



**Municipality of
Dutton Dunwich**

**ZONING BY-LAW No.
2004-24**

CONSOLIDATED AS OF AUGUST 12, 2016

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MUNICIPALITY OF DUTTON DUNWICH ZONING BY-LAW NO. 2004-24

A By-law to regulate the use of land, and the character, location, and use of buildings and structures in the Municipality of Dutton Dunwich.

WHEREAS the Council of the Corporation of the Municipality of Dutton Dunwich deems it necessary to enact a Zoning By-law;

NOW THEREFORE the Council of the Corporation of the Municipality of Dutton Dunwich, pursuant to Section 34 of the Planning Act, as amended, and all other powers thereunto enabling, enacts as follows:

SECTION 1 INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law shall be known as the “Zoning By-law” of the Corporation of the Municipality of Dutton Dunwich

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality as now or hereafter legally constituted.

1.3 SCOPE

No land shall be used and no building or structure shall be erected, altered, or used within the Municipality except in accordance with the regulations of this By-law and except as permitted by this By-law.

1.4 MINIMUM REQUIREMENTS

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

1.5 NUMBER AND GENDER

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

1.6 ADMINISTRATION

This By-law shall be administered by the Chief Building Official of the Municipality or any other person acting under the direction of the Council of the Municipality.

1.7 BUILDINGS TO BE MOVED

No building shall be moved within the limits of the Municipality or shall be moved into the Municipality without a permit from the Chief Building Official.

1.8 LICENCES AND PERMITS

No municipal permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any

building or structure that is in violation of any provisions of this By-law.

1.9 VIOLATIONS AND PENALTIES

Every person who contravenes this By-law is guilty of an offence and on conviction is liable on a first conviction to a fine of not more than \$25,000.00; and on a subsequent conviction to a fine not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. Where, however, a corporation is convicted, the maximum penalty that may be imposed is, on a first conviction, a fine of not more than \$50,000.00; and on a subsequent conviction a fine of not more than \$25,000.00 for each day thereof upon which the contravention has continued after the day on which the corporation was first convicted, as prescribed by the Planning Act, as amended.

1.10 REMEDIES

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

1.11 REPEAL OF EXISTING BY-LAWS

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

1.12 APPLICATION OF OTHER BY-LAWS

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

1.13 VALIDITY

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

1.14 EFFECTIVE DATE

This By-law shall come into force:

Where no notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or

Where notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Municipal Board.

SECTION 2 DEFINITIONS

The following definitions shall govern the use and interpretation of this By-law. Where a term is not defined herein the common English meaning shall apply in context of the zoning regulation. Some definitions are provided and not used in the by-law to allow future amendment and to prevent inappropriate use of the definition elsewhere in the By-law.

- 2.1 **ABATTOIR**, shall mean a building or structure, or portion thereof, where animals are slaughtered for the purposes of processing meat into food for human consumption; and where meat products are produced, processed, handled, sold or stored.
- 2.2 **ACCESSORY**, shall mean a use, a building, or structure that is normally incidental, subordinate, and exclusively devoted to a main use, building or structure and that is located on the same lot therewith.
- 2.3 **ADULT ENTERTAINMENT PARLOUR**, shall mean any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word “nude”, “naked”, “topless”, “bottomless”, or “sexy”, or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.
- 2.4 **AGRICULTURAL INDUSTRIAL ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.
- 2.5 **AGRICULTURAL PROCESSING ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a sawmill, an abattoir, a rendering plant and a dead stock removal facility.
- 2.6 **AGRICULTURAL SERVICE ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agriculturally-related trucking, well-drilling, contracting and trades related to farm buildings and structures, and custom spray, tillage, planting and harvesting services.

- 2.7 AGRICULTURAL SUPPLY ESTABLISHMENT, shall mean the use of land and/or buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.
- 2.8 AGRICULTURAL USE, shall mean the cultivation of land, the production of crops and the processing and selling of such produce on a lot, and the breeding, raising, and care of livestock, or the produce of such livestock raised on a lot and, without limiting the generality of the foregoing, may include animal husbandry, and the raising and harvesting of field, bush, tree or vine crops, truck gardening, sod farming and mushroom farming.
- 2.9 ALTER, shall mean, when used in reference to building or structure or part thereof, to change, extend, enlarge, or renovate any one or more of the exterior or external dimensions or walls or roof thereof. When used in reference to a lot, the word “alter” shall mean to change the setback, or parking area, or to change the location of any boundary of such lot with respect to a road, whether such alterations are made by conveyance or in alienation of any portion of the said lot, or otherwise.
- 2.10 ANIMAL CLINIC, shall mean a building, or portion thereof, designed, used or intended for use by a veterinarian and his assistants for the purposes of providing for the care and treatment of pets raised or housed for the recreational or hobby purposes and, without limiting the generality of the foregoing, may include dogs, cats, birds and livestock.
- 2.11 ANIMAL AND POULTRY HEALTH AND BREEDING SERVICE, shall mean the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept, or the facility used for the insemination of livestock or poultry.
- 2.12 ANIMAL KENNEL, shall mean a lot, building or structure, or portion thereof, on or within which four (4) or more dogs more than four (4) months of age are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor veterinary treatment.
- 2.13 ANTIQUE STORE, shall mean a building, or part thereof used for the refurbishing, restoration, refinishing and/or resale of items which due to their age have an increased quality, but which does not include the sale of used motor vehicles.
- 2.14 APARTMENT BUILDING, shall mean the whole of a building that contains four (4) or more dwelling units which have a common entrance from street level and are served by a common corridor and the occupants of which units have the right to use in common the corridors, stairs, elevators, yards or one or more of them.
- 2.15 AREA OF NATURAL AND SCIENTIFIC INTEREST (ANSI), means area of land water containing natural landscape or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

- 2.16 ATTACHED, shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an abutting building or structure.
- 2.17 ATTIC, shall mean the portion of a building situated wholly or part within the roof and which is not one-half storey.
- 2.18 AUCTION SALES FACILITIES, shall mean a building, structure, or portion thereof used for the retail sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.
- 2.19 BASEMENT, shall mean that portion of a building between two floors which has at least one-half of its height, measured from finished floor to finish ceiling above adjacent finished ground surface or grade level.
- 2.20 BED & BREAKFAST ESTABLISHMENT or TOURIST HOME, shall mean a single unit detached dwelling in which not more than three bedrooms are made available by the person or persons permanently residing in the said dwelling for the temporary accommodation of the travelling or vacationing public and within which light meals may be offered.
- 2.21 BOARDING HOUSE or ROOMING HOUSE, shall mean any house or building or portion thereof in which the proprietor resides and supplies, for hire or gain to more than two persons, lodging and/or meals, but shall not include a hotel, motel, hospital, home for the young or the aged, or institution, or restaurant accommodating the general public.
- 2.22 BUFFER STRIP, shall mean an area used for no other purpose than the planting and maintaining of a continuous row of trees or a continuous unpierced hedgerow of evergreens or shrubs, and a remainder of which is used for landscaping and the planting of ornamental shrubs, flowering shrubs, flower beds, or a combination thereof.
- 2.23 BUILDING, shall mean a structure, whether temporary or permanent, designed, used or intended for shelter and any use or occupancy and consisting of wall, roof, and floor or any one or more of them, or structural system serving the functions thereof, including plumbing works, fixtures and service systems appurtenant thereto, but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home, or tent.
- 2.24 BUILDING AREA, shall mean an area designated on a zoning map or zoning map schedule as "Building Area" which defines the area of a lot within which permitted buildings or other structures may be erected, used, and maintained and shall be calculated by deducting all appropriate yard areas and setbacks from the gross lot area.
- 2.25 BUILDING INSPECTOR, shall mean the officer or employee of the Municipality for the time being charged with the duty of enforcing the provisions of this By-Law, the Ontario Building Code, or any other building code or building bylaw of the Municipality.
- 2.26 BUILDING LINE, shall mean a line within a lot drawn parallel to a lot line that establishes the minimum distance between a lot line and any building or structure that may be erected. Where the lot line is a curve, the building line shall be a line drawn parallel to the chord of the arc constituting the lot line.

