41 of the *Planning Act* R.S.O., 1990.
- iv) All driveway widths shall be measured along the Street Line.

A driveway leading to any loading area or Parking Area shall be defined by a curb of concrete or rolled asphalt and be maintained with a cement or asphaltic binder or any other permanent surfacing. This paragraph shall not apply to residential Dwellings with less than 3 Units.

##### **c) Aisles**

The minimum width of the Aisles between Parking Spaces within a Parking Area shall be as required in **Appendix "A"**.

**d) Angle of Intersection**

The minimum angle of intersection between a driveway and a Street Line shall be 60 degrees.

**e) Number of Driveways**

Every Lot shall be limited to the following number of driveways:

- i) Two driveways, with a combined width not exceeding 30% of the Lot Frontage, for the first 30 m of Lot Frontage or portion thereof;
- ii) One additional driveway for each additional 30 m of Lot Frontage; and,
- iii) Notwithstanding the above, a Corner Lot is permitted a driveway on each Street frontage.

**f) Exemption**

Agricultural properties are exempt from the requirements of Section 4.1.7.

Notwithstanding the requirements of Section 4.1.7, agricultural properties are permitted a maximum driveway width of 15 m.

Notwithstanding the above, properties Zone Agriculture that are 20 acres or greater in size shall be governed by the entrance permit by-law, as applicable.

**4.1.8 Surface**

- a) A driveway leading to any Loading Space(s) or Parking Area shall be defined by a curb of concrete or rolled asphalt and be maintained with a cement or asphaltic binder or any other stable surfacing.
- b) As a minimum, all Parking Areas shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles and shall have curb stops.
- c) Notwithstanding a) and b) for any residential Structure containing more than ten (10) Dwelling Units, or for any Mixed, Commercial, Industrial or Institutional Use, the required surface for a Parking Area shall be determined By Council through site plan agreement pursuant to Section 41 of the *Planning Act* R.S.O., 1990.

#### **4.1.9 Automobile Movement Lanes For Motor Vehicle Washing Establishment**

- a) Automatic Motor Vehicle Washing Establishments shall have on their Premises sufficient space for the storage and movement of at least 5 automobiles in advance of the 3 automobiles at the terminus of each wash line.
- b) Self-service Motor Vehicle Washing Establishments shall have on their Premises sufficient space for the storage and movement of at least 3 automobiles in advance of and 1 automobile at the terminus of each wash stall.

#### **4.1.10 Restrictions In Residential Zones**

- a) No Commercial Motor Vehicle that carries Dangerous Goods as defined in this By-law shall be parked or stored in any Residential Zone.
- b) No Commercial Motor Vehicle with a capacity for carrying a load weighing one (1) tonne (2,200 lbs. approx.) or more shall be parked or stored in any Residential Zone.
- c) The parking or storage of a boat, snowmobile, all-terrain vehicle, Travel Trailer or Motor Home is Permitted in any Residential Zone provided that none of the above are parked or stored in a Sight Triangle, a required Parking Space, a Front Yard or Exterior Side Yard. Where a boat, snowmobile, all-terrain vehicle, Travel Trailer or Motor Home is parked or stored in an Interior Side Yard or Rear Yard, it shall comply with the Setbacks imposed on Accessory Buildings and Structures as stated in Section 3.1.2 of this By-law.

#### **4.1.11 Accessible Parking Spaces**

Except for Single Detached Dwellings, Semi-detached Dwellings, Triplex Dwellings, townhouses, stacked Townhouse Dwellings, mobile homes, Accessory Dwelling Units or additional Dwelling Units, where Parking Spaces are required, parking for the Use of persons with disabilities (accessible Parking Spaces) shall be provided in accordance with this Section, subject to any provincial requirements or exceptions to the contrary.

- a) The minimum number of accessible Parking Spaces to be provided shall be calculated as follows:
  - i) One accessible Parking Space, where there are 12 Parking Spaces or fewer required;
  - ii) Four percent (4%) of the parking provided shall be accessible Parking Spaces where between 13 to 100 Parking Spaces are required;

- iii) One accessible Parking Space and an additional three percent (3%) of the parking provided shall be accessible Parking Spaces where 101 to 200 Parking Spaces are required;
  - iv) Two accessible Parking Spaces and an additional two per cent (2%) of the parking provided shall be accessible Parking Spaces where 201 to 1000 Parking Spaces are required; or
  - v) Eleven accessible Parking Spaces and an additional one per cent (1%) of the parking provided shall be accessible Parking Spaces where 1001 Parking Spaces or greater.
- b) For the purpose of calculating the required accessible Parking Spaces based on the rates above, any calculation that results in a fraction or part of a space shall be rounded up to the nearest whole number.
- c) Accessible Parking Spaces shall be provided in accordance with the following types:
- i) Type A, a wider Parking Space which has a minimum width of 3.40 m and signage that identifies the space as “van accessible”; or
  - ii) Type B, a standard Parking Space which has a minimum width of 2.40 m.
- d) Accessible Parking Spaces required shall be provided as Type A and Type B Parking Spaces as follows:
- i) At least one (1) accessible Parking Space shall be a Type A Parking Space.
  - ii) Where an even number of accessible Parking Spaces are required, an equal number of Parking Spaces that meet the requirements of a Type A Parking Space and a Type B Parking Space must be provided; or
  - iii) Where an odd number of accessible Parking Spaces are required, the number of Parking Spaces must be divided equally between Parking Spaces that meet the requirements of a Type A Parking Space and a Type B Parking Space, but the additional Parking Space, the odd-numbered space, may be a Type B Parking Space.
- e) Access Aisles, that is the space between Parking Spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all accessible Parking Spaces as follows:
- i) Have a minimum width of 1.50 m.
  - ii) Extend the full length of the Parking Space.
  - iii) Be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

- f) Access Aisles may be shared by two accessible Parking Spaces.
- g) Accessible Parking Spaces shall:
  - i) Be properly denoted by either erecting an accessible permit parking Sign or an accessible Parking Space symbol that is painted on the accessible Parking Space(s), all in accordance with the *Highway Traffic Act* and *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c.11 ("*Accessibility for Ontarians with Disabilities Act*"), where applicable;
  - ii) Be located adjacent to the barrier-free entrance(s) of each Building and connect with the barrier-free path of travel;
  - iii) Be located on the ground or main level in close proximity to an elevator or exit/entrance within a multi-Storey parking facility or a multi-Storey parking facility in association with a Use; and,
  - iv) Not conflict with designated fire routes, intersections, driveways, etc.

#### **4.1.12 Bicycle Parking Spaces**

The owner or occupant of every Building or Structure erected or used for any of the purposes hereinafter set forth except for Existing Buildings, Structures or Uses in the Central Commercial (C1) Zone, shall provide and maintain Parking Spaces for bicycles at the following rates:

- i) Commercial and Institutional Uses – 2 spaces plus 1 space per 1000 m<sup>2</sup> of Gross Floor Area.
- ii) Industrial – 2 spaces plus 0.25 spaces per 1000 m<sup>2</sup> of Gross Floor Area.
- iii) Public and Private Schools – 1 space per 10 students and 1 space per 35 employees.
- iv) Residential or mixed-Use Buildings with more than 6 Dwelling Units – 2 spaces plus 2 spaces for each additional 6 Dwelling Units.

Each bicycle Parking Space shall be 0.6 m by 1.8 m in size.

## **4.2 LOADING SPACE REGULATIONS**

### **4.2.1 Spaces Required**

The owner or occupant of any Lot, Building or Structure erected or used for any purpose, involving the receiving, shipping, loading or unloading of Persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the Premises, facilities for loading. Loading Spaces shall measure at least 9 m long, 3.5 m wide and have a vertical clearance of at least 4.5 m.

Loading Spaces shall be required in accordance with the following:

| <b>Table 4-3: Loading Space Requirements</b>                                                                            |                                                  |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| <b>GROSS FLOOR AREA OF BUILDING OR STRUCTURE</b>                                                                        | <b>MINIMUM NUMBER OF LOADING SPACES REQUIRED</b> |
| more than 280 m <sup>2</sup> to 2,800 m <sup>2</sup>                                                                    | 1                                                |
| more than 2,800 m <sup>2</sup> to 5,600 m <sup>2</sup>                                                                  | 2                                                |
| Each additional 5,600 m <sup>2</sup> of Gross Floor Area will require the addition of one additional (1) Loading Space. |                                                  |

#### **4.2.2 Addition To Existing Uses**

When an Existing Building or Structure has insufficient Loading Space at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. In the case of the expansion or enlargement of an Existing Building or Structure, the requirement for the provision of Loading Spaces shall be based on said addition.

No additional Loading Spaces shall be required where an addition does not exceed 10% of the Gross Floor Area of the Building or Structure as it existed on the date of the passing of this By-law.

#### **4.2.3 Loading Spaces Maintenance**

Adequate drainage facilities are to be provided in accordance with the requirements of the Municipality. Loading Spaces and approaches are to be maintained with a stable surface that is treated to prevent the raising of dust or loose particles.

#### **4.2.4 Location**

The required Loading Space shall be provided on the Lot occupied by the Building or Structure for which the said Loading Spaces are required and shall not form a part of any Street or Lane. Loading Spaces are to be located in the Rear Yard where a Lot has access at both the front and rear to a Street or road.

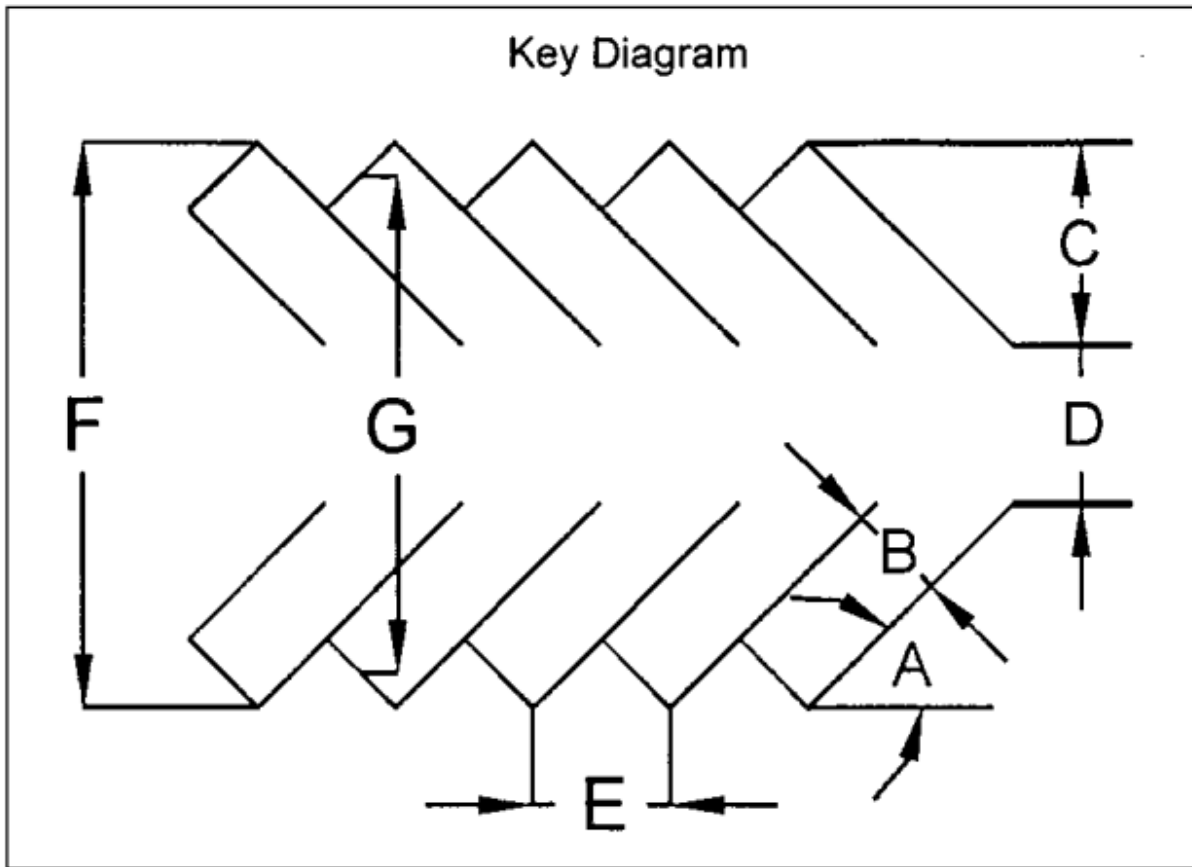
#### **4.2.5 Access**

Access to Loading Spaces shall be by means of a driveway at least 6 m wide contained within the Lot on which the spaces are located.

**Appendix A**

| <b>Parking Angle<br/>A</b> | <b>Stall Width (m)<br/>B</b> | <b>Stall to Curb (m)<br/>C</b> | <b>Aisle Width (m)<br/>D</b> | <b>Curb Length Per Car (m)<br/>E</b> | <b>Curb to Curb Width (m)<br/>F</b> | <b>Centre to Centre Width (m)<br/>G</b> |
|----------------------------|------------------------------|--------------------------------|------------------------------|--------------------------------------|-------------------------------------|-----------------------------------------|
| <b>90°</b>                 | 2.75                         | 5.5                            | 7.3                          | 2.75                                 | 18.3                                | 18.3                                    |
| <b>60°</b>                 | 2.75                         | 6.1                            | 5.0                          | 3.1                                  | 17.2                                | 15.7                                    |
| <b>45°</b>                 | 2.75                         | 5.8                            | 4.5                          | 4.0                                  | 16.1                                | 14.2                                    |
| <b>30°</b>                 | 2.75                         | 5.1                            | 4.0                          | 5.3                                  | 14.2                                | 11.9                                    |
| <b>0°<br/>(parallel)</b>   | 6.7                          | 2.75                           | 3.0                          | 6.7                                  | 9.0                                 | 9.0                                     |

Where a wall, column or other obstruction is located immediately adjacent to a Parking Space other than at the front or rear, the width of the Parking Space shall be increased by 0.3 m for each side that is obstructed. Walls, columns or other obstructions that do not exceed 1.15 m in length measured from the front or rear of a Parking Space toward the side's midpoint do not require an increase in width of a Parking Space unless they project more than 0.15 m into the width of the Parking Space.





## SECTION 5 – ZONES, ZONE SYMBOLS & ZONE MAPS

### 5.1 ESTABLISHMENT OF ZONES

For the purpose of this By-law the Township of Warwick is divided into the following defined areas herein referred to as Zones:

| <b>Table 5-1: List of Zones</b>           |                                    |               |
|-------------------------------------------|------------------------------------|---------------|
| <b>SECTION</b>                            | <b>ZONE NAME</b>                   | <b>SYMBOL</b> |
| <b>6: Agricultural Zones</b>              | Agricultural 1                     | A1            |
|                                           | Agricultural 2                     | A2            |
| <b>7: Residential Zones</b>               | Residential 1                      | R1            |
|                                           | Residential 2                      | R2            |
|                                           | Residential 3                      | R3            |
|                                           | Residential 4                      | R4            |
| <b>8: Commercial Zones</b>                | Central Commercial                 | C1            |
|                                           | Highway Commercial                 | C2            |
|                                           | Rural Commercial                   | C3            |
| <b>9: Industrial Zones</b>                | Service Centre Commercial          | C4            |
|                                           | Mixed Commercial Industrial        | CM            |
|                                           | Industrial                         | M1            |
|                                           | Light Industrial                   | M2            |
|                                           | Industrial Waste Disposal          | M3            |
|                                           | Extractive Industrial              | M4            |
|                                           | Industrial Recycling               | M5            |
| <b>10: Institutional Zone</b>             | Institutional                      | I             |
| <b>11: Open Space Zones</b>               | Open Space 1                       | OS1           |
|                                           | Open Space 2                       | OS2           |
| <b>12: Environmental Protection Zones</b> | Environmental Protection – Wetland | EP-WET        |
|                                           | Environmental Protection – Woodlot | EP-WD         |
|                                           | Environmental Protection – Hazard  | EP-H          |

### 5.2 USE OF SYMBOLS

The symbols listed in Subsection 5.1 may be used to refer to any of the Uses of land, 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 Zone

shall mean any area delineated on the Zoning Maps and designated thereon by the said symbol.