- 2.27 BUILDING LINE, ESTABLISHED, shall mean a building line considered to be established between, or adjacent in the case of a corner lot, existing buildings where at least three (3) main buildings have been erected on any one side of a continuous one hundred and fifty (150) metre strip of land fronting on a road. The established building line shall thus mean the average setback of the existing main buildings.
- 2.28 BULK SALES ESTABLISHMENT, shall mean the use of land, buildings, or structures for the purpose of buying and selling building materials, ice, and allied chemicals but does not include any manufacturing, assembling, or processing uses.
- 2.29 BUS DEPOT, shall mean a facility for the boarding and de-boarding of passengers from inter-city bus travel and may include ancillary commercial facilities, public washrooms, ticket sales areas, and offices for building personnel.
- 2.30 CAMPGROUND, shall mean a use, consisting of at least five (5) camping sites, licensed under the provisions of the Municipal Act, as amended, from time to time, and comprising land used for seasonal recreational activity as grounds for the camping or parking of tents, motor homes, travel trailers, or truck campers, but not mobile homes.
- 2.31 CARPORT, refer to definition of Garage, Private.
- 2.32 CATERER'S ESTABLISHMENT, shall mean an establishment in which food and beverages are prepared for consumption on or off the premises to customers but does not include a restaurant.
- 2.33 CELLAR, shall mean that portion of the building between two floors which is partially or wholly underground but which has more than one-half or its height from finished floor to ceiling below adjacent finished ground surface or grade level.
- 2.34 CEMETERY, shall mean land that is set apart or used as a place for the interment of deceased persons or in which human bodies have been buried.
- 2.35 CHURCH, shall mean a building or portion thereof, designed, used or intended for religious worship by a recognized religious congregation or religious organization and may include a church hall, church auditorium, Sunday school, parish hall, church day nursery, mosque, and synagogue.
- 2.36 CLINIC, shall mean a building, or portion thereof, designed used or intended for the purposes of medical or dental practice and, without limiting the generality of the foregoing, may include the offices or consulting rooms of members of the medical or dental professions listed in this By-law under the definition "Home Occupation" and includes any building in which two or more home occupations are being carried on by members of the said medical or dental profession or of a chiropractor.
- 2.37 CLUB, shall mean a building, or portion thereof, designed, used or intended as a meeting place for the members of an organization, association, fraternal order, or similar group, not operated for profit and wherein athletic facilities, dining rooms, and beverage rooms may be provided.

- 2.38 COMMERCIAL FISHING OPERATION, shall mean an establishment involved in the harvest and processing of marine life, for the purpose of retail or wholesale trade, and shall include all buildings, and structures associated with such operation.
- 2.39 COMMERCIAL GREENHOUSE, shall mean any building or structure where fruits, vegetables, flowers, trees, shrubs or plants are produced by controlled temperature and/or humidity for the purpose of selling such products, and which may include a garden centre as a commercial accessory use.
- 2.40 COMMERCIAL USE, shall mean the use of land, buildings, or structures, or portion thereof, for the purposes of buying and/or selling commodities and supplying services for profit or intended for profit.
- 2.41 COMMUNAL WALL, shall mean an exterior side or rear wall of a building that is used to support more than one fully enclosed space.
- 2.42 COMMUNITY CENTRE, shall mean a building, or part or portion thereof, designed, used or intended for community activities and not for commercial purposes the control of which is vested with the Municipality, a local committee or board, or trustees.
- 2.43 CONSERVATION AREA, shall mean an area of land owned by a conservation authority, conservation organization, the Municipality of Dutton Dunwich, or the Province and used solely for the preservation and enhancement of the natural environment.
- 2.44 CONTRACTOR'S YARD OR SHOP, shall mean the use of land, buildings, or structures, or portion thereof, for the purpose of storing equipment, vehicles, or material, or for performing shop work or assembly work by any building trade or other construction contractor.
- 2.45 CONVENIENCE PLAZA, shall mean a group of not more than four (4) convenience stores located adjacent to one another under one roof with separate entrances, all of which front on an improved street or road which provide off-street parking.
- 2.46 COUNTY, shall mean the Corporation of the County of Elgin.
- 2.47 DAY CARE CENTRE, means a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care and guidance, for a continuous period, not exceeding 24 hours, when the children are:
- 2.48 under 18 years of age in the case of a day nursery for children with a developmental handicap; and
- 2.49 under 12 years of age in all other cases.
- 2.50 DOCK, shall mean a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane.
- 2.51 DOG POUND, shall mean the use of land, buildings, or structures, or portions thereof, for the purpose of impounding dogs pursuant to a By-law of the Municipality, and where such dogs are kept for a minimum redemption period as defined in the Animals for Research Act, as amended, for time to time.

- 2.52 DRIVE-IN THEATRE, shall mean an outdoor cinema where viewing occurs from cars in a parking lot.
- 2.53 DRIVEWAY, shall mean a private passageway for a motor vehicle, having at least one end thereof connected to a road, and providing the principal means of vehicular access to a lot.
- 2.54 DWELLING, shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but excludes hotels, boarding houses, rooming houses, motels, group homes, institutions, or mobile homes; or living quarters for a caretaker, watchman, or other person or persons using living quarters which are necessary to a non-residential building or structure.
- 2.55 DWELLING UNIT, shall mean one or more habitual rooms occupied or capable of being occupied by a person or persons as an independent or separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or persons, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located.
- 2.56 DWELLING, APARTMENT, shall mean a dwelling consisting of four (4) or more dwelling units which units have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or elevators and yards.
- 2.57 DWELLING, BACHELOR, shall mean a dwelling unit without a standard bedroom, providing therein living, sleeping, eating, food preparation and sanitary facilities for one or two persons. Other essential facilities and services may be shared with other dwelling units.
- 2.58 DWELLING, BLOCK TOWNHOUSE, shall mean a townhouse dwelling that is part of a condominium, co-operative or rental project with a private internal traffic circulation system or direct access from a public street.
- 2.59 DWELLING, CONVERTED, shall mean a dwelling originally designed as a single unit detached dwelling, which because of size or design, is or is capable of being converted by partition into more than one dwelling unit.
- 2.60 DWELLING, DUPLEX, shall mean a building that is divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.61 DWELLING, DOUBLE DUPLEX, shall mean a building that consists of two (2) duplex dwellings attached to each other.
- 2.62 DWELLING, MAISONETTE, shall mean a building designed to contain more than three (3) dwelling units each having an entrance from a common hallway or stairway inside the building and a separate outside entrance.
- 2.63 DWELLING, MULTI-UNIT, shall mean a dwelling in designed, intended or used for occupancy by more than three (3) or more households living independently of each other in separate dwelling units but excludes an apartment dwelling, household dwelling, or double duplex dwelling.