### **5.3 HOLDING (H) SYMBOL**

#### **5.3.1 The Use of the Holding (H) Symbol**

Where a holding symbol is added as a suffix to any Zone category, development within the area affected cannot proceed until the conditions specified in the provisions have been fulfilled. Council will remove the Holding Symbol once the conditions restricting development have been satisfied.

### **5.4 APPLICATION OF ZONES**

No Person shall, within any of the Zones defined in the By-law and delineated on the Zoning Maps hereto appended, Erect or use any Building or Structure, or use any land in whole or part except in such manner and for such purposes as are set forth in this By-law.

### **5.5 INCORPORATION OF ZONING MAP**

The location and boundaries of the Zones established by this By-law are shown on the Zoning Maps hereto appended as Schedules A, and Parts 1, 2, 3, and 4 to Schedule A which are hereby incorporated in and declared to form part of this By-law.

### **5.6 INTERPRETATION OF ZONING MAP**

Where uncertainty exists with respect to the boundaries of the various Zones as shown on the Zoning Maps, the following provisions shall apply:

#### **a) Street, Lane, Right-Of-Way, or Watercourse**

Unless otherwise shown, a Street, Lane, railway Right-Of-Way, electrical transmission line Right-Of-Way, creek or watercourse shall be included within the Zone of the adjoining property on either side thereof and where such Street, Lane, Right-Of-Way, creek or water course serves as a boundary between two or more different Zones, the centre line of such Street, Lane, Right-Of-Way, creek or watercourse extending in the general direction of the long dimension thereof, shall be deemed to be the boundary between Zones.

#### **b) Lot Lines**

Where any Zone boundary is not shown to be a Street, Lane, Right-Of-Way, creek or watercourse, and where the boundary approximately follows Lot Lines, such Lot Lines shall be deemed to be the Zone boundary.

**c) Closed Street, Lane or Right-Of-Way**

In the event a Street, Lane or Right-Of-Way and the limits of any portion thereof is closed, the property formerly within such Street, Lane or Right-Of-Way shall be included within the Zone adjoining the property, and where such Street, Lane, or Right-Of-Way was a Zone boundary, the new Zone boundary shall be the former centre line of the closed Street, Lane or Right-Of-Way.

**d) Conservation Authority Fill & Construction Lines**

Certain lands within the Municipality are subject to Fill, Construction and Alteration Regulations pursuant to the *Conservation Authorities Act*, R.S.O. 1990, Chap. C.27, as amended. The limits of these Conservation Authority Regulated areas are shown for informational purposes on the Schedules to this By-law. Where any Zone boundary is shown as following the limits of a Conservation Authority Regulated area, the Zone boundary shall be deemed to correspond with the limits of such Regulated area. In the event that an application is made to, and approved by, the Conservation Authority for a permit pursuant to the Fill, Construction and Alteration Regulations, the lands for which such permit is issued shall be deemed to be included within the same Zone as the adjoining non-Regulated lands.

**e) Scale From Zoning Map**

Where any Zone boundary is left uncertain after application of the provisions of Section 5.6, subsections a), b) c) and d), of this By-law, then the boundary shall be determined by scale from the zoning maps to the centre of the Zone boundary line.

**5.7 ZONE REGULATIONS**

No Person shall Erect or use any Building or Structure, or use any land or cause or permit any Building or Structure to be erected or used, or cause or permit any land to be used, in any Zone except in conformity with the regulations as set out in that Zone.

## SECTION 6 – AGRICULTURAL ZONES

### 6.1 LIST OF AGRICULTURAL ZONES

For convenience, **Table 6-1** lists the Agricultural Zones established in Section 5 of this By-law.

| <b>Table 6-1: List of Agricultural Zones</b> |                    |
|----------------------------------------------|--------------------|
| <b>Zone Name</b>                             | <b>Zone Symbol</b> |
| Agricultural 1                               | A1                 |
| Agricultural 2                               | A2                 |
| Agricultural Purposes Only                   | APO                |

### 6.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Agricultural Zones except for one or more of the following Uses:

| <b>Table 6-2: Permitted Uses in Agricultural Zones</b> |                  |                  |                           |
|--------------------------------------------------------|------------------|------------------|---------------------------|
| <b>Permitted Uses</b>                                  | <b>Zone</b>      |                  |                           |
|                                                        | <b>A1</b>        | <b>A2</b>        | <b>APO <sup>(1)</sup></b> |
| <b>AGRICULTURE AND AGRICULTURE-RELATED USES</b>        |                  |                  |                           |
| Agriculture                                            | √ <sup>(2)</sup> | √ <sup>(3)</sup> | √                         |
| <u>Agricultural Processing Establishment</u>           | √                | √                | √                         |
| <u>Animal Hospital</u>                                 | √                | √                | √                         |
| Antennae <sup>(4)</sup>                                | √                | √                | √                         |
| <u>Cemetery</u>                                        | √ <sup>(5)</sup> | √ <sup>(5)</sup> |                           |
| Commercial Greenhouse                                  | √                | √                | √                         |
| Conservation                                           | √                | √                | √                         |
| Day Care Centre                                        | √                | √                | √                         |
| Forestry                                               | √                | √                | √                         |

| <b>Table 6-2: Permitted Uses in Agricultural Zones</b>                         |       |       |                    |
|--------------------------------------------------------------------------------|-------|-------|--------------------|
| Permitted Uses                                                                 | Zone  |       |                    |
|                                                                                | A1    | A2    | APO <sup>(1)</sup> |
| <u>Feed Mill</u>                                                               | ✓     | ✓     | ✓                  |
| Garden Centre And Nursery <sup>(7)</sup>                                       | ✓     |       | ✓                  |
| Golf Courses                                                                   | ✓ (5) | ✓ (5) |                    |
| <u>Grain Dryer</u>                                                             | ✓     | ✓     | ✓                  |
| <u>Grain Elevator</u>                                                          | ✓     | ✓     | ✓                  |
| Home Occupation                                                                | ✓     | ✓     | ✓                  |
| Kennel                                                                         | ✓     |       | ✓                  |
| <u>Livestock Facility</u> <sup>(8)</sup>                                       | ✓     | ✓ (3) | ✓                  |
| <u>Manure Storage</u> <sup>(8)</sup>                                           | ✓     | ✓ (3) | ✓                  |
| <u>Petroleum Extraction</u> <sup>(6)</sup>                                     | ✓     | ✓     | ✓                  |
| <u>Riding Stable Or Equestrian Centre</u>                                      | ✓     | ✓     | ✓                  |
| <u>Value-Added Agricultural Use</u>                                            | ✓     | ✓     | ✓                  |
| <u>Value-added Business</u>                                                    | ✓     | ✓     |                    |
| <u>Value-retaining Agricultural Use</u>                                        | ✓     | ✓     | ✓                  |
| <b>ON-FARM DIVERSIFIED USES</b><br>Subject to the provisions of Section 3.38.4 |       |       |                    |
| <u>Agri-tourism Use</u>                                                        | ✓     | ✓     | ✓                  |
| <u>Farm Produce Outlet</u>                                                     | ✓     | ✓     | ✓                  |
| <u>Farmer's Market</u>                                                         | ✓     | ✓     | ✓                  |

| <b>Table 6-2: Permitted Uses in Agricultural Zones</b>                      |             |           |                           |
|-----------------------------------------------------------------------------|-------------|-----------|---------------------------|
| <b>Permitted Uses</b>                                                       | <b>Zone</b> |           |                           |
|                                                                             | <b>A1</b>   | <b>A2</b> | <b>APO <sup>(1)</sup></b> |
| <u>Ground Mounted Solar Energy Facility <sup>(9)</sup></u>                  | ✓           | ✓         | ✓                         |
| <u>Home Occupation</u>                                                      | ✓           | ✓         |                           |
| Home Industry                                                               | ✓           | ✓         |                           |
| <u>Outdoor Patio</u>                                                        | ✓           | ✓         | ✓                         |
| <u>Sawmill</u>                                                              | ✓           | ✓         | ✓                         |
| <b>RESIDENTIAL USES <sup>(7)</sup></b>                                      |             |           |                           |
| <u>Additional Residential Unit <sup>(11)</sup></u>                          | ✓           | ✓         |                           |
| Single Detached Dwelling                                                    | ✓           | ✓         |                           |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |             |           |                           |
| Accessory Uses, Buildings, and Structures <sup>(10)</sup>                   | ✓           | ✓         | ✓                         |
| Bed And Breakfast Establishment                                             | ✓           | ✓         |                           |
| <u>Home Industry</u>                                                        | ✓           | ✓         |                           |
| Home Occupation                                                             | ✓           | ✓         |                           |
| <u>Open Storage</u>                                                         | ✓           | ✓         | ✓                         |
| <u>Shipping Container</u>                                                   | ✓           | ✓         | ✓                         |
| <u>Short-Term Rental <sup>(7)</sup></u>                                     | ✓           | ✓         |                           |

**Notes:**

1. No land, Building, or Structure shall be used or erected for the purposes of a Dwelling in the Agricultural Purpose Only (APO) Zone.

2. Agriculture, including one (1) Farm Dwelling.
3. Up to a maximum of 4 animal units is permitted with the Agricultural Use in the A2 Zone.
4. The maximum Height of an Antenna shall be 40 m.
5. Permitted only where the Use legally existed on the effective date of this By-law.
6. Petroleum extraction Uses shall be in accordance with Section 3.41.6 of this By-law.
7. Subject to the provisions of 6.3.2.1 – the Minimum Distance Separation Formulae I.
8. Subject to the provisions of 6.3.2.2 – the Minimum Distance Separation Formulae II.
9. This Use may be permitted in the prime agricultural areas and subject to Ontario Regulation (O. Reg.) 350/12. For the purposes of this By-law, solar facility has the same meaning as the definition of “solar facility” in O. Reg. 359/09 under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, and facility has the same meaning as the definition of “generation facility” contained in the *Electricity Act*, 1998 and O. Reg. 50/24 under the *Environmental Assessment Act*, R.S.O. 1990, c. E.18.
10. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.
11. Subject to the provisions of Section 3.2 – Additional Residential Units.

### 6.3 REGULATIONS

| Table 6-3: Regulations in Agricultural Zones |                          |        |    |                    |
|----------------------------------------------|--------------------------|--------|----|--------------------|
| Regulation                                   | Permitted Uses           | Zone   |    |                    |
|                                              |                          | A1     | A2 | APO <sup>(1)</sup> |
| Minimum Lot Frontage                         | Agriculture              | 150 m  |    |                    |
|                                              | Single-Detached Dwelling | 45 m   |    | -                  |
|                                              | Other Uses               |        |    |                    |
| Minimum Lot Area                             | Agriculture              | 38 ha  |    |                    |
|                                              | Single-Detached Dwelling | 0.8 ha |    | -                  |
|                                              | Other Uses               | 45 m   |    |                    |
| Maximum Lot Coverage                         | Agriculture              | 20%    |    |                    |
|                                              | Single-Detached Dwelling | 30%    |    | -                  |
|                                              | Other Uses               |        |    |                    |
| Minimum Front Yard                           | Agriculture              | 20 m   |    |                    |
|                                              | Single-Detached Dwelling | 20 m   |    | -                  |
|                                              | Other Uses               |        |    |                    |
| Minimum Interior Side Yard                   | Agriculture              | 3 m    |    | 3 m                |
|                                              | Single-Detached Dwelling |        |    | -                  |
|                                              | Other Uses               |        |    |                    |
| Minimum Exterior Side Yard                   | Agriculture              | 20 m   |    | 20 m               |
|                                              | Single-Detached Dwelling |        |    | -                  |



| Table 6-3: Regulations in Agricultural Zones              |                                                                                                                                                                                          |      |    |                    |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|--------------------|
| Regulation                                                | Permitted Uses                                                                                                                                                                           | Zone |    |                    |
|                                                           |                                                                                                                                                                                          | A1   | A2 | APO <sup>(1)</sup> |
|                                                           | Other Uses                                                                                                                                                                               |      |    |                    |
| Minimum Rear Yard                                         | Agriculture                                                                                                                                                                              | 7 m  |    | 7 m                |
|                                                           | Single-Detached Dwelling                                                                                                                                                                 |      |    | -                  |
|                                                           | Other Uses                                                                                                                                                                               |      |    |                    |
|                                                           |                                                                                                                                                                                          |      |    |                    |
| Maximum Building Height                                   | Agriculture                                                                                                                                                                              | -    |    |                    |
|                                                           | Single-Detached Dwelling                                                                                                                                                                 | 11 m | -  |                    |
|                                                           | Other Uses                                                                                                                                                                               |      |    |                    |
|                                                           |                                                                                                                                                                                          |      |    |                    |
| <u>Buffer Requirement if Adjacent to Residential Zone</u> | <u>Per Section 3.32, a Planting Strip 3 m wide shall be provided and maintained adjacent to every portion of any Lot Line that abuts any Residential Zone not separated by a Street.</u> |      |    |                    |

**Notes:**

1. No land, Building, or Structure shall be used or erected for the purposes of a Dwelling in the Agricultural Purposes Only (APO) Zone.

### 6.3.1 Regulations For Surplus Farm Dwellings

All Surplus Farm Dwelling severances shall adhere to the zoning regulations of **Table 6-3** of this By-law, with the exception of the following provisions outlined in **Table 6-4**:

| Table 6-4: Regulations for Surplus Farm Dwellings |                                     |    |                    |
|---------------------------------------------------|-------------------------------------|----|--------------------|
| Regulation                                        | Zone                                |    |                    |
|                                                   | A1                                  | A2 | APO <sup>(1)</sup> |
| Minimum Front Yard                                | The lesser of “as Existing” or 20 m |    | -                  |
| Minimum Lot Area                                  | 0.4 ha                              |    |                    |

#### Notes:

1. No land, Building, or Structure shall be used or erected for the purposes of a Dwelling in the Agricultural Purposes Only (APO) Zone.

### 6.3.2 Minimum Distance Separation (**MDS**)

#### 6.3.2.1 MDS I – New Non-Farm Uses

- a) Notwithstanding any other Yard or Setback provisions of this By-law, no Residential, Institutional, Commercial, or Industrial Use, located on a separate Lot and permitted within an Agriculture Zone or any Zone in which agriculture Uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation One (MDS I) Setback from a Livestock Facility. The MDS I Setback shall be calculated using the formulae published by the Province, as may be amended from time to time, and interpreted and applied in accordance with the Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Implementation Guidelines, as amended from time to time.
- b) An Existing Dwelling may be replaced, despite not complying with Section 6.3.2.1 a), provided that the Existing separation to surrounding Livestock Facilities is not further reduced.
- c) A new non-Agricultural Lot, whether or not containing a Dwelling, shall comply with Section 6.3.2.1 a), even for Livestock Facilities already located on a separate Lot.
- d) Section 6.3.2.1 a) shall not apply where 4 or more non-Agricultural Uses are already closer to the Livestock Facility than the Use under consideration and

where the Use under construction is also closer to the same 4 or more non-Agricultural Uses than it is to the Livestock Facility.

- e) MDS I shall not apply to Buildings or Structures Accessory to a Dwelling or Buildings or Structures 10 m<sup>2</sup> or less in Ground Floor Area.
- f) The required MDS I from an Anaerobic Digester or an associated co-substrate input tank shall be 125 m.
- g) The required MDS I from an Anaerobic Digester or an associated co-substrate input tank shall be 125 m from a Type A Land Use, 250 m from a Type B Land Use, 13 m from an Interior Side Lot Line or Rear Lot Line and 25 m from a Front or Exterior Side Lot Line.
- h) The capacity of Manure Storages that hold manure produced by Livestock not located on the Lot or “digestate” produced from an Anaerobic Digester shall be considered in determining the required MDS I.
- ~~i) No new Dwelling or non-Agricultural Use, Lot, Building or Structure (including development on Existing Lots) is Permitted closer to a Livestock Facility on a separate Lot than 300m or the MDS I Setback calculated using Appendix “A” to this By-law, whichever is greater. Notwithstanding, only the MDS I Setback shall apply to Livestock Facilities having a Livestock Housing Capacity of fewer than 25 Nutrient Units.~~
- ~~j) No new Livestock Facility or Livestock Facility addition or reconstruction is Permitted closer to a Dwelling on a separate Lot, a Lot Line or a non-Agricultural Use, Building or Structure on a separate Lot, than the distance calculated using the MDS II formula found in **Appendix “A”** to this By-law.~~

#### 6.3.2.2 MDS II – New or Expanding Livestock Facilities and Manure Storage Facilities

- a) Notwithstanding any other Yard and Setback provisions of this By-law, no Livestock Facility shall be erected or enlarged on a Lot except in accordance with the requirements of the Minimum Distance Separation Two (MDS II) Setback, calculated using the formulas published by the Province, as may be amended from time to time, and interpreted and applied in accordance with the Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Implementation Guidelines, as amended from time to time.
- b) ~~Application of subsections a) and b) shall be in accordance with the Minimum Distance Separation (MDS) Implementation Guidelines published by the Ontario Ministry of Agriculture, Food and Rural Affairs as updated from time to time,~~

~~subject to the specific provisions of this By-law and Appendix "A" to the By-law and including the following:~~

- c) A Livestock Facility destroyed by fire or natural disaster may be replaced to the same general location, despite not meeting MDS II, provided the Existing separation is not further reduced and the Factors A, B and D for the new Livestock Facility are not greater than those of the previous Livestock Facility.
- d) Cemeteries located in an Agricultural Zone shall be considered a Type A Land Use for the purposes of MDS II.
- e) MDS II shall not apply to Buildings or Structures Accessory to a Dwelling or Buildings or Structures 10 m<sup>2</sup> or less in Ground Floor Area.
- f) Even if no Building permit is required, MDS II shall apply to the conversion of any non-Livestock Building or Structure greater than 10 m<sup>2</sup> in Ground Floor Area to Use as a Livestock Facility.
- g) Where no Building permit is required, Existing Livestock Facilities may be converted for Use for a type of Livestock for which the Building was not previously used, designed or suited, despite not complying with MDS II, provided there is no increase in non-compliance through a resultant MDS II that is greater than that of the previous Use.
- h) The capacity of Manure Storages that hold manure produced by Livestock not located on the Lot or "digestate" produced from an Anaerobic Digester shall be considered in determining the required MDS II.
- ~~i) Calculations made using the MDS Computer Program Version 1.0.0 provided by the Ministry of Agriculture, Food and Rural Affairs shall be considered equivalent to calculations made using Appendix "A".~~

## **6.4 SPECIAL PROVISIONS**

### **6.4.1 Agricultural 1 (A1) Special Provisions**

- a) A minimum separation of 250 m shall be maintained between Kennels and between Kennels and residential Uses.
- b) Any Existing Single Detached Dwelling in the A1 Zone may be used as Seasonal Housing, provided no second Dwelling is Erected on the Lot.

### **6.4.2 Agricultural 2 (A2) Special Provisions**

- a) A minimum separation of 250 m shall be maintained between Kennels and between Kennels and residential Uses.
- b) A minimum Agricultural Lot Area of 27 ha shall be permitted on lands located on the South Part of Lot 17, Concession 5 SER and located north of the Canadian National Railway.

### **6.4.3 Agricultural Purpose Only (APO) Special Provisions**

- a) All site, Building, zoning or other regulations or provisions of this by-law that are applicable in the Agricultural A1 (A1) Zone, excluding permitted and prohibited Uses, shall apply in the Agricultural Purpose Only (APO) Zone.

## **6.5 HOLDING ZONES**

### **6.5.1 Agricultural 1 (A1) Holding Zones**

### **6.5.2 Agricultural 2 (A2) Holding Zones**

### **6.5.3 Agricultural Purposes Only (APO) Zone Exceptions**

## **6.6 ZONE EXCEPTIONS**

The following Zones apply to unique or Existing situations and are not the standard Agricultural Zones. If a regulation or Use is not specified, the list of Permitted Uses in **Section 6.2** and/or the regulations of **Table 6-3** or **Table 6-4** shall apply.

### **6.6.1 Agricultural 1 (A1) Zone Exceptions**

#### **6.6.1.1 A1-1 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the A1 Zone

Contractors Yard

Grain Elevator

Industrial Use

Light Industrial Use

Open Storage

Parking Area

Warehouse

- b) Accessory Buildings and Structures, including a Dwelling Unit for an owner, caretaker, or employee

##### **Special Definition Applying Exclusively to this Zone**

Notwithstanding the Front Lot Line definition of this By-law, the Front Lot Line for lands Zoned A1(1) shall be the west boundary of the lands Zoned A1(1) for the purpose of determining Frontage on a Street. All other Industrial Zone provisions of this By-law shall apply to the lands Zoned A1(1)

#### **6.6.1.2 A1-2 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the A1 Zone

- b) Up to three (3) Dwellings for seasonal Farm help, in addition to the main Farm Dwelling, may be Permitted.

#### 6.6.1.3 A1-3 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A1 Zone
- b) Existing Truck Transport Terminal

#### 6.6.1.4 A1-4 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A1 Zone
- b) Existing Building or Contracting Establishment

#### 6.6.1.5 A1-5 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A1 Zone
- b) Existing Motor Vehicle Repair Establishment

#### 6.6.1.6 A1-6 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) Up to one (1) Dwelling for farm help, in addition to the main Farm Dwelling may be permitted.

#### 6.6.1.7 A1-7 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone



- b) Up to one (1) Dwelling for Seasonal farm help, in addition to the main Farm Dwelling may be permitted.

#### 6.6.1.8 A1-8 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) Any Use Permitted in the I Zone
- c) Multiple Dwelling for seniors of a minimum age of 55 years
- d) Buildings, Structures and Uses Accessory to a Permitted Use

##### **Special Provisions**

- a) Renovation and change of Use shall be permitted within the Existing Main Building at the Existing Setback from neighbouring Livestock Facilities. Any additions or expansions shall comply with the separation requirements in Section 6.3.2.

#### 6.6.1.9 A1-9 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) Seasonal Housing
- c) Buildings, Structures and Uses Accessory to a Permitted Use

##### **Site Regulations**

- d) The total number of individuals housed in Dwellings used for Seasonal Housing shall not exceed 20 individuals on the Lot, including portions of the Lot outside the A1(9) Zone.
- e) Where there is an Existing Single Detached Dwelling on a Lot, a second Single-Detached Dwelling shall not be Erected for Use as Seasonal Housing.
- f) The Minimum Required Front Yard of a new Dwelling used for Seasonal Housing shall be 35m.

- g) Mobile Homes Erected for Use as Seasonal Housing shall not be occupied for more than 9 months out of the calendar year and not occupied by individuals who are not seasonal workers or their families.
- h) Any Dwelling used for Seasonal Housing shall be set back a minimum distance of 30m from any Building holding hazardous or flammable material or any Livestock Facility that is in actual Use as a Livestock Facility.

#### 6.6.1.10 A1-10 Zone

##### **Additional Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) A Wind Farm
- c) Buildings, Structures and Uses Accessory to a Permitted Use

#### 6.6.1.11 A1-11 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Garden Suite
- i) For the purpose of this By-law, a Garden Suite shall be defined as:

A one-unit detached residential Structure containing bathroom and kitchen facilities that is ancillary to an Existing residential Structure on the same Lot and that is designed to be portable.

##### **Site Regulations for garden suite**

- |                                   |     |
|-----------------------------------|-----|
| a) Minimum Front Lot Line Setback | 60m |
| Minimum Exterior Lot Line Setback | 20m |
| Minimum Interior Lot Line Setback | 9m  |
| Minimum Rear Lot Line Setback     | 10m |

- b) All other provisions of the A1 Zone shall apply to the lands.
- c) This By-law applies only to lands described as Part of Lot 12, Concession 6 SER, Township of Warwick, with the municipal address of 5127 First School Road.
- d) This Use shall be permitted for a maximum of 10 years from the date of passing of this By-law, unless the period is extended by Council pursuant to Section 39(3) of the *Planning Act*, R.S.O. 1990.

#### 6.6.1.12 A1-12 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A.1 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Non-motorized trailer sales, service and repair establishment trailer sales establishment
- i) For the purpose of this by-law non-motorized trailer sales and service shall be defined as:

means land and/or Buildings used for the display for sale of non-motorized trailers and includes servicing and repair of such related products, but does not include Motor Vehicles sales establishments or any motorized vehicle and machinery sales.

##### **Site Regulations**

- a) Minimum Front Lot Line Setback                      60m
- Minimum Exterior Lot Line Setback                      40m
- Minimum Interior Lot Line Setback                      15m
- Minimum Rear Lot Line Setback                      10m
- b) Outdoor storage is restricted to a maximum of 21247 m<sup>2</sup>. **(B/L 75/2018)**
- c) All other provisions of the A1 Zone shall apply to lands zoned.

##### **Zone Regulations**

Within the A1(12) Zone "non-motorized trailer sales establishment" means land and/or Buildings used for the display for sale of non-motorized trailers and includes servicing and repair of such related products, but does not include Motor Vehicle sales establishment, or any motorized vehicles and machinery sales.

#### 6.6.3.13 Garden Suite For 6409 London Line, Temporary Use By-Law (B/L 97/19)

~~Notwithstanding any provisions of By-law No. 121 of 2012 to the contrary, a "Garden Suite" shall be permitted on the subject lands (described as Part Lot 4, Concession 3SER, Warwick Township (6409 London Line) and zoned A1) for a period of (5) five years from the date of passing of this by-law, renewable. The Garden Suite shall be defined as a one-unit detached residential Structure containing bathroom and kitchen facilities that is ancillary to an Existing residential Structure and that is designed to be portable. Furthermore, the Garden Suite shall have a *garden suite agreement* addressing installation and removal provisions, securities, persons named in the residency, and a period of 5 (five) year timeframe, renewable. The Setbacks and Building provisions of the A1 Zone apply; in addition, the garden suite shall be located behind the principal Dwelling. Notwithstanding the separation distances to Livestock Facilities, a garden suite shall be no closer to a Livestock Facility on another Lot than the principal Dwelling on 6409 London Line.~~

#### 6.6.1.13 Temporary Farm Worker Accommodation – 8060 Zion Line, Temporary Use By-Law (B/L 68/23)

Notwithstanding any provisions of By-law No. 121 of 2012 to the contrary, a "Farm Worker Accommodation" that supports an employee intensive Agricultural Use shall be permitted on the subject lands (WARWICK CON 2 SER PT LOTS 20 AND 21 (8060 Zion Line) and zoned A1 and EP-WD) for a period of (3) three years from the date of passing of this by-law, or until such time as the Comprehensive Zoning By-law 121 of 2012 is amended to accommodate the Use. At that time, this Temporary Use By-law shall be rescinded by Council. This By-law will enable the first phase, which shall contain no more than four (4) Buildings, which contain one (1) Dwelling Unit and provide parking based on one stall per Dwelling Unit. The Setbacks and Building provisions of the A1 Zone apply. A Site Plan Agreement will be required to facilitate this development."

### **6.6.2 Agricultural 2 (A2) Zone Exceptions**

#### 6.6.2.1 A2-1 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A2 Zone

- b) Existing Truck Transport Terminal

#### 6.6.2.2 A2-2 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the A2 Zone
- b) Livestock (horse) operation, subject to Section 6.3.2.2 (Minimum Distance Separation).

#### 6.6.2.3 A2-3 Zone

##### **Permitted Uses**

- a) The growing of crops including nursery and horticultural crops; agro-Forestry; and Conservation Uses; Commercial Greenhouse for floriculture, greenhouse for food production, and Accessory agricultural Buildings and Structures.

##### **Site Regulations**

Notwithstanding Section 5.7 and **Table 6-3**, no Person shall Erect or Use any Building or Structure except in conformity with the following regulations:

Lot Area: 4.0 ha minimum

#### 6.6.2.4 A2-4 Zone

##### **Permitted Uses**

- a) Any Use permitted in the A2 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Upholstery Cleaning Establishment

##### **Site Regulations**

- d) The upholstery cleaning establishment shall be limited to the interior of the Accessory Use Building
- e) The upholstery cleaning establishment shall not exceed 90 m<sup>2</sup>

- f) The provisions of the A2 Zone shall apply to lands zoned A2(4).