- 2.64 DWELLING, SEASONAL, shall mean a single unit detached dwelling that is not used, or intended or designed for continuous habitation as a permanent residence.
- 2.65 DWELLING, SEMI-DETACHED, shall mean a dwelling that is divided vertically into two (2) dwelling units, each of which has independent entrances either directly or through a common vestibule.
- 2.66 DWELLING, SENIOR CITIZEN, shall mean a multiple housing unit for the elderly, which is owned and managed by a privately owned business, public housing authority or non-profit organization or charitable institution and which may be associated with a church or service club.
- 2.67 DWELLING, SINGLE UNIT DETACHED, shall mean a completely detached dwelling unit designed, used, or intended for occupancy by not more than one household.
- 2.68 DWELLING, TOWNHOUSE (ROW HOUSE), shall mean a dwelling that is divided vertically into three (3) dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.
- 2.69 DWELLING, TRIPLEX, shall mean a building that is divided horizontally into three (3) separate dwellings units, each of which has an independent entrance either directly or through a common vestibule.
- 2.70 DWELLING, TWO-UNIT, shall mean a dwelling designed, intended or used for occupancy by not more than two households living independently of each other in separate dwelling units but excludes a semi-detached dwelling or a duplex dwelling.
- 2.71 ERECT, shall include to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, may include any preliminary physical operations such as excavating, grading, piling, cribbing, filling, or draining, structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.
- 2.72 EROSION HAZARDS, means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using the 100 year erosion rate (the average annual rate of recession extended over a hundred year span), an allowance for slope stability, and an erosion allowance.
- 2.73 EXISTING, shall mean legally existing as of the date of the passing of this by law.
- 2.74 FAIRGROUNDS, shall mean a lot owned and operated by an organization incorporated under the Agricultural and Horticultural Organizations Act, as amended, from time to time.
- 2.75 FAMILY, shall mean an individual, or two (2) or more persons who are interrelated by blood or marriage or legal adoption, or a group of not more than three (3) unrelated persons, exclusive of servants, occupying a dwelling unit, and not more than two (2) persons who receive their lodging and/or board for compensation.

- 2.76 FARM, shall mean a lot, held for the purpose of agricultural use, together with or without its dependent buildings including one single-detached dwelling with private garage, one dwelling as supplementary farm housing where required, barns, sheds, pens, and similar accessory buildings except that in areas where buildings and structures are prohibited such use shall refer only to the land.
- 2.77 FARM EQUIPMENT SALES AND SERVICE, shall be the use of land, buildings, or structures, or portions thereof, where farm vehicles and equipment are stored for the purposes of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.
- 2.78 FARM FUEL SALES, shall mean the use of land, buildings, or structures, or portions thereof, where gasoline or other motor fuels are kept for sale and for delivery into farm vehicles, but does not include the sale of any such fuels to vehicles which are not directly involved in the operation of farming.
- 2.79 FARM PRODUCE OUTLET, shall mean a use that is permitted on a seasonal basis, and is accessory to a permitted farm, which consists of the retail sale of agricultural products produced in the area which such outlet is located, and which does not include any permanent buildings or structures.
- 2.80 FEED MILL, shall mean a building or structure used for the purpose of processing food for animals, and which may include a retail operation for the sale of such products.
- 2.81 FERTILIZER PLANT, shall mean the use of land, buildings, and structures, or portions thereof, where natural and synthetic materials are processed for the purpose of producing materials to increase soil fertility, and which may include the retail sale of such products.
- 2.82 FINANCIAL INSTITUTIONS, shall mean an establishment that provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stockbrokers, but not including the offices or administrative offices, which shall be considered to be offices for the purposes of this By-law.
- 2.83 FLOOD AND EROSION CONTROL, shall mean any lands, buildings or structures, and any appurtenances to such, operated and/or maintained by a public authority, and used for the purpose of regulating water levels and protecting lands adjacent to both natural and man-made bodies of water.
- 2.84 FLOOD PLAIN (for river and stream systems), means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards (PPS) that are not ordinarily covered by water.
- 2.85 FLOOR AREA, shall mean the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any attic, basement, garage, veranda, porch or sunroom unless such enclosed porch or sunroom is an integral part of a building and habitable in all seasons, excluding any floor area with a floor to ceiling height of less than two (2) metres.

- 2.86 FLOOR AREA, GROUND, shall mean the area of the building or structure measured from the outside of all the exterior walls, at grade level, exclusive of any accessory building, garage, basement, terrace, veranda, opened or closed porch or sunroom, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.
- 2.87 FLOOR AREA, NET, shall mean that the portion of the floor area of the building which is used exclusively for a non-residential use defined herein and specifically permitted elsewhere in this by law, but excluding:
- 2.88 Any part of such building used for any other non-residential uses, which are defined herein or specifically permitted elsewhere in this By-law;
- 2.89 Any part of such building used as a dwelling unit, a public concourse, or common hallway or stairway not used exclusively by the said non-residential use;
- 2.90 Any part of such building used solely for the storage of electrical equipment or of equipment to heat, cool, or otherwise control the environment of such building are portion thereof; and
- 2.91 The thickness of any exterior walls of such buildings.
- 2.92 FOOD PROCESSING PLANT, shall mean a building, or part thereof, other than a restaurant or refreshment room in which agricultural products are packed, frozen, prepared, processed, preserved, graded or stored for eventual human consumption, and includes a cannery, a flour mill, a dairy, a bakery, or an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.
- 2.93 FORESTRY USE, shall mean the use of land for the raising and harvesting of wood and without limiting the generality of the foregoing, may include the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees, and other forest products.
- 2.94 FUNERAL HOME, shall mean a building where preparation of the deceased human body for interment or cremation is undertaken.
- 2.95 GAME PRESERVE, shall mean any lands, buildings, or structures where wild animals, birds, waterfowl or fish are kept for the purpose of hunting for food or for sport.
- 2.96 GARAGE, PRIVATE OR CARPORT, shall mean a building or portion of the building designed for the storage of not more than three (3) private motor vehicles and the storage of household equipment incidental to residential occupancy, but does not include a portable garage
- 2.97 GARAGE, PORTABLE shall mean a structure designed to be assembled and disassembled consisting of a wood, metal, or composite frame and fabric shell intended for the storage of motor vehicles and/or associated outdoor household equipment, including but not limited to snowblowers and shovels.

- 2.98 GARAGE, PUBLIC, shall mean a building or structure other than a private garage where motor vehicles are kept and stored for remuneration or repair, including the complete repair to motor vehicle bodies, frames, or motors, and the painting, upholstering, washing, and cleaning of such vehicles, and may include a motor vehicle service establishment, but does not include an automatic car washing establishment, a motor vehicle sales lot or an automobile service station.
- 2.99 GARDEN SUPPLY CENTRE, shall mean the use of land, buildings or structures for the purpose of buying, selling and raising of plants, shrubs and trees and includes the storage and sale of accessory products generally used for landscaping and gardening purposes.
- 2.100 GAS, shall mean natural gas, manufactured gas, propane-arc gas, or any mixture of the gases listed in this definition.
- 2.101 GOLF COURSE, shall mean a public or private area operated for the purpose of playing golf including a par three golf course, driving range, miniature golf course, or combination thereof.
- 2.102 GRADE LEVEL, shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of such building; when used with the reference to a structure means the average elevation of the finish grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment; and when used with reference to a road, shall mean the elevation of the road established by the authority having jurisdiction.
- 2.103 GRAIN HANDLING AND STORAGE FACILITIES, shall mean buildings and structures used for the purpose of drying, processing, storage, and/or wholesale trade of harvested agricultural grains.
- 2.104 GROUP HOME, shall mean a single housekeeping unit in a residential dwelling in which three to ten residents (excluding supervisory staff or the receiving persons) live as occupants under responsible supervision consistent with the requirements of its residents.
- 2.105 GROUP HOME, TYPE 1, shall mean a residence licensed, supervised, approved, or funded under a federal or provincial statute for the accommodation of three to ten persons, excluding staff, living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual, mental health, social or physical condition or legal status, require a group living arrangement for their wellbeing. A Group Home Type 1 may include children or youth on probation under provincial or federal statute, but does not include a Group Home Type 2, as defined by this By-law.
- 2.106 GROUP HOME, TYPE 2, shall mean a residence that is maintained or operated under a federal or provincial statute for the accommodation of up to ten persons, excluding staff, primarily for: persons who have been placed on probation or released on parole under provincial or federal statute; or, youth who have been placed in detention or custody. A Group Home Type 2 may include a Group Home Type 1.
- 2.107 HAZARD LAND, shall mean land which exhibits, or potentially exhibits, a hazardous condition as a result of its susceptibility to flooding, erosion, subsidence, inundation, or the presence of organic soils or steep slopes, and where the cost of construction of satisfactory waterworks, sewage or drainage facilities is prohibitive.

- 2.108 HEIGHT, shall mean, when used with reference to a building or structure, the vertical difference between the horizontal plane through grade level and horizontal plane through:
- 2.109 The highest point of the roof assembly in the case of a building with a flat roof or deck roof;
- 2.110 The average level of a one slope roof, between ridge and the eaves, providing that such roof having a slope of less than 20 degrees with the horizontal shall be considered a flat roof;
- 2.111 The average level between eaves and ridges in the case of a roof type not covered in subsection a) and b).
- 2.112 HIGHWAY MAINTENANCE YARD, shall mean any lands, buildings or structures used for the storage of road maintenance vehicles and supplies and is owned by the Municipality, County or the Province of Ontario.
- 2.113 HOME OCCUPATION, shall be an occupation for gain or support conducted only by persons residing on a lot on which the home occupation is conducted and not more than two employees who are not residents of the property.
- 2.114 HOME OCCUPATION, AGRICULTURAL, shall mean an occupation for gain or support, accessory to an agricultural use or residential use, which is conducted by only persons residing on the premises and not more than two employee who is not a resident of the property.
- 2.115 HOSPITAL, shall mean a hospital as defined by the Private Hospitals Act, and a sanatorium as defined by the Private Sanatorial Act, and a hospital as defined by the Public Hospitals Act.
- 2.116 HOTEL, shall mean any hotel, tavern, inn, lounge, or public house in one main building or in two or more buildings used primarily for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodations of not less than six (6) guest rooms, which guest room contained no provisions for cooking, and shall include all such buildings operating under the Liquor License Act, and the Tourist Establishments Act, as amended from time to time.
- 2.117 INDUSTRIAL USE, GENERAL, shall mean the use of land, buildings, or structures, or portions thereof, for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, distributing, warehousing, storing, or adapting for sale any goods, substance, article or thing, including the storage of building and construction equipment and materials but not including any mine, pit, quarry or oil well and where the waste water discharged from such activities are limited to those facilities designed, used, or intended for the exclusive use of employees only, and to those facilities use for cooling, or pressure testing of equipment, the washing of accessory vehicles, and similar accessory use.
- 2.118 INDUSTRIAL USE, LIGHT, shall mean the use of a building, or portion thereof, for the manufacturing, assembling, or processing of component parts to produce finished products suitable for retail, wholesale or service trade and includes repairing, servicing, distributing, warehousing, storing or adopting for sale any good, substance, article or thing, and where the waste water discharges from such activities are limited to those facilities designed, used or intended for the exclusive use of employees only, and to those facilities used for cooling or

pressure testing of equipment, the washing of accessory vehicles, and similar accessory uses. A light industrial use however shall not include operations that create a nuisance as a result of the emission of any noise or air pollution that can be smelled, heard or otherwise detected outside of the building or structure in which the use is situated.

- 2.119 INSTITUTIONAL USE, shall mean the use of land, buildings or structures, or portion thereof, for public or social purposes but not for commercial purposes and, without limiting the generality of the foregoing, may include governmental, religious, educational, charitable, philanthropic, or other similar but non-commercial uses.
- 2.120 LABORATORY, MEDICAL/DENTAL, shall mean a building, or part thereof, used for medical and/or dental testing, medical and/or dental experimentation and medical and/or dental research.
- 2.121 LANDING STRIP, shall mean the use of land for the landing and taking off of aircraft.
- 2.122 LANDSCAPED AREA, shall mean an area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and appurtenances, but does not include parking areas, parking lots, driveways or ramps.
- 2.123 LANE or ALLEY, shall mean a public thoroughfare which affords a means of access to abutting lots but which is not intended for general traffic circulation.
- 2.124 LAUNDRY ESTABLISHMENT, shall mean a building, or part thereof, in which the business of a laundry is conducted on the ground floor, in which only water and detergent are used, and the drying, ironing, and finishing of such goods are conducted, which emits no odours, fumes, noise or vibration causing a nuisance or inconvenience within or outside the premises. A laundry establishment may include a self-service, coin operated laundromat.
- 2.125 LIBRARY, shall mean a building, or part thereof, used for the public display and lending of books, and other reading and audio visual materials to the public, which is operated by a public authority.
- 2.126 LIVESTOCK, shall mean animals kept for use, for propagation, or for intended profit or gain and, without limiting the generality of the foregoing, may include cattle, horses, swine, sheep, laying hens, chickens and turkey broilers, turkeys, goats, geese, ducks, mink, rabbit, deer, emu, llama and any other animals which may be included by a Minimum Distance Separation formula, but excludes animals such as pets raised or housed for recreational or hobby purposes.
- 2.127 LIVESTOCK SALES BARN AND MARKETING YARDS, shall mean the lands, buildings, and structures where livestock and agricultural produce is stored temporarily for the purpose of wholesale trade, and may include the offices of such personnel employed on the premises.
- 2.128 LOADING SPACE, shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.

- 2.129 LOT, shall mean a parcel or tract of land:
- 2.130 Which is the whole of a lot on a registered plan of subdivision, so long as such registered plan is not deemed, pursuant to Section 49 (4) of the Planning Act, as amended, from time to time, or any predecessor or successor of such section, not to be a registered plan of subdivision; or
- 2.131 Which is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land.
- 2.132 LOT AREA, shall mean the total horizontal area within the lot lines of a lot, except in the case of a corner lot area of such lot shall be calculated as if the lot lines were projected to the intersection.
- 2.133 LOT CORNER, shall mean the lot situated at the intersection of, and abutting upon, two (2) roads, which are at least ten (10) metres wide, and which intersect at an angle of not more than 135 degrees.
- 2.134 LOT COVERAGE, shall mean the percentage of the area of any lot upon which buildings or structures are erected or permitted to be erected (excluding an outdoor swimming pool erected below grade level) measured at grade level including all porches and verandas, open and unenclosed terraces at grade, steps, bay windows, and chimneys.
- 2.135 LOT DEPTH, shall mean the horizontal distance between the front and rear lot lines. If these lines are not parallel, it shall be the length of a straight line joining the midpoints of the front lot line and the rear lot line. When there is no rear lot line, lot depth shall mean the length of a straight line joining the middle of the front by the side lot lines.
- 2.136 LOT FRONTAGE, shall mean the horizontal distance between the side lot lines of a lot measured at right angles. Where such side lot lines are not parallel the lot frontage shall be measured perpendicularly to the line joining the centre of the front and the centre of the rear lot lines at a point six (6.0) metres back from the front line, and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and a point of six (6.0) metres back from the front lot line.
- 2.137 LOT INTERIOR, shall mean a lot other than a corner lot and having access to one street.
- 2.138 LOT LINES, shall mean the boundary line of a lot defined as follows:
- 2.139 FRONT LOT LINE, shall mean, except in the case of a corner lot, the line dividing the lot from the road. In the case of a corner lot the shorter boundary line abutting the road shall be deemed the front lot line and the longer boundary line abutting the road shall be deemed the side lot line. In case each of such lot lines should be of equal length the front lot line shall be deemed to be the front lot line as established in the block by prior construction.
- 2.140 REAR LOT LINE, shall mean the lot line of a lot having four (4) or more lot lines which is farthest from or opposite to the front lot line.