#### **6.6.2.5 A2-5 Zone**

##### **Permitted Uses**

- a) Any Use permitted in the A2 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Resource Extraction
- d) Aggregate Storage Area

#### **6.6.3 Agricultural Purposes Only (APO) Zone Exceptions**

## SECTION 7 – RESIDENTIAL ZONES

### 7.1 LIST OF RESIDENTIAL ZONES

For convenience, **Table 7-1** lists the Residential Zones established in Section 5 of this By-law.

| <b>Table 7-1: List of Residential Zones</b> |                    |
|---------------------------------------------|--------------------|
| <b>Zone Name</b>                            | <b>Zone Symbol</b> |
| Residential 1                               | R1                 |
| Residential 2                               | R2                 |
| Residential 3                               | R3                 |
| Residential 4                               | R4                 |
| Residential 5                               | R5                 |

### 7.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Residential Zone except for one or more of the following Uses:

| <b>Table 7-2: Permitted Uses in Residential Zones</b> |             |           |           |           |           |
|-------------------------------------------------------|-------------|-----------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                 | <b>Zone</b> |           |           |           |           |
|                                                       | <b>R1</b>   | <b>R2</b> | <b>R3</b> | <b>R4</b> | <b>R5</b> |
| <b>RESIDENTIAL USES</b>                               |             |           |           |           |           |
| <u>Additional Residential Units</u>                   | ✓           | ✓         | ✓         | ✓         | ✓         |
| Single-Detached Dwelling                              | ✓           | ✓         |           | ✓         | ✓         |
| Semi-detached Dwelling                                | ✓           | ✓         |           |           | ✓ (6)     |
| Duplex Dwelling                                       | ✓           | ✓         |           |           |           |
| <del>Converted Dwelling</del>                         |             | ✗         | ✗         |           |           |
| Triplex Dwelling                                      |             |           | ✓         |           |           |
| Townhouse Dwelling                                    |             |           | ✓         |           |           |
| Street Townhouse Dwelling                             |             |           | ✓         |           |           |
| Modular Dwelling                                      |             |           |           |           | ✓         |
| Apartment Dwelling                                    |             |           | ✓         |           |           |
| Group Home                                            | ✓           | ✓         | ✓         |           |           |
| <b>NON-RESIDENTIAL USES</b>                           |             |           |           |           |           |

| <b>Table 7-2: Permitted Uses in Residential Zones</b>                       |      |    |    |    |    |
|-----------------------------------------------------------------------------|------|----|----|----|----|
| Permitted Uses                                                              | Zone |    |    |    |    |
|                                                                             | R1   | R2 | R3 | R4 | R5 |
| Park, Public                                                                | ✓    | ✓  | ✓  | ✓  | ✓  |
| <u>Parking Area</u>                                                         |      |    |    |    | ✓  |
| <u>Place Of Worship</u>                                                     | ✓    | ✓  | ✓  | ✓  |    |
| <u>Retirement Home</u>                                                      |      |    | ✓  |    |    |
| <u>School, Public</u>                                                       | ✓    | ✓  | ✓  | ✓  |    |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |      |    |    |    |    |
| Accessory Uses, Buildings, and Structures<br>(1)                            | ✓    | ✓  | ✓  | ✓  | ✓  |
| Accessory Office                                                            |      |    |    |    | ✓  |
| Bed And Breakfast Establishment                                             | ✓    | ✓  | ✓  | ✓  |    |
| Day Care Centre                                                             | ✓    | ✓  | ✓  | ✓  |    |
| Home Occupation                                                             | ✓    | ✓  | ✓  | ✓  |    |
| <u>Short-Term Rental</u>                                                    | ✓    | ✓  | ✓  | ✓  |    |

**Notes:**

1. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.



## 7.3 REGULATIONS

| Table 7-3: Regulations in Residential Zones |                            |                                                                                                                                                          |                          |                          |                     |
|---------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|---------------------|
| Regulation                                  | Permitted Uses             | Zone                                                                                                                                                     |                          |                          |                     |
|                                             |                            | R1                                                                                                                                                       | R2                       | R3                       | R4                  |
| Minimum Lot Frontage                        | Single-Detached Dwelling   | 15 m                                                                                                                                                     | 12 m                     | -                        | 20 m                |
|                                             | Semi-detached Dwelling     | 10 m/unit                                                                                                                                                | 8 m/unit                 |                          | -                   |
|                                             | Duplex Dwelling            | 15 m                                                                                                                                                     | 12 m                     |                          |                     |
|                                             | Triplex Dwelling           | -                                                                                                                                                        |                          | 12 m                     |                     |
|                                             | Townhouse Dwelling         |                                                                                                                                                          |                          | 30 m                     |                     |
|                                             | Street Townhouse Dwelling  |                                                                                                                                                          |                          | 6 m                      |                     |
|                                             | Apartment Dwelling         |                                                                                                                                                          |                          | 30 m                     |                     |
|                                             | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |                          |                          |                     |
| Minimum Lot Area                            | Single-Detached Dwelling   | 500 m <sup>2</sup>                                                                                                                                       |                          | -                        | 1850 m <sup>2</sup> |
|                                             | Semi-detached Dwelling     | 300 m <sup>2</sup> /unit                                                                                                                                 | 275 m <sup>2</sup> /unit |                          | -                   |
|                                             | Duplex Dwelling            | 400 m <sup>2</sup> /unit                                                                                                                                 |                          |                          |                     |
|                                             | Triplex Dwelling           | -                                                                                                                                                        |                          | 300 m <sup>2</sup> /unit |                     |
|                                             | Townhouse Dwelling         |                                                                                                                                                          |                          |                          |                     |
|                                             | Street Townhouse Dwelling  |                                                                                                                                                          |                          |                          |                     |
|                                             | Apartment Dwelling         |                                                                                                                                                          |                          |                          |                     |
|                                             | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |                          |                          |                     |
| Minimum Front Yard Depth                    | Single-Detached Dwelling   | 6 m                                                                                                                                                      |                          | -                        | 6 m                 |

| Table 7-3: Regulations in Residential Zones |                                                                                                                                                          |                                                                                                                                                          |     |     |                    |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|--------------------|
| Regulation                                  | Permitted Uses                                                                                                                                           | Zone                                                                                                                                                     |     |     |                    |
|                                             |                                                                                                                                                          | R1                                                                                                                                                       | R2  | R3  | R4                 |
|                                             | Semi-detached Dwelling                                                                                                                                   |                                                                                                                                                          |     |     | -                  |
|                                             | Duplex Dwelling                                                                                                                                          |                                                                                                                                                          |     |     |                    |
|                                             | Triplex Dwelling                                                                                                                                         | -                                                                                                                                                        | 6 m | 6 m |                    |
|                                             | Townhouse Dwelling                                                                                                                                       | -                                                                                                                                                        |     |     |                    |
|                                             | Street Townhouse Dwelling                                                                                                                                |                                                                                                                                                          |     |     |                    |
|                                             | Apartment Dwelling                                                                                                                                       |                                                                                                                                                          |     |     |                    |
|                                             | <u>Non-Residential Use</u>                                                                                                                               | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |     |     |                    |
| Minimum Interior Side Yard Width            | Single-Detached Dwelling                                                                                                                                 | 1.2 m <sup>(2)</sup>                                                                                                                                     |     | -   | 3 m <sup>(5)</sup> |
|                                             | Semi-detached Dwelling                                                                                                                                   |                                                                                                                                                          |     |     | -                  |
|                                             | Duplex Dwelling                                                                                                                                          |                                                                                                                                                          |     |     |                    |
|                                             | Triplex Dwelling                                                                                                                                         | 1.2 m <sup>(2)</sup>                                                                                                                                     |     |     |                    |
|                                             | Townhouse Dwelling                                                                                                                                       | 3 m <sup>(4)</sup>                                                                                                                                       |     |     |                    |
|                                             | Street Townhouse Dwelling                                                                                                                                | 4.5 m <sup>(4)</sup>                                                                                                                                     |     |     |                    |
|                                             | Apartment Dwelling                                                                                                                                       | 10 m <sup>(4)</sup>                                                                                                                                      |     |     |                    |
| <u>Non-Residential Use</u>                  | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |                                                                                                                                                          |     |     |                    |
| Minimum Exterior Side Yard Width            | Single-Detached Dwelling                                                                                                                                 | 6 m                                                                                                                                                      |     | -   | 6 m                |
|                                             | Semi-detached Dwelling                                                                                                                                   |                                                                                                                                                          |     |     | -                  |
|                                             | Duplex Dwelling                                                                                                                                          |                                                                                                                                                          |     |     |                    |

**Table 7-3: Regulations in Residential Zones**

| Regulation              | Permitted Uses             | Zone                                                                                                                                                     |      |     |    |
|-------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----|----|
|                         |                            | R1                                                                                                                                                       | R2   | R3  | R4 |
|                         | Triplex Dwelling           | -                                                                                                                                                        |      | 6 m |    |
|                         | Townhouse Dwelling         |                                                                                                                                                          |      | 7 m |    |
|                         | Street Townhouse Dwelling  |                                                                                                                                                          |      |     |    |
|                         | Apartment Dwelling         |                                                                                                                                                          |      |     |    |
|                         | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |      |     |    |
| Minimum Rear Yard Depth | Single-Detached Dwelling   | 7 m                                                                                                                                                      |      | 7 m | -  |
|                         | Semi-detached Dwelling     |                                                                                                                                                          |      | -   |    |
|                         | Duplex Dwelling            |                                                                                                                                                          |      |     |    |
|                         | Triplex Dwelling           | -                                                                                                                                                        | 10 m |     |    |
|                         | Townhouse Dwelling         |                                                                                                                                                          |      |     |    |
|                         | Street Townhouse Dwelling  |                                                                                                                                                          |      |     |    |
|                         | Apartment Dwelling         |                                                                                                                                                          |      |     |    |
|                         | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |      |     |    |
| Maximum Lot Coverage    | Single-Detached Dwelling   | 30%                                                                                                                                                      | -    | 30% | -  |
|                         | Semi-detached Dwelling     | 35%                                                                                                                                                      |      |     |    |
|                         | Duplex Dwelling            | 30%                                                                                                                                                      |      |     |    |
|                         | Triplex Dwelling           | -                                                                                                                                                        | 30%  |     |    |
|                         | Townhouse Dwelling         |                                                                                                                                                          | 40%  |     |    |

| Table 7-3: Regulations in Residential Zones |                            |                                                                                                                                                          |      |      |      |
|---------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------|------|------|
| Regulation                                  | Permitted Uses             | Zone                                                                                                                                                     |      |      |      |
|                                             |                            | R1                                                                                                                                                       | R2   | R3   | R4   |
|                                             | Street Townhouse Dwelling  |                                                                                                                                                          |      |      |      |
|                                             | Apartment Dwelling         |                                                                                                                                                          |      |      |      |
|                                             | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |      |      |      |
| Minimum Landscaped Open Space               | Single-Detached Dwelling   | 40%                                                                                                                                                      |      | -    | 40%  |
|                                             | Semi-detached Dwelling     | 30%                                                                                                                                                      |      |      | -    |
|                                             | Duplex Dwelling            |                                                                                                                                                          |      |      |      |
|                                             | Triplex Dwelling           | -                                                                                                                                                        |      | 30%  |      |
|                                             | Townhouse Dwelling         |                                                                                                                                                          |      |      |      |
|                                             | Street Townhouse Dwelling  |                                                                                                                                                          |      |      |      |
|                                             | Apartment Dwelling         |                                                                                                                                                          |      |      |      |
|                                             | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |      |      |      |
| Maximum Building Height                     | Single-Detached Dwelling   | 11 m                                                                                                                                                     |      | -    | 11 m |
|                                             | Semi-detached Dwelling     |                                                                                                                                                          |      |      |      |
|                                             | Duplex Dwelling            | 11 m                                                                                                                                                     | 12 m |      | -    |
|                                             | Triplex Dwelling           | -                                                                                                                                                        |      | 12 m |      |
|                                             | Townhouse Dwelling         |                                                                                                                                                          |      |      |      |
|                                             | Street Townhouse Dwelling  |                                                                                                                                                          |      |      |      |
|                                             | Apartment Dwelling         |                                                                                                                                                          |      |      |      |

| Table 7-3: Regulations in Residential Zones |                            |                                                                                                                                                          |    |                                         |    |
|---------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------------------------------|----|
| Regulation                                  | Permitted Uses             | Zone                                                                                                                                                     |    |                                         |    |
|                                             |                            | R1                                                                                                                                                       | R2 | R3                                      | R4 |
|                                             | <u>Non-Residential Use</u> | <u>Permitted non-residential Uses that are not specified in this table shall defer to the regulations of the first listed permitted residential Use.</u> |    |                                         |    |
| <u>Required Planting Strip</u>              | <u>Apartment Dwelling</u>  | =                                                                                                                                                        |    | <u>Per Section 3.32 of this By-law.</u> | =  |
| <u>Minimum Amenity Area</u>                 | <u>Apartment Dwelling</u>  | =                                                                                                                                                        |    | <u>Per Section 3.3 of this By-law.</u>  | =  |
| <u>Waste Storage Requirements</u>           | <u>Apartment Dwelling</u>  | =                                                                                                                                                        |    | <u>Per Section 3.44 of this By-law.</u> | =  |

**Notes:**

1. For Buildings with Attached garage: 1.2 m.  
For Buildings without Attached garage: 1.2 m (one side); 3 m (other side).  
0 m required for a common wall
2. 0 m required for a common wall
3. If no garage, 1 m on one side and 3 m

### 7.3.1 Residential 5 (R5) Zone Regulations

| Table 7-4: Regulations in the Residential 5 (R5) Zone |                         |
|-------------------------------------------------------|-------------------------|
| Regulation                                            | R5                      |
| <b>SITE REQUIREMENTS</b>                              |                         |
| Minimum Lot Area                                      | 10 ha                   |
| Maximum Lot Frontage                                  | 15 m                    |
| Minimum Front Yard                                    | 6 m                     |
| Minimum Interior Side Yard                            | 6 m                     |
| Minimum Rear Yard                                     | 4.5 m                   |
| Minimum Visitor Parking                               | 20% of required parking |
| <b>HOME SITE REQUIREMENTS</b>                         |                         |
| Minimum Home Site Area                                | 440 m <sup>2</sup>      |
| Minimum Frontage                                      | 15 m                    |
| Minimum Front Yard                                    | 4 m                     |
| Minimum Interior Side Yard                            | 1.2 m                   |
| Minimum Rear Yard                                     | 4.5 m                   |
| Minimum Exterior Side Yard                            | 4 m                     |
| Maximum Home Site Coverage                            | 40%                     |
| Maximum Building Height                               | 11 m                    |
| Minimum Landscaped Open Space                         | 10% per home site       |

## **7.4 SPECIAL PROVISIONS**

### **7.4.1 Residential 1 (R1) Zone Special Provisions**

### **7.4.2 Residential 2 (R2) Zone Special Provisions**

### **7.4.3 Residential 3 (R3) Zone Special Provisions**

### **7.4.4 Residential 4 (R4) Zone Special Provisions**

### **7.4.5 Residential 5 (R5) Zone Special Provisions**

- a) Within the Residential 5 (R5) Zone "Home Site" means a parcel of land described within a registered site plan agreement and intended for the erection of Dwelling.
- b) The provisions and definitions of By-Law 54 of 2000 applicable to a "Lot" as defined in Section 2 shall apply to a "Home Site" as defined in Section 7.4.1 a) with appropriate modifications.
- c) Within the R5 Zone, the definition of "Street" shall be deemed to include "Lane".

#### **d) Internal Roads:**

Each "Home Site" shall abut a Street which shall have a dust-free surface and shall have a minimum width of 6.7 m.

#### **e) Density:**

A maximum of 147 Home Sites shall be permitted within the R5 Zone and only (1) Dwelling Unit shall be permitted per Home Site.

- f) The site triangle restrictions in Section 3.36 shall only apply to Home Sites with frontage on a public Street.
- g) No more than one Dwelling shall be located on a home site in the R5 Zone.

## **7.5 HOLDING ZONES**

### **7.5.1 Residential 1 (R1) Holding Zones**

#### **7.5.1.1 Residential 1 R1(H) Zone**

##### **Permitted Uses**

Uses lawfully Existing on the day this By-law was passed.

Provisions for the Removal of the Holding "H" Symbol

To ensure the orderly development of lands and the adequate provision of municipal services, the "H" symbol shall not be deleted until a subdivision agreement or development agreement is entered into, for the lands in question, with the Municipality.

### **7.5.2 Residential 2 (R2) Holding Zones**

### **7.5.3 Residential 3 (R3) Holding Zones**

### **7.5.4 Residential 4 (R4) Holding Zones**

### **7.5.5 Residential 5 (R5) Holding Zones**



## **7.6 ZONE EXCEPTIONS**

The following Zones apply to unique or Existing situations and are not the standard Residential Zones. If a regulation or Use is not specified, the list of Permitted Uses in **Section 7.2** and/or the regulations of **Table 7-3** or **Table 7-4** shall apply.

### **7.6.1 Residential 1 (R1) Zone Exceptions**

#### **7.6.1.1 R1-1 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone
- b) Existing modular home
- c) Existing mobile home, single wide
- d) Existing mobile home, double wide

#### **7.6.1.2 R1-2 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone
- b) Existing Animal Hospital

#### **7.6.1.3 R1-3 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone
- b) Existing Clinic

#### **7.6.1.4 R1-4 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone
- b) Service and Repair Shop and related sales
- c) Buildings Structures and Uses Accessory to a Permitted Use

## Site Regulations:

Minimum Lot Area: 840 m<sup>2</sup>

Minimum Lot Frontage: 20 m

Minimum Front Yard Depth: 7 m

Minimum Side Yard Width:

i) Service and Repair Shop and related sales: 3.5 m on both sides

ii) Single Detached Dwelling: 1.0 m on both sides; where there is an Attached private garage or Carport, 1.0 m on one side and 3 m on the other side where there is no Attached private garage or Carport

Minimum Rear Yard Depth: 7 m

Lot Coverage: 30% maximum

Landscaped Open Space: 30% minimum

Minimum Gross Floor Area:

Single Detached Dwelling: 90 m<sup>2</sup> for one Storey Dwelling and 74 m<sup>2</sup> on the ground floor for a Dwelling with more than one Storey.

Maximum Building Height:

i) Service and Repair Shop: 7 m

ii) Single Detached Dwelling: 11 m

Planting Strip: For a Service and Repair Shop, a 1.5 m wide Planting Strip shall be required in accordance with Section 3.32

### 7.6.1.5 R1-5 Zone

## Permitted Uses

- a) Any Use Permitted in the R1 Zone
- b) Existing Church

#### 7.6.1.6 R1-6 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone
- b) Existing Funeral Home

#### 7.6.1.7 R1-7 Zone

##### **Special Provisions**

- a) Exterior Side Yard Setback: 4m Minimum

#### 7.6.1.8 R1-8 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R1 Zone

##### **Site Regulations**

- a) Lot Coverage: 40%
- b) All other provisions of the R1 Zone shall apply to lands zoned R1(7)

### **7.6.2 Residential 2 (R2) Zone Exceptions**

#### 7.6.2.1 R2-1 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R2 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Triplex Dwelling
- d) Quadplex Dwelling

##### **Site Regulations**

- e) Minimum Lot Area: 800 m<sup>2</sup>

---

|                                   |             |
|-----------------------------------|-------------|
| Minimum Lot Frontage:             | 18 m        |
| Minimum Front Yard Depth:         | 6 m         |
| Minimum Exterior Side Yard Width: | 2.5 m       |
| Minimum Interior Side Yard Width: | 1.2 m       |
| Minimum Rear Yard Depth:          | 10 m        |
| Lot Coverage:                     | 40% maximum |
| Landscaped Open Space:            | 20% minimum |
| Maximum Building Height:          | 12 m        |

- f) All other provisions of the R2 Zone shall apply to lands zoned R2(1).

#### 7.6.2.2 R2-2 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R2 Zone

##### **Site Regulations**

- |                                         |                    |
|-----------------------------------------|--------------------|
| b) Minimum Lot Area (Single Detached):  | 400 m <sup>2</sup> |
| Minimum Lot Frontage (Single Detached): | 11 m               |
| Maximum Lot Coverage:                   | 50%                |

- c) All other provisions of the R2 Zone shall apply.

#### 7.6.2.3 R2-3 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R2 Zone

##### **Site Regulations**

- b) Minimum Exterior Side Yard Setback: 4.5m

- c) Minimum Lot Area (single detached): 390m<sup>2</sup>
- d) Maximum Lot Coverage (single detached): 50%
- e) Maximum Lot Coverage (semi detached): 50%
- f) Minimum Landscaped Open Space: 30%
- g) All other provisions of the R2 Zone shall apply to lands zoned.

### **7.6.3 Residential 3 (R3) Zone Exceptions**

#### **7.6.3.1 R3-1 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R3 Zone, provided such Use is used for seniors of a minimum age of 55 years.

##### **Site Regulations**

- b) Notwithstanding **Section 3.37.2**, no Building or Structure shall be erected within 6 m in the northerly direction and 15 m in the southerly direction of the Top of Bank of any Open Drainage Ditch or natural watercourse.
- c) A Canopy for a passenger loading area shall be permitted to encroach 9 m into the Front Yard from the Main Building provided the Encroachment shall not be any closer than 3 m from the Front Lot Line.
- d) Notwithstanding **Section 4.1.1**, the required number of Parking Spaces for a Multiple Dwelling Unit used for seniors of a minimum of 55 years shall be 0.7 spaces per Dwelling Unit.

#### **7.6.3.2 R3-2 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the R3 Zone

##### **Site Regulations**

- b) Minimum Exterior Setback 2.1m
- c) All the other provisions of the R2 Zone shall apply

#### 7.6.3.3 R3-3 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R3 Zone

##### **Site Regulations**

- b) Minimum Rear Yard Setback (Street townhouse): 8.5m
- c) Minimum Rear Yard Setback (townhouse): 8.5m
- d) Minimum Interior Side Yard Setback (Street townhouse): 2.3m
- e) Minimum Exterior Side Yard Setback (Street townhouse): 4.5m
- f) Minimum Exterior Side Yard Setback (townhouse): 4.5m
- g) Minimum Lot Area: 190m<sup>2</sup> per unit
- h) Maximum Lot Coverage (Street townhouse): 53%
- i) All other provisions of the R3 Zone shall apply to lands zoned.

#### **7.6.4 Residential 4 (R4) Zone Exceptions**

##### 7.6.4.1 R4-1 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the R4 Zone.
- b) A Second Dwelling Unit within a Detached Accessory Building

##### **Site Regulations**

- c) An Accessory Dwelling Unit within a Detached Accessory Building is subject to all the regulations listed in Section 3.2, with the exception of Subsection 3.2(c).
- d) A separate municipal address must be obtained for the Accessory Dwelling Unit,

##### 7.6.4.2 R4-2 Zone

##### **Permitted Uses**

No Land, Building, or Structure shall be used or erected in the Residential 4(2) (R4-2) Zone except for one or more of the following Uses:

- a) Single Detached Dwelling
- b) Home Occupations
- c) Bed And Breakfast Establishment
- d) Buildings, Structures and Uses Accessory to a Permitted Use

## ZONE REGULATIONS

- e) Any Single Detached Dwelling, Home Occupation, or Bed And Breakfast Establishment; shall be limited to the Building Existing on the site as of the passing of By-law 03-2023.

## SITE REGULATIONS

- f) Notwithstanding the Residential 4 (R4) Zone regulations of **Table 7-3** of Zoning By-law 121-2012, the following regulations shall apply to this Zone:

|                                                     |                   |
|-----------------------------------------------------|-------------------|
| Minimum Lot Frontage:                               | 30m               |
| Minimum Lot Area:                                   | 750m <sup>2</sup> |
| Maximum Lot Coverage:                               | 30%               |
| Minimum Front Yard:                                 | 2.8 m             |
| Minimum Interior Side Yard (if no Attached garage): | 1.2 m & 3.0*      |
| Minimum Interior Side Yard (if Attached garage):    | 3.0*              |
| Minimum Rear Yard:                                  | 2.8 m             |
| Maximum Building Height:                            | 11 m              |
| Minimum Landscaped Open Space:                      | 40%               |

\* *Single Detached Dwelling*: 1.2 m minimum (one side) and 3 m minimum (other side)

- g) Notwithstanding Section 3.31.1 Yard Encroachments Permitted of Zoning By-law 121 of 2012, every part of any required Yard within the Residential 4 (R4) Zone shall be open and unobstructed by any Building or Structure from the ground to the sky, provided however, those Structures listed below shall be Permitted to encroach into the Required Yards indicated for the distances specified:

| <b>Structure</b>                                                                                | <b>Yard In Which Encroachment is Permitted</b> | <b>Maximum Encroachment Permitted Into Required Yards Under Zone Regulations</b> |
|-------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------|
| i. Sills, belt courses, cornices, eaves, gutters, chimneys, or similar architectural Structure. | Any Yard                                       | 0.5m                                                                             |
| ii. Outdoor heating and air conditioning unit                                                   | Side and Rear Yard                             | 1.0                                                                              |
| iii. Porches (unenclosed) excluding eaves                                                       | Any Yard                                       | 1.0                                                                              |
| iv. Decks (unenclosed)                                                                          | Any Yard                                       | 1.0                                                                              |
| v. Balconies and Steps (unenclosed)                                                             | Any Yard                                       | 1.0                                                                              |
| vi. Bay Windows, and Awnings                                                                    | Front and Rear Yard                            | 0.5                                                                              |

Provided however that ii), iii), iv), v) and vi) shall not be any closer than 1.2 meters to an Interior Lot Line and 1.8 m to a front or Rear Lot Line.

- h) In the event the Building Existing on the site at the time of the passing of By-law 03-2023 be destroyed by fire or other natural disaster or be demolished, such Building shall be reconstructed in accordance with the requirements of the Residential 4 (R4) Zone, **Table 7-3** of By-law 121- 2012, and Section 3.31.1 Yard Encroachments Permitted of the By-law.

### **7.6.5 Residential 5 (R5) Zone Exceptions**



## SECTION 8 – COMMERCIAL ZONES

### 8.1 LIST OF COMMERCIAL ZONES

For convenience, **Table 8-1** lists the Commercial Zones established in Section 5 of this By-law.

| <b>Table 8-1: List of Commercial Zones</b> |                    |
|--------------------------------------------|--------------------|
| <b>Zone Name</b>                           | <b>Zone Symbol</b> |
| Central Commercial                         | C1                 |
| Highway Commercial                         | C2                 |
| Rural Commercial                           | C3                 |
| Service Centre Commercial                  | C4                 |

### 8.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Commercial Zone except for one or more of the following Uses:

| <b>Table 8-2: Permitted Uses in Commercial Zones</b> |             |           |           |           |
|------------------------------------------------------|-------------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                | <b>Zone</b> |           |           |           |
|                                                      | <b>C1</b>   | <b>C2</b> | <b>C3</b> | <b>C4</b> |
| <b>COMMERCIAL USES</b>                               |             |           |           |           |
| Abattoir                                             |             |           | √         |           |
| Agricultural Service And Supply Establishment        |             | √         | √         | √         |
| Animal Hospital                                      |             | √         | √         |           |
| Art Gallery                                          | √           |           |           |           |
| Assembly Hall                                        | √           |           |           |           |
| Auction Hall                                         |             | √         |           |           |
| Auditorium                                           | √           |           |           |           |
| Bake Shop                                            | √           | √         |           |           |
| Bakery                                               | √           | √         |           |           |
| Bed And Breakfast Establishment                      | √           |           |           |           |
| Boarding House                                       | √           |           |           |           |
| Bonded Warehouse                                     |             |           |           | √         |

| <b>Table 8-2: Permitted Uses in Commercial Zones</b>  |             |           |           |           |
|-------------------------------------------------------|-------------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                 | <b>Zone</b> |           |           |           |
|                                                       | <b>C1</b>   | <b>C2</b> | <b>C3</b> | <b>C4</b> |
| Brewing On Premises Establishment                     | √           |           |           |           |
| Building Supply Establishment                         |             | √         |           | √         |
| <u>Bulk Sales Establishment</u>                       |             |           |           | <u>√</u>  |
| <u>Contractor's Facilities</u>                        |             | <u>√</u>  |           | <u>√</u>  |
| Clinic                                                | √           | √         |           |           |
| Commercial Storage Facility                           |             | √         |           |           |
| Commercial Use                                        | √           |           |           |           |
| Convenience Store                                     | √           | √         |           |           |
| Day Care Centre                                       | √           | √         |           |           |
| Dry Cleaning Establishment                            | √           | √         |           |           |
| Dwelling Unit                                         |             | √ (1)     |           |           |
| <u>Farm Implement Sales And Service Establishment</u> |             | <u>√</u>  | <u>√</u>  | <u>√</u>  |
| Farmer's Market                                       | √           |           | √         | √         |
| Financial Institution                                 | √           | √         |           |           |
| Flea Market                                           |             |           | √         | √         |
| Fruit Market                                          |             |           |           | √         |
| Funeral Home                                          | √           | √         |           | √         |
| Garden Centre And Nursery                             |             | √         |           |           |
| Gas Bar                                               |             | √         |           |           |
| Gasoline Retail Facility (2)                          |             |           |           | √         |
| Gift Shop                                             | √           |           |           | √         |
| Golf Driving Range                                    |             | √         |           |           |
| Health Club                                           |             | √         |           |           |
| Hotel                                                 |             | √         |           | √         |
| Institutional Use                                     | √           |           |           |           |
| <u>Lumber Yard</u>                                    |             | <u>√</u>  |           | <u>√</u>  |
| Marine Sales And Service Establishment                |             | √         |           |           |
| <u>Mixed-Use Building (3)</u>                         | <u>√</u>    |           |           |           |
| Motel                                                 |             | √         |           | √         |

| <b>Table 8-2: Permitted Uses in Commercial Zones</b> |                  |           |           |           |
|------------------------------------------------------|------------------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                | <b>Zone</b>      |           |           |           |
|                                                      | <b>C1</b>        | <b>C2</b> | <b>C3</b> | <b>C4</b> |
| Motor Vehicle Repair Establishment                   | √ <sup>(1)</sup> | √         |           | √         |
| Motor Vehicle Sales And Rental Establishment         | √ <sup>(4)</sup> | √         |           |           |
| Motor Vehicle Service Establishment                  | √ <sup>(1)</sup> | √         |           | √         |
| Motor Vehicle Washing Establishment                  |                  | √         |           |           |
| Office                                               | √                | √         |           | √         |
| Park                                                 | √                |           |           |           |
| Parking Lot                                          | √                | √         |           |           |
| Personal Service Establishment                       | √                | √         |           |           |
| Place Of Entertainment                               | √                | √         |           | √         |
| Place Of Worship                                     | √                | √         |           | √         |
| Private Club                                         | √                | √         |           |           |
| Recycling Depot                                      |                  | √         |           |           |
| Recreational Establishment                           | √                | √         |           | √         |
| Recreational Vehicle Sales And Service Establishment | √ <sup>(1)</sup> | √         |           |           |
| Restaurant                                           | √                | √         |           | √         |
| Restaurant, Drive-through                            |                  | √         |           | √         |
| Retail Store                                         | √                |           |           |           |
| Retail Warehouse                                     | √                |           |           | √         |
| School                                               | √                |           |           |           |
| Service Shop, Light                                  | √                | √         |           |           |
| Single-Detached Dwelling <sup>(5)</sup>              | √ <sup>(1)</sup> |           |           |           |
| Shopping Centre                                      | √                |           |           |           |
| Stock Yard                                           |                  |           | √         |           |
| Tavern                                               | √                |           |           |           |
| Theatre                                              | √                |           |           |           |
| Transportation Terminal                              |                  |           |           | √         |
| <u>Tourist Information Centre</u>                    |                  |           |           | <u>√</u>  |
| <u>Warehouse</u>                                     |                  |           |           | <u>√</u>  |

| <b>Table 8-2: Permitted Uses in Commercial Zones</b>                        |             |           |           |           |
|-----------------------------------------------------------------------------|-------------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                                       | <b>Zone</b> |           |           |           |
|                                                                             | <b>C1</b>   | <b>C2</b> | <b>C3</b> | <b>C4</b> |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |             |           |           |           |
| Accessory Uses, Buildings, and Structures <sup>(6)</sup>                    | √           | √         | √         | √         |
| <u>Accessory Dwelling Unit</u>                                              |             | <u>√</u>  |           | <u>√</u>  |
| Home Occupation                                                             | √           |           |           |           |
| <u>Open Storage</u>                                                         |             | <u>√</u>  |           | <u>√</u>  |
| <u>Outdoor Display</u>                                                      |             | <u>√</u>  |           | <u>√</u>  |
| <u>Short-Term Rental</u>                                                    | <u>√</u>    |           |           |           |

**Notes:**

1. This is only permitted where the Use legally existed on the effective date of this By-law.
2. A Convenience Store is permitted as an Accessory Use to a Gasoline Retail Facility.
3. Dwelling Units must be located above or behind permitted ground-floor Commercial Use.
4. This is only permitted where the Use legally existed on the effective date of this By-law, which includes Accessory Open Storage only for the purpose of display of goods offered for sale or rent.
5. Existing Single Detached Dwellings and new or Existing Uses Accessory thereto shall comply with provisions applicable to the Residential 1 (R1) Zone.
6. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.