- 2.141 SIDE LOT LINE, shall mean a lot line other than a front lot line or rear lot line. In the case of a corner lot from the street shall be deemed to be the exterior side lot line and the other side lot line shall be deemed to be the interior side lot line.
- 2.142 LOT, THROUGH, shall mean a lot bounded on two sides by roads, each of which is 10 metres wide provided, however, that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be conclusively deemed to be a corner lot.
- 2.143 LUMBER (BUILDING MATERIALS) YARD, shall mean the use of land, buildings, and/or structures for the purposes of milling, storage, and wholesale sales of a broad range of building materials and tools, which may include a retail operation.
- 2.144 MACHINE OR WELDING SHOP, shall mean a building or portion thereof where farm equipment and machinery and/or small engines are serviced or repaired.
- 2.145 MAIN BUILDING, shall mean the building on a lot or portion thereof designed, used, or intended for the permitted and principal use of the lot or part thereof.
- 2.146 MAIN WALL, shall mean the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully enclosed space or roof.
- 2.147 MANURE STORAGE AREA, shall mean land, buildings or structures used for the storage of liquid or solid manure that is generated by livestock.
- 2.148 MARINA, shall mean an establishment where boats are stored, rented, or hired, and/or where boats, boat motors, or boat accessories are sold, repaired, or refueled, and may include a building or structure for the sale of accessories, supplies, and/or refreshments.
- 2.149 MARKET GARDEN OPERATIONS, shall mean the use of land, buildings, or structures for the purpose of selling fruits, vegetables and flowers, and which may include a retail component as a commercial accessory use.
- 2.150 MEAT PACKING OPERATION, shall mean a building, or part thereof used for the processing of meat, poultry, and fish products.
- 2.151 MINIMUM DISTANCE SEPARATION shall mean formulae and guidelines used to determine minimum setbacks between a livestock facility and another land use, to reduce incompatibility created by odour, that are developed by the Ontario Ministry of Agriculture Food and Rural Affairs, as amended from time.
- 2.152 MINIMUM DISTANCE SEPARATION I, refers to the minimum distance separation for new development from existing livestock facilities.
- 2.153 MINIMUM DISTANCE SEPARATION II, refers to the minimum distance separation for new or expanding livestock facilities from existing or approved development.
- 2.154 MOBILE HOME, shall mean a building or structure designed to be transported after fabrication, either on its own wheels, on a flatbed, on a separate trailer, or on detachable wheels, and which is suitable for occupancy as a dwelling unit except for minor and incidental unpacking and assembly operations, and placement on a mobile home stand, and connection to utilities if available, and which may have an individual sewage holding reservoir, or be capable of connection to a communal or public sewage disposal system, but

shall not include a modular home.

- 2.155 **MOBILE HOME PARK**, shall mean a lot or portion thereof used for the siting of mobile homes and/or park model trailers and includes those uses, buildings and structures accessory to the operation of the park and the needs of park residents.
- 2.156 **MODULAR HOME**, shall mean a house that is intended for residential purposes and that is constructed by assembling manufactured modular units each of which comprises at least one room or living area, has been manufactured to comply with the A277 series of standards prescribed by the Canadian Standards Association, and bears the seal of that Association attesting to such compliance.
- 2.157 **MOTEL**, shall mean a building, or two (2) or more detached buildings designed, used or intended for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation, with or without supplying food and beverages.
- 2.158 **MOTOR HOME**, shall mean a structure built on and made an integral part of a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreation camping and travel use.
- 2.159 **MOTOR VEHICLE**, shall mean a wheeled self-propelled vehicle for the transportation of passengers and goods and, without limiting the generality of the foregoing, may include automobiles, trucks, buses, ambulances, hearses, motor homes and tractors.
- 2.160 **MOTOR VEHICLE BODY SHOP**, shall mean a building or structure where motor vehicles are kept for repair including the complete repair to vehicle bodies, frames, chassis, or motors and the painting, upholstering, glass replacement and cleaning of such vehicles.
- 2.161 **MOTOR VEHICLE, DERELICT**, shall mean a motor vehicle that is inoperable and has no market value as a means of transportation.
- 2.162 **MOTOR VEHICLE SALES ESTABLISHMENT**, shall mean the use of land, buildings, or portion thereof, where motor vehicles are hired, kept or used for hire, or where such vehicles and accessories are stored or kept for sale, and where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where minor repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.163 **MOTOR VEHICLE SERVICE ESTABLISHMENT**, shall mean a building, or portion thereof, or clearly defined space on a lot where gasoline, propane, oil, grease, anti-freeze, tires, light bulbs, spark plugs, batteries and similar items for motor vehicles are sold; and where motor vehicles may be oiled, greased or washed, or have their ignitions adjusted, tires inflated or batteries charged, and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.164 **MUNICIPAL DRAIN**, shall mean drainage works as defined by the Drainage Act, as amended, from time to time.
- 2.165 **MUNICIPALITY**, shall mean the Corporation of the Municipality of Dutton Dunwich.
- 2.166 **NON-AGRICULTURAL**, when used with reference to a building, structure, or use, shall mean, designed intended or used for purposes other than those of an agricultural use.

- 2.167 NON-COMPLYING, shall mean a building or structure that does not comply or agree with the regulations of this bylaw as of the date of passing thereof.
- 2.168 NON-CONFORMING, shall mean a use, building or structure which is not a use, building or structure permitted in the zoning in which the said use, building, or structure is situated.
- 2.169 NON-RESIDENTIAL, when used with reference to a building, structure or use, shall mean designed, intended or used for purposes other than those of a dwelling.
- 2.170 NURSING HOME OR REST HOME, shall mean a building in which the proprietor supplies and/or provides for hire or gain lodging, (with or without meals), nursing, medical or similar care and treatment, if required and shall include a convalescent home.
- 2.171 OCCUPANCY, shall mean to reside in as owner or tenant on a permanent or temporary basis.
- 2.172 OFFICE, GENERAL, shall mean any building or part of a building in which one (1) or more persons are employed in the management, direction or conducting of an agency, business, labour, or fraternal organization, but excludes such uses as retail sale, manufacture, assembly or storage of goods, or places of assembly and amusement.
- 2.173 OFFICE, PROFESSIONAL, shall mean any office used by professionally qualified persons, for the purposes of giving advice, consultation or treatment of clients or patients.
- 2.174 OIL, shall mean crude oil, and includes any hydrocarbon that can be recovered in liquid form from a pool through a well.
- 2.175 OUTSIDE STORAGE, shall mean the storage of goods, materials, or equipment in the open air on a lot or portion thereof.
- 2.176 OWNER, shall mean the person who holds legal title to a piece of property.
- 2.177 PARKING LOT, shall mean a lot or portion thereof, used or intended for the temporary parking of two (2) or more vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a road.
- 2.178 PARKING SPACE, shall mean a space, whether or not enclosed, having a minimum width not less than three (3.0) metres and a minimum length of not less than six (6.0) metres (18 m²), exclusive of aisles, entrance and exit lands, accessible to a road and designed, used or intended for the purpose of the temporary parking or storage of a motor vehicle.
- 2.179 PARK, PRIVATE, shall mean a park not open to the general public and may be operated for commercial gain.
- 2.180 PARK, PUBLIC, shall mean an area of open land, maintained or owned by the Municipality or a public authority for the enjoyment, health and wellbeing of the public and normally open to the public.
- 2.181 PERMITTED, shall mean permitted by this By-law.

- 2.182 PERSONAL SERVICE SHOP, shall mean a building, or part thereof, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, comprising the premises of a barber, hairdresser, beautician, tailor, dressmaker and/or shoemaker. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.
- 2.183 PERSONS, shall include an individual, an association, a firm, a partnership, an incorporated company, municipal corporation, agent, or trustee and their heirs, executors, or other legal representatives of a person to whom the context of this By-law applies according to law.
- 2.184 PETROLEUM RESOURCE OPERATIONS shall mean oil, gas and salt wells and associated facilities and may include facilities for underground storage of natural gas and other hydrocarbons subject to the Oil, Gas and Salt Resources Act and associated regulations.
- 2.185 PIT, shall mean any opening, quarrying, or excavation of or in the ground for the purpose of removing soil, rock, sand, gravel, earth, clay, or limestone and the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, required buildings and structures, as permitted under the Aggregate Resources Act, but does not include a water well, oil well, natural gas well, or wayside pit.
- 2.186 PITS AND QUARRIES, WAYSIDE, shall mean a temporary pit or quarry opened and used by a public road authority on the basis of a permit issued pursuant to the Aggregate Resources Act, as amended, solely for the purpose of a particular project or road construction contract and not located on the road right-of-way.
- 2.187 PLACE OF ENTERTAINMENT, shall mean a building or part thereof used for the purposes of an arena, auditorium, public hall, billiard or pool rooms, bowling alley, ice or roller rink but does not include other places of amusement not specifically listed.
- 2.188 PLANT NURSERY, shall mean the use of land, buildings, or structures, or portions thereof, where trees, shrubs, or plants are grown for the purposes of transplanting, for use as stocks for building or grafting, or for the purpose of retail or wholesale trade.
- 2.189 PORCH, shall mean a roofed, open gallery, or portico attached to the exterior of a building.
- 2.190 PORTABLE ASPHALT PLANT, shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.
- 2.191 POST OFFICE, shall mean a building, or part thereof where communications and postal services are provided to both businesses and the public such as fax machines, mailboxes, internet links, and/or package shipping and receiving.
- 2.192 PUBLIC AUTHORITY, shall mean: The Municipality; Any department or ministry of the Government of Canada or the Province of Ontario; The County of Elgin; Any agency, board, commission, committee or other body established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by Bylaw of the Council of the Municipality.

- 2.193 PUBLIC UTILITY, shall mean any electric power, telephone, telegraph, railway, or natural gas company or public authority.
- 2.194 PUBLIC WATER SUPPLY, shall mean a system of underground piping and related storage, pumping, and treatment facilities, operated by a public authority for public use, and to which a lot has access to make connection thereto.
- 2.195 PUBLISHING AND PRINTING ESTABLISHMENT (NEWSPAPER), shall mean a building, or part thereof used for the purpose of printing, lithographing, or publishing, and which may include the reproduction of visual copy by blueprinting, photocopying, or small offset process.
- 2.196 RECREATIONAL FACILITIES, shall mean a building or portion thereof designed and intended to accommodate one or more leisure or sporting activities and shall include an arena, aquatic centre, tennis, squash and racquetball courts, dance studios and fitness centres.
- 2.197 RECREATIONAL USE, ACTIVE, shall mean the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a golf course and a sports field, and motorized vehicle trails.
- 2.198 RECREATIONAL USE, PASSIVE, shall mean the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a play lot with activity equipment for children.
- 2.199 RENDERING PLANT, shall mean a building, or part thereof, where any animals are reduced, converted, or otherwise processed for the purpose of producing agricultural by-products, but shall not include an abattoir.
- 2.200 RESIDENTIAL USE, shall mean the use of a building or structure, or portion thereof, as a dwelling.
- 2.201 RESTAURANT, shall mean a building or portion thereof designed, used or intended for the servicing of food or refreshments to the general public where the serving and consumption of food or refreshment takes place entirely within such building and may include a dining lounge licensed under the Liquor License Act, as amended, from time to time, or at temporary outside tables, immediately adjacent to such building.
- 2.202 RESTAURANT, DRIVE-IN OR TAKEOUT, shall mean a building, or portion thereof, designed, used or intended for the sale of food or refreshments to general public, and where such food or refreshments may be made available to a person while in his motor vehicle or while within the building, and where provision may be made for the consumption of such food or refreshments by the person while his motor vehicle, or within the building, or elsewhere on the site.
- 2.203 RETAIL STORE, shall mean a building, or portion thereof, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of the service primarily to, or from, the general public, in uses accessory thereto, but excludes any commercial use or establishment permitted by or defined elsewhere in this By-law.

- 2.204 RIDING STABLE, shall mean an establishment that offers horses for hire or for instruction in horsemanship.
- 2.205 RIFLE RANGE AND TRAP SHOOTING RANGE OR CLUB, shall mean lands, buildings and structures used for the purpose of discharging firearms or any other weaponry at a non-living fixed or moving target for the purpose of practice or enjoyment, but does not include a game preserve.
- 2.206 ROAD, shall mean a common and public road, street, lane, highway or commons vested in the Municipality, the County, the Province of Ontario or any other public authority having jurisdiction over the same, and includes a bridge or any other structure forming part of a road on, over, or across which a road passes.
- 2.207 SANITARY SEWAGE FACILITIES, MUNICIPAL, shall mean a publicly-owned and operated system whereby sanitary sewage is pumped, transported or piped from any or all buildings in the municipality to a central collection station for processing and discharge pursuant to the regulations of the Ontario Ministry of the Environment.
- 2.208 SAWMILL, shall mean an establishment where lumber is cut by machines into boards for the purpose of wholesale trade, and which may include a retail component.
- 2.209 SCHOOL, shall mean a building or portion thereof under the jurisdiction of a board as defined by the Department and Education Act, as amended, from time to time, designed, used, or intended as a school, college, university or for any other educational purposes and, without limiting the general policy of the foregoing, may include a nursery school or a boarding school having accessory dormitory facilities.
- 2.210 SCHOOL, PUBLIC, shall mean a school operated by and under the jurisdiction of a public authority.
- 2.211 SCHOOL, PRIVATE, shall mean a school, other than an elementary school, secondary school, adult secondary school, community college school, university school or a commercial school, under the jurisdiction of a private board of directors, trustees, or governors, a religious organization or a charitable institution, used primarily for the instruction of students receiving primary and/or secondary education.
- 2.212 SERVICE SHOP, shall mean a building or portion thereof where appliances and household machinery are sold, serviced, or repaired and may include the business premises of the tradesmen such as a carpenter, an electrician, a plumber and similar trades but excludes any manufacturing, processing or wholesaling.
- 2.213 SETBACK, shall mean the horizontal distance from a straight line, or point along an irregular line, measured at right angles in the case of a straight line, or a determined point in the case of an irregular line, to the nearest part of any building or structure on a lot.
- 2.214 SHALL, shall always be construed as mandatory.
- 2.215 SHOPPING PLAZA, shall mean a building or group of buildings designed, built, and/or managed as a unit with parking provided on the lot on which the building or group of buildings is situated and which building or buildings contained five or more separate and distinct retail stores.

- 2.216 SIGN, shall mean a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- 2.217 STOREY, shall mean the portion of a building, other than the basement, which lies between the surface of the next floor above it, or if there is no floor above it, then the space between such floor in the ceiling or roof next above it.
- 2.218 STOREY, FIRST, shall mean the lowest storey of a building excluding the basement or cellar.
- 2.219 STOREY, HALF, shall mean the portion of a building located wholly or partly within a sloping roof, having side walls not less than one (1) metre in height, or ceiling with the minimum height of two (2) metres over an area equal to at least fifty (50) percent of the area of floor next below.
- 2.220 STREET, refer to the definition of Road.
- 2.221 STREET ARTERIAL OR ROAD ARTERIAL, shall mean a street or road under the jurisdiction of the Province of Ontario or the County of Elgin and may mean a street or road under the jurisdiction of the Municipality of Dutton Dunwich.
- 2.222 STREET LINE shall mean the limit of road allowance and is the dividing line between a road and a lot.
- 2.223 STRUCTURE, shall mean any material, object, or work erected as a unit or constructed or put together of connected or dependent parts or elements whether located under, on, or above the surface of the ground, but shall not include a sign, fence, or boundary wall.
- 2.224 SUPPLEMENTARY FARM HOUSING, shall mean a single-detached dwelling located on a farm, which due to its size and nature of operation requires additional farm labour, and is used for the accommodation of such persons employed as additional farm labour.
- 2.225 TAVERN, shall mean an establishment operating under Liquor License Act, as amended from time to time, where alcoholic beverages are sold for consumption on the premises.
- 2.226 TAXI SERVICE ESTABLISHMENT, shall mean lands, buildings, and structures used as a dispatch office or intended for the parking of taxis and/or limousines when not engaged in transporting persons or goods.
- 2.227 TILLABLE HECTARES/ACRES, shall mean the total area of land including pasture that can be worked or cultivated following the “Best Management Practices” as established by the Province of Ontario.
- 2.228 TOP OF BANK, shall mean the highest point of the valley walls as determined by a 3:1 (run:rise) elevation, which begins 15 metres back from the toe of bank of the watercourse.
- 2.229 TOURIST HOME, refer to the definition of Boarding House.