## 8.3 REGULATIONS

| Table 8-3: Regulations in Commercial Zones                |                                                                                                                                                                                          |                    |                     |                     |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|---------------------|
| Regulation                                                | Zone                                                                                                                                                                                     |                    |                     |                     |
|                                                           | C1                                                                                                                                                                                       | C2                 | C3                  | C4                  |
| Minimum Lot Frontage                                      | 0 m                                                                                                                                                                                      | 20 m               | 30 m                | 100 m               |
| Minimum Lot Area                                          | 0 m <sup>2</sup>                                                                                                                                                                         | 700 m <sup>2</sup> | 1850 m <sup>2</sup> | 7000 m <sup>2</sup> |
| Minimum Front Yard Depth                                  | 0 m                                                                                                                                                                                      | 6 m                | 7.5 m               | 30 m                |
| Minimum Interior Side Yard Width                          | 0 m                                                                                                                                                                                      | 4.5 m              | 7.5 m               | 10 m                |
| Minimum Exterior Side Yard Width                          | 0 m                                                                                                                                                                                      | 6 m                | 7.5 m               | 30 m                |
| Minimum Rear Yard Depth                                   | 0 m                                                                                                                                                                                      | 4.5 m              | 7.5 m               | 10 m                |
| Maximum Lot Coverage                                      | 100%                                                                                                                                                                                     | 50%                | 30%                 | 20%                 |
| Minimum Landscaped Open Space                             | 0%                                                                                                                                                                                       | 10%                | 10%                 |                     |
| Maximum Building Height                                   | 12 m                                                                                                                                                                                     | 11 m               | 12 m                |                     |
| <u>Minimum Amenity Area for Mixed-Use Buildings</u>       | <u>In accordance with Section 3.3 of this By-law.</u>                                                                                                                                    | =                  |                     |                     |
| <u>Buffer Requirement if Adjacent to Residential Zone</u> | <u>Per Section 3.32, a Planting Strip 3 m wide shall be provided and maintained adjacent to every portion of any Lot Line that abuts any Residential Zone not separated by a Street.</u> |                    |                     |                     |
| <u>Waste Storage Requirements</u>                         | <u>Waste storage areas shall be provided in accordance with Section 3.44 of this By-law.</u>                                                                                             |                    |                     |                     |
| DWELLING UNIT <sup>(1)</sup> REGULATIONS                  |                                                                                                                                                                                          |                    |                     |                     |

| <b>Table 8-3: Regulations in Commercial Zones</b> |                   |           |           |           |
|---------------------------------------------------|-------------------|-----------|-----------|-----------|
| <b>Regulation</b>                                 | <b>Zone</b>       |           |           |           |
|                                                   | <b>C1</b>         | <b>C2</b> | <b>C3</b> | <b>C4</b> |
| <b>Minimum Floor Area – Bachelor</b>              | 40 m <sup>2</sup> |           |           |           |
| <b>Minimum Floor Area – One-Bedroom</b>           | 45 m <sup>2</sup> |           |           |           |
| <b>Minimum Floor Area – Two-Bedroom</b>           | 55 m <sup>2</sup> |           |           |           |
| <b>Minimum Floor Area – Three-Bedroom</b>         | 70 m <sup>2</sup> |           |           |           |

**Notes:**

1. Dwelling Units must be located above or behind permitted ground-floor Commercial Use.

## **8.4 SPECIAL PROVISIONS**

### **8.4.1 Central Commercial (C1) Special Provisions**

### **8.4.2 Highway Commercial (C2) Special Provisions**

### **8.4.3 Rural Commercial (C3) Special Provisions**

### **8.4.4 Service Centre Commercial (C4) Special Provisions**

## **8.5 HOLDING ZONES**

### **8.5.1 Central Commercial (C1) Holding Zones**

### **8.5.2 Highway Commercial (C2) Holding Zones**

### **8.5.3 Rural Commercial (C3) Holding Zones**

### **8.5.4 Service Centre Commercial (C4) Holding Zones**

#### **8.5.4.1 C4(H) Zone**

#### **Permitted Uses**

Uses lawfully Existing on the day this By-law was passed.

Provisions for the Removal of the Holding "H" Symbol



## **8.6 ZONE EXCEPTIONS**

The following Zones apply to unique or Existing situations and are not the standard Commercial Zones. If a regulation or Use is not specified, the list of Permitted Uses in **Section 8.2** and/or the regulations of **Table 8-3** shall apply.

### **8.6.1 Central Commercial (C1) Zone Exceptions**

### **8.6.2 Highway Commercial (C2) Zone Exceptions**

#### **8.6.2.1 C2-1 Zone**

##### **Permitted Uses**

- a) Agricultural Implement Sale
- b) Agricultural Service Establishment
- c) Agricultural Supply Establishment
- d) Animal Hospital
- e) Auction Hall
- f) Bakery
- g) Bonded Warehouse
- h) Building or Contracting Establishment
- i) Commercial Recreation Establishment
- j) Commercial Storage
- k) Dry Cleaning Establishment
- l) Farmers Market
- m) Flea Market
- n) Garden Centre
- o) Gas Bar

- p) General Industrial Use
- q) Golf Driving Range
- r) Health Club
- s) Health/Recreation Facility
- t) Hotel
- u) Light Industrial Use
- v) Laundromat
- w) Marine Sales And Service Establishment
- x) Motel
- y) Motor Vehicle Sales Establishment
- z) Motor Vehicle Service Establishment
- aa) Motor Vehicle Repair Establishment
- bb) Motor Vehicle Washing Establishment
- cc) Parking Lot
- dd) Personal Service Establishment
- ee) Place Of Entertainment
- ff) Private Club
- gg) Service and Repair Shop
- hh) Travel Trailer Sales Establishment
- ii) Truck Transport Terminal
- jj) Warehouse

kk) Buildings, Structures and Uses Accessory to a Permitted Use.

#### 8.6.2.2 C2-2 Zone

##### **Permitted Uses**

- a) Any Use permitted in the C2 Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Lands described as Pt Lot 24, Con 5 NER within the C2(2) Zone shall permit one Accessory Dwelling Unit as a secondary Use to a permitted Use; in addition to the Uses of the C2 Zone.

##### **Site Regulations**

- d) The Dwelling Unit shall be limited to the interior of the Existing Building
- e) The Ground Floor Area of the Dwelling Unit shall be a minimum 42 m<sup>2</sup> and the maximum shall not exceed 188 m<sup>2</sup>.
- f) The provisions of the C2 Zone shall apply to lands zoned C2(2).

#### **8.6.3 Rural Commercial (C3) Zone Exceptions**

##### 8.6.3.1 C3-1 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the C3 Zone
- b) Existing Motor Vehicle Repair and Service Establishment
- c) Buildings, Structures and Uses Accessory to a Permitted Use

##### 8.6.3.2 C3-2 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the C3 Zone
- b) The sale and service of motorcycles, four-wheelers, snowmobiles, jet-skis and sea-doo's as a secondary Use to the Existing Agricultural Sales Establishment

- c) Buildings, Structures and Uses Accessory to a Permitted Use

### **Site Regulations**

- d) The display and storage of recreational Motor Vehicles shall be limited to the interior of the Building and 20% of the total Outdoor Display area.

### **8.4.4 Service Centre Commercial (C4) Zone Exceptions**

## SECTION 9 – INDUSTRIAL ZONES

### 9.1 LIST OF INDUSTRIAL ZONES

For convenience, **Table 9-1** lists the Industrial Zones established in Section 5 of this By-law.

| <b>Table 9-1: List of Industrial Zones</b> |                    |
|--------------------------------------------|--------------------|
| <b>Zone Name</b>                           | <b>Zone Symbol</b> |
| Mixed Commercial Industrial                | CM                 |
| Industrial                                 | M1                 |
| Light Industrial                           | M2                 |
| Waste Disposal                             | M3                 |
| Extractive                                 | M4                 |
| Industrial Recycling                       | M5                 |

### 9.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Industrial Zone except for one or more of the following Uses:

| <b>Table 9-2: Permitted Uses in Industrial Zones</b> |             |           |           |           |           |           |
|------------------------------------------------------|-------------|-----------|-----------|-----------|-----------|-----------|
| <b>Permitted Uses</b>                                | <b>Zone</b> |           |           |           |           |           |
|                                                      | <b>CM</b>   | <b>M1</b> | <b>M2</b> | <b>M3</b> | <b>M4</b> | <b>M5</b> |
| Agriculture                                          |             |           |           |           | √         |           |
| <u>Agricultural Processing Establishment</u>         | √           | √         |           |           |           |           |
| Agricultural Service And Supply Establishment        | √           |           |           |           |           |           |
| Auction Hall                                         |             | √         | √         |           |           |           |
| Bakery                                               |             |           | √         |           |           |           |
| <u>Batching Plant</u>                                |             | √         |           |           |           |           |
| Building Supply Establishment                        | √           |           | √         |           |           |           |
| Bulk Fuel Establishment                              | √           |           |           |           |           |           |
| Bulk Sales Establishment                             | √           |           |           |           |           |           |
| Commercial Storage Facility                          | √           | √         | √         |           |           |           |

**Table 9-2: Permitted Uses in Industrial Zones**

| Permitted Uses                                   | Zone |    |    |    |    |    |
|--------------------------------------------------|------|----|----|----|----|----|
|                                                  | CM   | M1 | M2 | M3 | M4 | M5 |
| <u>Composting Facility</u>                       |      |    |    | √  |    |    |
| Conservation                                     |      |    |    |    | √  |    |
| Contractor's Facilities                          |      | √  | √  |    |    |    |
| <u>Data Processing Establishment</u>             |      | √  | √  |    |    |    |
| Dry Cleaning Depot                               |      | √  |    |    |    |    |
| Dry Cleaning Establishment                       |      | √  |    |    |    |    |
| Farm Implement Sales And Service Establishment   | √    |    |    |    |    |    |
| <u>Feed Mills</u>                                | √    |    |    |    |    |    |
| Food, Tobacco and Beverage Processing Industries |      | √  |    |    |    |    |
| Forestry                                         |      |    |    | √  | √  |    |
| <u>Garden Centre And Nursery</u>                 | √    |    |    |    |    |    |
| Golf Driving Tee Or Range                        | √    |    |    |    |    |    |
| Grain Elevator                                   | √    | √  |    |    |    |    |
| Laboratory                                       |      |    |    |    |    |    |
| Light Industrial Use                             | √    | √  | √  |    |    |    |
| Lumber Yard                                      | √    |    |    |    |    |    |
| Mineral Aggregate Operations                     |      |    |    |    | √  |    |
| Motor Vehicle Repair Establishment               | √    | √  |    |    |    |    |
| Motor Vehicle Sales And Rental Establishment     | √    |    | √  |    |    |    |
| Motor Vehicle Service Establishment              | √    | √  | √  |    |    |    |
| Motor Vehicle Washing Establishment              | √    | √  |    |    |    |    |
| Parking Lot                                      |      | √  | √  |    |    |    |
| Public Garage                                    |      | √  | √  |    |    |    |
| Recreational Establishment                       |      | √  |    |    |    |    |

| <b>Table 9-2: Permitted Uses in Industrial Zones</b>                        |          |          |          |          |          |                         |
|-----------------------------------------------------------------------------|----------|----------|----------|----------|----------|-------------------------|
| Permitted Uses                                                              | Zone     |          |          |          |          |                         |
|                                                                             | CM       | M1       | M2       | M3       | M4       | M5                      |
| Recreational Vehicle Sales And Service Establishment                        | √        |          |          |          |          |                         |
| Recycling Depot                                                             |          | √        | √        | √        |          |                         |
| Research and Development Establishment                                      |          |          | √        |          |          |                         |
| Restaurant, Drive-through                                                   | √        |          |          |          |          |                         |
| Service Shop, Heavy                                                         |          | √        | √        |          |          |                         |
| Service Trade                                                               |          | √        | √        |          |          |                         |
| Tourist Information Centre                                                  | √        |          |          |          |          |                         |
| Transportation Terminal                                                     | √        | √        |          |          |          |                         |
| Warehouse                                                                   | √        | √        | √        |          |          |                         |
| Waste Disposal Site <sup>(1)</sup>                                          |          |          |          | √        |          |                         |
| Wind Turbine                                                                |          |          |          |          | √        |                         |
| Wholesale Establishment                                                     |          | √        |          |          |          |                         |
| <u>Wrecking/Salvage Yard</u>                                                |          |          |          | <u>√</u> |          | <u>√</u>                |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |          |          |          |          |          |                         |
| <u>Accessory Dwelling Unit</u>                                              | <u>√</u> | <u>√</u> | <u>√</u> |          |          |                         |
| Accessory Uses, Buildings, and Structures <sup>(2)</sup>                    | √        | √        | √        | √        | √        | √                       |
| <u>Accessory Office</u>                                                     | <u>√</u> | <u>√</u> | <u>√</u> | <u>√</u> | <u>√</u> | <u>√</u>                |
| <u>Ancillary Retail</u>                                                     | <u>√</u> | <u>√</u> | <u>√</u> |          |          |                         |
| <u>Open Storage</u> <sup>(3)</sup>                                          | <u>√</u> | <u>√</u> | <u>√</u> |          |          | <u>√</u> <sup>(4)</sup> |
| <u>Parks</u>                                                                | <u>√</u> | <u>√</u> | <u>√</u> | <u>√</u> |          |                         |

**Notes:**

1. Permitted Waste Disposal Sites only applies to non-hazardous solid waste. Waste Disposal Sites and adjacent land-Uses within 500 m shall be in accordance with Section 3.43 of this By-law.

2. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.
3. Open Storage must be in accordance with Section 3.28 of this By-law.
4. Notwithstanding Section 3.28 of this By-law, any Open Storage in the M5 Zone shall not be less than 5 m from a Lot Line.