- 2.230 TRAILER, PARK MODEL, shall mean a building or structure that is built on a single chassis mounted on wheels and which is capable of complete relocation; and which is designed for use as a seasonal dwelling; and which shall be connected to communal or municipal services and utilities necessary for operation of installed fixtures and appliances; and which shall not have a gross floor area that exceeds 50 m², nor a width that is greater than 2.6 metres.
- 2.231 TRAILER, TRAVEL, shall mean a vehicle, including a camping trailer, designed, used, or intended for the living, sleeping, eating, or accommodation of persons therein for seasonal recreational travel; and which is either self-propelled or constructed such that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle.
- 2.232 TRUCK CAMPER, shall mean a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck, and capable of providing temporary living quarters for recreation, camping or travel use.
- 2.233 TRUCK TERMINAL, shall mean the use of land, buildings, or structures, or portions thereof, where transports are stored, rented, leased, kept for hire, or parked for remuneration or from which trucks or transports are dispatched as common carriers, or where goods are stored temporarily for further shipment.
- 2.234 USE, shall mean, when used as a noun, the purpose for which any land, building or structure is designed, used, or intended to be used, or for which is occupied, used or maintained. When used as a verb, or as in the expression “to use”, shall mean anything done or permitted to be done by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land, building, or structure.
- 2.235 UTILITY STATION, shall mean the use of land, buildings, or structures by a public utility in connection with the supply and distribution of utilities and, without limiting the generality of the foregoing, may include a water or sewage pumping station, a water storage reservoir, an electric power transformer station, a telephone repeater station, but excludes a waste disposal site or transmission utility corridor.
- 2.236 VARIETY STORE, shall mean a retail store where a variety of both household and grocery items or offered for sale primarily to serve the daily needs of people and may include the rental of videos, an automated banking machine and/or depots for such items as film, laundry or dry cleaning and an area devoted to food preparation for consumption on or off the premises, provided the gross floor area for the sale of prepared food does not exceed 10% of the gross floor area.
- 2.237 WAREHOUSE, shall mean a building or portion thereof designed, used, or intended for the storage of goods, wares, merchandise, articles, or things that may include the selling or distribution thereof at wholesale.
- 2.238 WASTE DISPOSAL SITE, shall mean any land or land covered by water, licensed under the provisions of the Environmental Protection Act, as amended, from time to time, upon, into, or through which, or building or structure in which, waste is deposited or processed, and any machinery and equipment or operation required for the treatment or disposal of waste.

- 2.239 WATER FRONTAGE, means the boundary of a lot directly abutting an original shoreline reserve or a front lot line, as defined by Section 2.121 a).
- 2.240 WATER SUPPLY COMMUNAL, shall mean a privately owned and operated system whereby water is piped to more than one (1) dwelling unit, or to more than one (1) commercial use, or to more than one (1) institutional use, or combination thereof, situated on separate lots.
- 2.241 WATER WELL-HIGH YIELD, shall mean a hole and any structure appurtenant thereto, drilled into a geological formation of Cambrian or more recent age, with a yield of 3.8 litres of water per second or greater.
- 2.242 WELL, shall mean a hole and any structure appurtenant thereto, drilled into a geological formation of Cambrian or more recent age, for the production of potable water, but does not include a well where gas, oil, or salt water is encountered.
- 2.243 WETLANDS, means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface.
- 2.244 WETLANDS, SIGNIFICANT, means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface and the lands are identified provincially significant by the Ontario Ministry of Natural Resources and Climate Change using applicable evaluation procedures.
- 2.245 WOODLANDS, means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, and provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested area and vary in their level of significance.
- 2.246 WOODLANDS, SIGNIFICANT, means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, and provision of habitat, recreation and the sustainable harvest of woodland products and that have been identified by the Ontario Ministry of Natural Resources and Climate Change using applicable evaluation procedures.
- 2.247 WRECKING YARD, shall mean an establishment with a commercial wrecking licence where goods, wares, merchandise, substances, or articles are stored wholly or partly in the open and includes a junk, scrap metal or salvage yard and an automobile wrecking yard.
- 2.248 YARD, shall mean a space, appurtenant to a building or structure, located on the same lot as the main building or structure, and which space is open, structurally uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures, or uses as are specifically permitted by this By-law.
- 2.249 YARD, FRONT, shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest main wall of any main building or structure on the lot. The front yard depth means the least horizontal dimension between the front lot line of the lot and the nearest main wall of any main building or structure on the lot.

- 2.250 YARD, REAR, shall mean a yard extending across the full width of a lot between the rear lot line of the lot and the nearest main wall of any main building or structure on the lot. Rear yard depth means the least horizontal dimension between the rear lot line of the lot in the nearest main wall of the main building or structure on the lot.
- 2.251 YARD, SIDE, shall mean a yard extending from the front yard to the rear yard and from the side lot line to the nearest main wall of any main building or structure on the lot. Side yard width means the least horizontal dimension between the side lot line of the lot and the nearest main wall of any main building or structure on the lot.
- 2.252 YARD SIDE EXTERIOR, shall mean a side yard immediately adjoining a road.
- 2.253 YARD, SIDE INTERIOR, shall mean a side yard other than an exterior side yard.
- 2.254 ZONE, shall mean an area delineated on the zoning map and established and designated by this By-law for a specific use.
- 2.255 ZONING MAP, shall mean a map or maps incorporated in this By-law and showing graphically the location, size and boundaries of zones established by this By-law together with other explanatory text and symbols.

SECTION 3 ZONING MAPS

3.1 ESTABLISHMENT OF ZONES

For the purpose of the By-law, the maps hereto attached as Schedule "A" Map 1 – 16 inclusive, Schedule "B" Map 1-2 inclusive, Schedule "C", Schedule "D", Schedule "E and Schedule "F" shall be referred to as the "Zoning Maps" for the Municipality of Dutton Dunwich and the zoning maps may be divided into one or more of the following:

Zone	Symbol
Agricultural	A1
Special Agricultural	A2
Large Lot Agricultural	A3
Hamlet Residential	HR
Rural Residential	RR
Special Rural Residential	RS
Limited Service Residential	LSR
Village Residential Zone 1	VR1
Village Residential Zone 2	VR2
Hamlet Commercial	HC
Highway Commercial	C1
Village General Commercial	VC1
Village Local Commercial	VC2
Farm Industrial / Commercial	M1
Rural Industrial	M2
Extractive Industrial	M3
Village Industrial	M4
Institutional	I
Open Space	OS
Parkland	P
Lakeshore Recreation	LR
Environmental Protection	EP
Public Utility	U
Temporary Use	T

3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to land, buildings, and structures and

the uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word “zone” is used, preceded by any of the said symbols, such zones shall mean any area within the Municipality delineated on the Zoning Map and designated thereon by the said symbol.

3.3 HOLDING ZONES

Where a zone symbol listed in Section 3.1 is used in conjunction with the holding symbol “h” as shown on any zoning map, no new land uses shall be established and no buildings or structures shall be erected or altered until the “h” symbol is removed in accordance with the requirements of the Planning Act.