## 9.3 REGULATIONS

| Table 9-3: Regulations in Industrial Zones                                           |                                 |             |                      |                                |                     |                     |
|--------------------------------------------------------------------------------------|---------------------------------|-------------|----------------------|--------------------------------|---------------------|---------------------|
| Regulation                                                                           | Zone                            |             |                      |                                |                     |                     |
|                                                                                      | CM                              | M1          | M2                   | M3                             | M4                  | M5                  |
| Minimum Lot Frontage                                                                 | 30 m                            | 50 m        | 30 m                 | 45 m                           | -                   |                     |
| Minimum Lot Area                                                                     | 2,500 m <sup>2</sup>            |             | 2,000 m <sup>2</sup> | 4 ha                           | -                   |                     |
| Minimum Front Yard Depth                                                             | <del>20 m</del><br><u>15 m</u>  | 8 m         |                      | 150 m                          | 15 m <sup>(1)</sup> | 30 m <sup>(2)</sup> |
| Minimum Interior Side Yard Width                                                     | <del>10 m</del><br><u>7.5 m</u> | 4.5 m       |                      | <del>30 m</del><br><u>10 m</u> |                     |                     |
| <u>Minimum Interior Side Yard Width if Adjacent to any Residential Zone Boundary</u> | <u>15 m</u>                     | <u>10 m</u> |                      | <u>30 m</u>                    |                     |                     |
| Minimum Exterior Side Yard Width                                                     | <del>20 m</del><br><u>15 m</u>  | 8 m         |                      | 150 m                          |                     |                     |
| Minimum Rear Yard Depth                                                              | 10 m                            | 4.5 m       |                      | 30 m                           |                     |                     |
| Maximum Lot Coverage                                                                 | <del>30%</del><br><u>40%</u>    | 60%         |                      | 50%                            | -                   |                     |
| Minimum Landscaped Open Space                                                        | <del>10%</del><br><u>15%</u>    |             |                      |                                | -                   |                     |
| Maximum Building Height                                                              | 12 m                            |             |                      |                                |                     |                     |

| Table 9-3: Regulations in Industrial Zones                |                                                                                                                                                                                          |    |    |                                                                                                   |    |    |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|---------------------------------------------------------------------------------------------------|----|----|
| Regulation                                                | Zone                                                                                                                                                                                     |    |    |                                                                                                   |    |    |
|                                                           | CM                                                                                                                                                                                       | M1 | M2 | M3                                                                                                | M4 | M5 |
| <u>Buffer Requirement if Adjacent to Residential Zone</u> | <u>Per Section 3.32, a Planting Strip 3 m wide shall be provided and maintained adjacent to every portion of any Lot Line that abuts any Residential Zone not separated by a Street.</u> |    |    |                                                                                                   |    |    |
| <u>Buffer Requirement for Waste Disposal Sites</u>        | -                                                                                                                                                                                        |    |    | <u>Permanent buffer areas shall be provided in accordance with Section 3.43.2 of this By-law.</u> | -  |    |
| <u>Waste Storage Requirements</u>                         | <u>Waste storage areas shall be provided in accordance with Section 3.44 of this By-law.</u>                                                                                             |    |    |                                                                                                   |    |    |

**Notes:**

1. Mineral Aggregate Operations and Accessory Uses within the M4 Zone shall conform to the *Aggregate Resources Act*. There shall be no excavation within:
  - a) 15 m of the boundary of the site;
  - b) 30 m of any part of the boundary that abuts a highway, land in Use for residential purposes, or land restricted to residential Use by a zoning by-law;
  - c) 0 m of any part of the boundary if the adjoining property is being used for the same purpose

2. With the exception of earth berms that are intended to screen adjoining lands from the operations of the site, there shall be no Buildings, Structures or piled aggregate, topsoil, subsoil or overburden within:
  - a) 30 m of the boundary of the site;
  - b) 90 m of any part of the boundary that abuts land in Use for residential purposes or land restricted to residential Use by a zoning by-law;
  - c) 0 m of any part of the boundary if the adjoining property is being used for the same purpose.

## **9.4 SPECIAL PROVISIONS**

### **9.4.1 Mixed Commercial Industrial (CM) Zone Special Provisions**

#### **a) Yards Abutting A Railway Right-Of-Way**

Notwithstanding any other provisions of this By-law, where a Mixed Commercial Industrial (CM) Zone abuts a railway Right-Of-Way, no Yard shall be required.

### **9.4.2 Industrial (M1) Zone Special Provisions**

### **9.4.3 Light Industrial (M2) Zone Special Provisions**

### **9.4.4 Waste Disposal (M3) Zone Special Provisions**

### **9.4.5 Extractive (M4) Zone Special Provisions**

### **9.4.6 Industrial Recycling (M5) Zone Special Provisions**

## **9.5 HOLDING ZONES**

### **9.5.1 Mixed Commercial Industrial (CM) Holding Zones**

#### **9.5.1.1 Mixed Commercial Industrial Holding CM (H) Zone**

##### **Permitted Use**

Buildings, Structures and Uses lawfully Existing on the day the By-law was passed.

Provisions for the Removal of the Holding “H” Symbol

To ensure the orderly development of lands and the adequate provision of municipal services, the “H” symbol shall be removed only after the Ministry of Environment & Energy (or its designated agent) has provided written authorization approving a private sewage system and when Council is satisfied that new development will comply with municipal zoning and site plan control regulations.

### **9.5.2 Industrial (M1) Holding Zones**

#### **9.5.2.1 Industrial M1(H) Zone**

##### **Permitted Uses**

Buildings, Structures and Uses lawfully Existing on the day the By-law was passed.

Provisions for the Removal of the Holding “H” Symbol

The “H” symbol shall be removed only after the Ministry of Environment & Energy (or its designated agent) has provided written authorization approving a private sewage system and when Council is satisfied that new development will comply with municipal zoning and site plan control regulations.

#### **9.5.2.2 Industrial M1(H)1 Zone**

##### **Permitted Use**

Buildings, Structures and Uses lawfully Existing on the day the By-law was passed

Provisions for the Removal of the Holding “H” Symbol

The “H” symbol shall be removed only after the Municipality is satisfied that municipal services are adequate and/or the Ministry of Environment & Energy (or its designated agent) has provided written authorization approving a private sewage system and when Council is satisfied that new development will comply with municipal zoning and site plan control regulations

#### 9.5.2.3 Industrial M1(H)2 Zone

##### **Permitted Use**

Buildings, Structures and Uses lawfully Existing on the day the by-law was passed

Provisions for the Removal of the Holding “H” Symbol

The “H” symbol shall be removed only after the Municipality is satisfied that municipal services are adequate and/or the Ministry of Environment & Energy (or its designated agent) has provided written authorization approving a private sewage system and a tree preservation plan completed by a certified professional. Furthermore, Council must be satisfied that new development will comply with municipal zoning and site plan control regulations.

#### **9.5.3 Light Industrial (M2) Holding Zones**

#### **9.5.4 Waste Disposal (M3) Holding Zones**

#### **9.5.5 Extractive (M4) Holding Zones**

#### **9.5.6 Industrial Recycling (M5) Holding Zones**

## **9.6 ZONE EXCEPTIONS**

### **9.6.1 Mixed Commercial Industrial (CM) Zone Exceptions**

The following Zones apply to unique or Existing situations and are not the standard CM Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 9.2 and/or the regulations of 9.3 shall apply.

#### 9.6.1.1 CM-1 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the CM Zone
- b) Existing Dwelling Units
- c) Single Detached Dwelling where Accessory to a Permitted Use
- d) Existing Sawmill

#### 9.6.1.2 CM-2 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the CM Zone
- b) Existing Gasoline Retail Facility, with Accessory Convenience Store

#### 9.6.1.3 CM-3 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the CM Zone
- b) Existing Church

#### 9.6.1.4 CM-4 Zone

##### **Permitted Uses**

- a) Any Use Permitted in the CM Zone
- b) Any Use Permitted in the C2 Zone

- c) Data Processing Establishment
- d) Flea Market
- e) Gift Shop
- f) Printing Establishment

**Prohibited Uses**

- a) Lumber Yard
- b) Truck Transport Terminal
- c) Light Industrial Use
- d) Farm Produce Processing Establishment
- e) Private Club

**Site Regulations**

The regulations of the Highway Commercial (C2) Zone shall apply.

9.6.1.5 CM-5 Zone

**Permitted Uses**

- a) Any Use Permitted in the CM Zone
- b) An Office Use to a maximum of 300 m<sup>2</sup> of Ground Floor Area per Lot

**Site Regulations**

- a) The Zone regulations in **Table A** applicable to the C2 Zone shall apply in the CM(5) Zone

9.6.1.6 CM-6 Zone

**Permitted Uses**

- a) Any Use permitted in the CM Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use.



- c) A Personal Service Establishment Use to a maximum of 90 square meters of Ground Floor Area.
- d) Accessory Convenience Use to a maximum of 90 square meters of Ground Floor Area.
- e) Garden Centre

### **Site Regulations**

- a) Minimum Front Lot Line Setback: 20m
- Minimum Exterior Lot Line Setback: 15m
- Minimum Interior Lot Line Setback: 10m
- Minimum Rear Lot Line Setback: 10m
- b) All other provisions of the CM Zone shall apply to lands zoned.

#### 9.6.1.7 CM-7 Zone

### **Permitted Uses**

- a) Any Use permitted in the CM Zone
- b) Buildings, Structures and Uses Accessory to a Permitted Use
- c) Wholesale Establishment
- d) Automotive parts and automotive Accessory sales
- e) All other provisions of the CM Zone shall apply to lands zoned

### **Zone Regulations**

Within the CM(7) Zone "*Automotive parts and automotive Accessory sales*" means a Retail Store primarily engaged in the retail sale of vehicle parts, Accessories and tools.

#### 9.6.1.8 CM-8 Zone

### **Permitted Uses**

- a) Any Use permitted in the CM Zone

- b) Buildings, Structures and Uses Accessory to a Permitted Use.

### **Site Regulations**

|                                     |     |
|-------------------------------------|-----|
| Minimum Interior Side Yard Setback: | 4 m |
| Maximum Lot Coverage                | 39% |

#### **9.6.1.9 CM-9 Zone**

### **Permitted Uses**

- a) Any Use permitted in the CM Zone
- b) Motor Vehicle Washing Establishment
- c) Buildings, Structures and Uses Accessory to a Permitted Use.

#### **9.6.1.10 CM-10 Zone**

### **Permitted Uses**

- a) Any Use permitted in the CM Zone
- b) Motor Vehicle Sales Establishment

### **Zone Regulations**

- a) Notwithstanding the minimum parking requirements in Section 4.1.1, vehicle parking for an Auto Washing Establishment or a Motor Vehicle Washing Establishment shall be provided at a minimum rate of 1 Parking Space per 28 m<sup>2</sup> of Gross Floor Area.
- b) Notwithstanding Section 4.2.1
  - i) Automatic Motor Vehicle Washing Establishments shall have on their Premises sufficient space for the storage and movement of at least 5 automobiles in advance of the 1 automobile at the terminus of each wash line.
  - ii) Self-service Motor Vehicle Washing Establishments shall have on their Premises sufficient space for the storage and movement of at least 3 automobiles in advance of each wash stall.

- iii) The Zone regulations in **Table A** that are applicable to the OS2 Zone shall apply to this Zone.

### **9.6.2 Industrial (M1) Zone Exceptions**

The following Zones apply to unique or Existing situations and are not the standard M1 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 9.2 and/or the regulations of 9.3 shall apply.

#### **9.6.2.1 M1-1 Zone**

##### **Permitted Uses**

- a) Uses lawfully Existing on the day this By-law was passed.
- b) All Buildings and Structures Existing on the day this By-law was passed.
- c) Buildings, Structures and Uses Accessory to a Permitted Use including Open Storage and Office Uses.

##### **Site Regulations**

- a) The minimum Lot Area, Lot Frontage, Front Yard Depth, Side Yard Width, Rear Yard Depth shall remain as they existed on the day this By-law was passed.
- b) Notwithstanding any provisions of the By-law to the contrary, for those lands Zoned M1(1), the following Open Storage Setbacks, Location, Height and Surface Treatment shall apply:

8.20 m (27 feet) minimum from the Huron Street Lot Line, and

4.57 m (15 feet) minimum from the John Street Lot Line

Open Storage may be Permitted in the Front Yard subject to compliance with the aforementioned minimum required Open Storage Lot Line Setback.

The total Height of material stored adjacent to the aforementioned wood fence shall not exceed 2.13 m (7 feet).

All open areas shall be surfaced with crushed asphalt.

##### **Fencing**

A 2.4 m high (minimum) solid wood fence shall be provided parallel to the Huron and John Street Lot Lines, at a distance back from these Lot Lines which is equal to the Open Storage Setbacks, except where a required Sight Triangle necessitates an alternate alignment or where interrupted by a Driveway.

#### 9.6.2.2 M1-2 Zone

##### **Permitted Uses**

a) Asphalt/Concrete Batching Plant

i) For the purposes of this Zone, Concrete Batching Plant shall be defined as:

"An industrial establishment used for the production of asphalt, concrete or ready mix products used in the Building or construction trades and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the Premises and the storage and maintenance of required equipment but does not include the Retail sale of finished products.

b) Buildings, Structures and Uses Accessory to a Permitted Use.

##### **Site Regulations**

The Zone regulations in **Table 9-3** that are applicable to the M1Zone shall apply to this Zone with the exception of the following:

c) 50 m (164 ft.) maximum Height for Accessory Storage Depot(s).

#### 9.6.2.3 M1-3 Zone

##### **Permitted Uses**

~~a) Any use Permitted in the Industrial M1 Zone~~

~~b) Single Detached Dwelling~~

~~c) Buildings, Structures and Uses Accessory to a Permitted Uses~~

##### **Site Regulations**

~~d) The regulations of the Industrial M1 Zone shall apply to industrial uses.~~

~~e) The regulations of the Residential 1 (R1) Zone shall apply to residential uses.~~

### **9.6.3 Light Industrial (M2) Zone Exceptions**

### **9.6.4 Industrial Waste Disposal (M3) Zone Exceptions**

The following Zones apply to unique or Existing situations and are not the standard M3 Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 9.2 and/or the regulations of 9.3 shall apply.

#### **9.6.3.1 M3-1 Zone Landfill Site**

The “Landfill site” is the area zoned as M3-1 Zone.

#### **Landfilling Area**

The landfilling area means the area described on Exhibit 4-1 in the “Warwick Landfill Expansion Environmental Assessment” as approved on January 15, 2007 by the Minister of the Environment.

#### **Permitted Uses**

The landfilling Uses permitted in the “Landfill Site” designation are:

- a) disposal in the landfilling area, depositing for handling and receipt of non-hazardous solid waste. The disposal of non-hazardous solid waste is limited to the landfilling area that is approved under the provisions of the *Environmental Protection Act* and under a Certificate of Approval for a Waste Disposal Site under the *Environmental Protection Act*.
- b) disposal only within the landfilling area of contaminated soil monofil from the Existing landfill;
- c) processing of waste materials – asphalt, concrete, wood and tires;
- d) a composting facility utilizing leaf, tree and Yard wastes and agricultural crop residue;
- e) a Recycling Depot;
- f) a transfer area;
- g) Ancillary and Accessory Uses and activities within the “Landfill Site” such as, but not limited to:
  - i) administrative Office Building;

- ii) weigh scales and scale house;
- iii) equipment maintenance facilities;
- iv) truck Parking Area;
- v) storage Buildings;
- vi) borrow pit operation for landfill cover material;
- vii) excess soil stockpiles;
- viii) leachate collection, treatment and storage facilities,
- ix) landfill gas collection, recovery and treatment facilities;
- x) stormwater management facilities;
- xi) sedimentation pond facilities;
- xii) air monitoring facilities;
- xiii) Forestry;
- xiv) Accessory parking for adjacent Cemetery;
- xv) education and interpretive centre

Prohibited Uses subject to a further amendment to this By-law

In the “Landfill Site” independent energy-from-waste and energy-from-gas enterprises.

#### Landfill Site Regulations

Notwithstanding Section 5.7 and **Table 9-3**, no Person shall Erect or use any Building or Structure except in conformity with the following regulations:

- h) Front Yard Depth: 60 m minimum
- i) Interior Side Yard Width: 60 m minimum
- j) Exterior Side Yard Width: 60 m minimum

- k) Rear Yard Depth: 60 m minimum

### **Special Provisions**

- l) Notwithstanding the above, within the most southerly 500 m of the area zoned M3(1), the only Permitted Use is a poplar forest in conjunction with the approved leachate treatment facility.

- m) Within the M3(1) Zone:

- i) a permanent minimum 100 m wide permanent buffer area adjacent to the north, west and south sides of the approved landfilling area; and
- ii) a minimum 30 m wide permanent buffer area adjacent to the east side of the landfilling area and a minimum 7 m wide permanent buffer area adjacent to the east side of the south landfill area, Existing prior to the time of the adoption of this amendment.

Shall be provided and maintained and may only be used for landscaping features, berms, fencing, woodland forest, stormwater management facilities, internal driveways and Buildings and Structures Accessory and ancillary to the landfill operation.

### **9.6.5 Extractive (M4) Zone Exceptions**

### **9.6.6 Industrial Recycling (M5) Zone Exceptions**

## SECTION 10 – INSTITUTIONAL ZONES

### 10.1 LIST OF INSTITUTIONAL ZONES

For convenience, **Table 10-1** lists the Institutional Zones established in Section 5 of this By-law.

| <b>Table 10-1: List of Institutional Zones</b> |                    |
|------------------------------------------------|--------------------|
| <b>Zone Name</b>                               | <b>Zone Symbol</b> |
| Institutional                                  | I                  |

### 10.2 PERMITTED USES

No land, Building, or Structure shall be used or erected in any Institutional Zones except for one or more of the following Uses:

| <b>Table 10-2: Permitted Uses in Institutional Zones</b>                    |             |
|-----------------------------------------------------------------------------|-------------|
| <b>Permitted Uses</b>                                                       | <b>Zone</b> |
|                                                                             | <b>I</b>    |
| <u>Assembly Hall</u>                                                        | √           |
| Cemetery                                                                    | √           |
| <u>Community Facility</u>                                                   | √           |
| Day Care Centre                                                             | √           |
| <u>Farmer's Market</u>                                                      | √           |
| Institutional Use                                                           | √           |
| <u>Hospital</u>                                                             | √           |
| <u>Long Term Care Facility</u>                                              | √           |
| <u>Office</u>                                                               | √           |
| <u>Park</u>                                                                 | √           |
| Place Of Worship                                                            | √           |
| <u>Private Club</u>                                                         | √           |
| <u>Recreational Use</u>                                                     | √           |
| Retirement Home                                                             | √           |
| School                                                                      | √           |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |             |



| Table 10-2: Permitted Uses in Institutional Zones        |          |
|----------------------------------------------------------|----------|
| Permitted Uses                                           | Zone     |
|                                                          | I        |
| <u>Accessory Dwelling Unit <sup>(1)</sup></u>            | <u>√</u> |
| Accessory Uses, Buildings, and Structures <sup>(2)</sup> | √        |
| <u>Ancillary Retail</u>                                  | <u>√</u> |

**Notes:**

1. This Use shall only be permitted as an Accessory Use to a Place Of Worship.
2. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.

### 10.3 REGULATIONS

| <b>Table 10-3: Regulations in Institutional Zones</b> |                    |
|-------------------------------------------------------|--------------------|
| <b>Regulation</b>                                     | <b>I</b>           |
| <b>Minimum Lot Frontage</b>                           | 18 m               |
| <b>Minimum Lot Area</b>                               | 500 m <sup>2</sup> |
| <b>Minimum Front Yard Depth</b>                       | 6 m                |
| <b>Minimum Interior Side Yard Width</b>               | 3 m                |
| <b>Minimum Exterior Side Yard Width</b>               | 6 m                |
| <b>Minimum Rear Yard Depth</b>                        | 6 m                |
| <b>Maximum Lot Coverage</b>                           | 50%                |
| <b>Minimum Landscaped Open Space</b>                  | 10%                |
| <b>Maximum Building Height</b>                        | 12 m               |

## **10.4 SPECIAL PROVISIONS**

### **10.4.1 Institutional (I) Zone Special Provisions**

## **10.5 HOLDING ZONES**

### **10.5.1 Institutional (I) Holding Zones**

#### **10.5.1.1 Institutional (H) I(H) Zone**

##### **Permitted Uses**

Uses lawfully Existing on the day this By-law was passed.

Provisions for the Removal of the Holding "H" Symbol

The "H" symbol shall be removed once a site plan agreement or development agreement has been entered into with the Township.

## **10.6 ZONE EXCEPTIONS**

The following Zones apply to unique or Existing situations and are not the standard I Zone. If a regulation or Use is not specified, the list of Permitted Uses in Section 10.2 and/or the regulations of Section 10.3 shall apply.

### **10.6.1 Institutional (1) Zone Exceptions**

#### **10.6.1.1 I-1 Zone**

##### **Permitted Uses**

- a) Any Use Permitted in the I Zone
- b) Any Use Permitted in the R3 Zone
- c) Domiciliary Care Facility, Retirement Home, Home for the Aged, Long Term Care Facility, Residential Care Facility
- d) Buildings, Structures and Uses Accessory to a Permitted Use.

##### **Site Regulations**

- a) Parking Requirement: 1 space per Dwelling Unit for a R3 Use
- b) Minimum Lot Area: 105 m<sup>2</sup> per Dwelling Unit for a R3 Use
- c) Interior Side Yard Setback: 0.5m
- d) Exterior Side Yard Setback: 4.0m
- e) All other provisions of the I Zone shall apply.

## SECTION 11 – OPEN SPACE ZONES

### 11.1 LIST OF OPEN SPACE ZONES

For convenience, **Table 11-1** lists the Open Space Zones established in Section 5 of this By-law.

| <b>Table 11-1: List of Open Space Zones</b> |                    |
|---------------------------------------------|--------------------|
| <b>Zone Name</b>                            | <b>Zone Symbol</b> |
| Open Space 1                                | OS1                |
| Open Space 2                                | OS2                |

### 11.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Open Space Zone except for one or more of the following Uses:

| <b>Table 11-2: Permitted Uses in Open Space Zones</b>                       |             |            |
|-----------------------------------------------------------------------------|-------------|------------|
| <b>Permitted Uses</b>                                                       | <b>Zone</b> |            |
|                                                                             | <b>OS1</b>  | <b>OS2</b> |
| Campground                                                                  |             | √          |
| <u>Cemetery</u>                                                             | √           | √          |
| Community Facility                                                          |             | √          |
| Conservation                                                                | √           | √          |
| Fairground                                                                  |             | √          |
| Forestry                                                                    | √           | √          |
| Golf Course                                                                 |             | √          |
| Golf Driving Tee Or Range                                                   |             | √          |
| <u>Marina</u>                                                               | √           | √          |
| <u>Recreational Use</u>                                                     | √           | √          |
| Recreation Use, Passive                                                     | √           |            |
| Public Park                                                                 | √           | √          |
| Private Park                                                                |             | √          |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0 |             |            |
| Accessory Uses, Buildings, and Structures <sup>(1)</sup>                    | √           | √          |
| <u>Ancillary Retail</u>                                                     | √           | √          |

| Table 11-2: Permitted Uses in Open Space Zones |          |          |
|------------------------------------------------|----------|----------|
| Permitted Uses                                 | Zone     |          |
|                                                | OS1      | OS2      |
| <u>Parking Lot</u>                             | <u>✓</u> | <u>✓</u> |

**Notes:**

1. Accessory Uses, Buildings, and Structures shall be subject to the regulations of Section 3.1 of this By-law.

**11.3 REGULATIONS**

| Table 11-3: Regulations in Open Space Zones |                    |                      |
|---------------------------------------------|--------------------|----------------------|
| Regulation                                  | OS1                | OS2                  |
| Minimum Lot Frontage                        | 15 m               | 30 m                 |
| Minimum Lot Area                            | 500 m <sup>2</sup> | 5,000 m <sup>2</sup> |
| Minimum Front Yard Depth                    | 6 m                |                      |
| Minimum Interior Side Yard Width            | 3 m                | 6 m                  |
| Minimum Exterior Side Yard Width            | 6 m                |                      |
| Minimum Rear Yard Depth                     | 6 m                |                      |
| Maximum Lot Coverage                        | 5%                 | 30%                  |
| Minimum Landscaped Open Space               | -                  | -                    |
| Maximum Building Height                     | 10.5 m             |                      |

## **11.4 SPECIAL PROVISIONS**

### **11.4.1 Open Space 1 (OS1) Zone Special Provisions**

### **11.4.2 Open Space 2 (OS2) Zone Special Provisions**



## **11.5 HOLDING ZONES**

### **11.5.1 Open Space 1 (OS1) Holding Zones**

### **11.5.2 Open Space 2 (OS2) Holding Zones**

## **11.6 ZONE EXCEPTIONS**

The following Zones apply to unique or Existing situations and are not the standard Open Space Zones. If a regulation or Use is not specified, the list of Permitted Uses in **Section 11.2** and/or the regulations of **Table 11-3** shall apply.

### **11.6.1 Open Space 1 (OS1) Zone Exceptions**

### **11.6.2 Open Space 2 (OS2) Zone Exceptions**

#### **11.6.2.1 Open Space 2(1) (OS2(1)) Zone Exceptions (B/L 6/22)**

#### **Permitted Uses**

- a) An Agricultural Use, Exclusive of Buildings and Structures and inclusive of Livestock up to a maximum of 4 Animal Units
- b) Single Detached Dwelling Unit Existing as of the passing of Amending By-law -06 of 2022.
- c) Campground
- d) Buildings and Structures Accessory to a Single Detached Dwelling Unit

#### **Zone Regulations**

- a) Notwithstanding the minimum parking requirements in Section 4.1.1, vehicle parking shall be provided at a minimum rate of 1 Parking Space per Campsite with each such Parking Space having a minimum width of 2.7 m, and a minimum length of 5.5 m.
- b) Where lands within this Zone abut an adjacent property, a minimum landscaped buffer of 3 m shall be provided in which no Campsite may be situated.
- c) The Zone regulations in Table 11.3 that are applicable to the OS2 Zone shall apply to this Zone.

## SECTION 12 – ENVIRONMENTAL PROTECTION ZONES

### 12.1 LIST OF ENVIRONMENTAL PROTECTION ZONES

For convenience, Table 12.1 lists the Environmental Protection Zones established in Section 12 of this By-law.

| <b>Table 12-1: List of Environmental Protection Zones</b> |                    |
|-----------------------------------------------------------|--------------------|
| <b>Zone Name</b>                                          | <b>Zone Symbol</b> |
| Environmental Protection – Wetland                        | EP-WET             |
| Environmental Protection – Woodland                       | EP-WD              |
| Environmental Protection – Hazard                         | EP-H               |

### 12.2 PERMITTED USES

No land, Building, or Structure shall be used or Erected in any Environmental Protection Zone except for one or more of the following Uses:

| <b>Table 12-2: Permitted Uses in the Environmental Protection Zones</b>                                                                   |               |              |             |
|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------|-------------|
| <b>Permitted Uses</b>                                                                                                                     | <b>Zone</b>   |              |             |
|                                                                                                                                           | <b>EP-WET</b> | <b>EP-WD</b> | <b>EP-H</b> |
| Agricultural Use                                                                                                                          | √ (1)(2)      |              | √ (2)       |
| Conservation                                                                                                                              | √ (2)         |              | √ (2)       |
| Forestry                                                                                                                                  | √             |              |             |
| Recreational Use, Active                                                                                                                  |               |              | √ (2)(4)    |
| Recreational Use, Passive                                                                                                                 | √ (2)         |              | √ (2)       |
| Single-Detached Dwelling                                                                                                                  | √ (1)         | √ (3)        |             |
| <b>SPECIFIED ACCESSORY USES</b><br>Subject to the provisions of Section 3.0                                                               |               |              |             |
| Buildings and Structures required for the safety of persons living in or adjacent to the Environmental Protection – Wetland (EP-WET) Zone | √             |              |             |

#### Notes:

1. This is only permitted where the use legally existed on the effective date of this By-law.
2. Buildings and structures are not permitted.

3.
  - a. New dwellings shall only be permitted on a lot legally existing on the effective date of this By-law having a lot area of 2.0 hectares or less.
  - b. The provisions of the Agricultural 1 (A1) Zone shall apply for new dwellings and associated accessory uses.
  - c. Buildings, Structures and Uses Accessory to a Single Detached Dwelling shall not be Erected further than 20.0 metres from the Main Use.
4. Only permitted where Active Recreational Use is a Permitted Use in an abutting Zone.

### 12.3 REGULATIONS

| Table 12-3: Regulations in the Environmental Protection Zones |                         |
|---------------------------------------------------------------|-------------------------|
| Regulation                                                    | EP-WET<br>EP-WD<br>EP-H |
| Minimum Lot Frontage                                          | -                       |
| Minimum Lot Area                                              | -                       |
| Minimum Front Yard Depth                                      | -                       |
| Minimum Interior Side Yard Width                              | -                       |
| Minimum Exterior Side Yard Width                              | -                       |
| Minimum Rear Yard Depth                                       | -                       |
| Maximum Lot Coverage                                          | -                       |
| Minimum Landscaped Open Space                                 | -                       |
| Maximum Building Height                                       | -                       |

## **12.4 ZONE EXCEPTIONS**

Notwithstanding any other provisions of this By-law, the following provisions apply to lands subject to the Special Provisions as shown on the Schedules to this By-law.

### **12.4.1 ENVIRONMENTAL PROTECTION – WOODLAND (EP-WD) ZONE EXCEPTIONS**

#### **12.4.1.1 EP-WD(1) ZONE**

Additionally permitted uses:

- a) Existing 976 square metre shed to be used for repair, maintenance, fabrication and storage of excavating equipment.
- b) Existing driveways and parking areas.

#### **12.4.1.2 EP-WD(2) ZONE**

Additionally permitted uses:

- a) Any use Permitted in the Extractive Industrial M4 Zone provided that a license under the Aggregate Resources Act has been obtained from the Province and if required a development agreement, completed by a certified professional, has been signed with the Township.

#### **12.4.1.3 EP-WD(3) ZONE**

Additionally permitted uses:

- a) Any use permitted in the Open Space 1 (OS1) Zone.

### **12.4.2 ENVIRONMENTAL PROTECTION – HAZARD (EP-H) ZONE EXCEPTIONS**

#### **12.4.2.1 EP-H(1) ZONE**

Additionally permitted uses:

- a) Extractive Use consistent with aggregate extraction license
- b) Existing Driveways and Parking Areas
- c) Buildings, Structures and Uses Accessory to a Permitted Use

#### **12.4.2.2 EP-H(2) ZONE**

Prohibited uses:

- a) Agricultural uses.

#### 12.4.2.3 EP-H(3) ZONE

Additionally permitted uses:

- a) Stormwater Management Pond