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

3.4 DEFINED AREAS

All zones may be subdivided into one (1) or more defined areas within which greater or lesser restrictions shall apply. These defined areas shall be designated reference to the symbol of the zone within which each such defined area is located together with a number so as to differentiate different defined areas within the zone.

3.5 EXCEPTIONS FOR DEFINED AREAS

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

If the exceptions establish regulations different from the general provisions of this By-law, including the general use regulations and special use regulations applicable to the zone within which defined area is located, the exceptions shall supersede and prevail over such corresponding regulations of this By-law;

If the exceptions establish one (1) or more specifically permitted uses of the defined area, such permitted use or uses shall be the only purpose or purposes for which land, building or structures within the defined area may be used; and

If the exceptions specifically permit one (1) or more uses in addition to those otherwise permitted in the zone within which the defined area is located, any and all of the other exceptions applicable to the defined area shall also apply to the additional permitted use or uses and not only to the uses not otherwise permitted in the zone.

3.6 MULTIPLE ZONES

Where a lot is subdivided into more than one (1) zone, the regulations applicable to these zones shall apply to the respective areas so zoned, and the zone lines shall be deemed to be lot lines for the purposes of this By-law.

3.7 TEMPORARY USE ZONES

Where the temporary use “T” symbol is shown on a map schedule, the temporary use described in Section 27 – Temporary Use (T) Zone is permitted, in addition to the uses permitted in the applicable zone, for a period not exceeding three (3) years, or other

specified period, ending on the date listed in Section 27.2 – Defined Area and End Dates and shown on the applicable map schedule.

3.8 INTERPRETATION OF ZONE BOUNDARIES

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

- a) Unless otherwise shown, the boundary of the zones as shown on the zoning maps are center lines of the road allowance or lot lines and the projection thereof;
- b) Where a zone boundary is indicated as approximately following a lot line shown on a registered plan of subdivision, such lot lines shall be deemed to be the said zone boundary;
- c) Where a zone boundary is indicated as approximately parallel to the line of any road and the distance from such road is not indicated, such zone boundary shall be construed as being parallel to such road and the distance there from shall be determined by the use of the scale shown on the zoning maps;
- d) Unless otherwise indicated, a road, railway right-of-way, or water course included on the zoning maps is included within the zone of the adjoining lands on either side thereof; and where such road, right-of-way, or water course serves as a boundary between two or more different zones, a line midway in such road, right-of-way, or water course and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- e) In the event a road or railway right-of-way shown on the zoning maps is closed, the land formerly in said road or right-of-way shall be on either side of the said closed road or right-of-way, and the zone boundary shall be the former center line of the said closed road or right-of-way;
- f) Where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined according to the scale on the zoning maps in the office of the zoning administrator.
- g) Were any zone boundary overlays a provincial highway under the jurisdiction of the Ministry of Transportation, the zone boundary shall be interpreted as abutting the designated ownership of the provincial highway/corridor, and not overlapping onto the designated highway property.

3.9 APPLICATION OF REGULATIONS

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

3.10 Overlay Zones

a) Lower Thames Valley Conservation Authority

Land regulated by the Lower Thames Valley Conservation Authority (LTVCA) pursuant to Ontario Regulation 152/06 are shown in a diagonal hatch pattern on Zoning By-law Schedules “A – F” for information purposes and labeled as “LTVCA regulated area”. These lands are flood prone lands, valley land hazards, watercourse setbacks and adjacent lands

associated with provincially significant wetlands. Prior to the issuance of a building permit within these lands, a permit must be issued by the Conservation Authority. Changes to these overlay boundaries may occur without amending the Zoning By-law Schedules.

b) Provincially Significant Wetlands

Lands identified as Provincially Significant Wetlands by the Ministry of Natural Resources and Forestry pursuant to the Provincial Policy Statement 2014 are shown in a bold hatch pattern and labeled as “Provincially Significant Wetland” on Zoning By-law Schedules “A – F” for information purposes. Development and site alteration is not permitted within these areas.

Within 120 m of these areas, development and site alteration may be permitted where the proponent/owner demonstrates there will be no negative impacts on the wetland or its ecological functions by completing and receiving approval of a study by a qualified company. Prior to the issuance of a building permit within these lands, a permit must be issued by the Lower Thames Valley Conservation Authority (LTVCA). Changes to these overlay boundaries may occur without amending the Zoning By-law Schedules.

SECTION 4 GENERAL PROVISIONS

4.1 APPLICATION

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

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

4.2 ACCESSORY USES

Accessory uses, buildings or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building or use is located, and provided that no accessory building or use:

- a) Shall be used for human habitation, except where a dwelling unit is a permitted accessory use;
- b) Shall with the exceptions of buildings and structures in the agricultural zone be built closer to the front lot line than the minimum distance required by this By-law for the main building on the lot;
- c) Shall with the exceptions of buildings and structures in the agricultural zone be located in the front yard or exterior side yard, in the case of a corner lot;
- d) Shall with the exception of buildings and structures in the agricultural zone be built closer to the street than the main building is to that street;
- e) Shall with the exception of buildings and structures in the agricultural zone be built closer than one (1.0) metre to any side or rear lot line except:
 - i. That common semi-detached private garages or carports may be centred in the mutual lot line;
 - ii. That where a lot line abuts a public lane an accessory building may be located not less than one-half (0.5) metre from the said lane.
- f) Shall exceed ten (10) percent of the total lot coverage ;
- g) Shall exceed 6.0 metres in height or contain more than two storeys;
- h) Shall be built within 2.0 metres of the main building;
- i) Shall be considered as an accessory building if attached to the main building in any way;
- j) Shall be considered an accessory building if located completely underground.

4.3 COMMERCIAL ACCESSORY USES

Notwithstanding any other provisions of this By-law, where a commercial use is permitted as an accessory use in an industrial zone, it shall not exceed ten (10) percent of the total floor area of the main building, and shall not exceed a maximum floor area of 280.0 m².

4.4 RESIDENTIAL ACCESSORY USES

Notwithstanding any other provisions of this By-law, where one dwelling unit is permitted as an accessory use in a commercial, institutional, open space, or industrial zone, the minimum lot area shall be 950.0 m² in addition to the minimum lot area requirements of the zone in which it is erected, and, in the case of a single unit dwelling unit the maximum building height shall be 9.0 metres, and shall not exceed ten (10) percent of the total lot coverage.

4.5 HOME OCCUPATIONS

Where a home occupation is permitted in a particular zone, the following provisions shall apply:

- a) No outside storage of materials, containers, or finished products is permitted;
- b) No change to the character of the dwelling as a private residence is permitted;
- c) No nuisance, particularly in regard to noise, odour, light, dust, traffic or parking will be created;
- d) No mechanical equipment is used, the operation of which would result in any undue noise, fumes, dust, or odour escaping to any adjoining premise;
- e) The accessory building or any area of main building used for home occupation does not exceed more than 25 percent of the total floor area of the dwelling unit not including basement or cellar and, for greater clarity, such uses include a bed & breakfast establishment, the offices or consulting room for a profession such as a physician, dentist, chiropractor, lawyer, engineer, accountant, teacher, musical instructor when a single pupil is instructed at a time, the office for a trade such as a painter or electrician and the workroom for a dressmaker, milliner, or hairdresser, but does not include or permit a clinic, tea room, convalescent home, mortuary, funeral parlour, dancing school, hairdressing if more than two persons are engaged in the business, or any similar use or other commercial use or institutional use or a workshop, storage yard, parking area or plan for any of the trades;
- f) No more than 5 persons permitted in dwelling at one time to receive treatment, services, or instructions;
- g) No use of swimming pools as a home occupation;
- h) No more than 2 persons may be employees of home occupation which are not permanent residents of dwelling, and shall clearly serve a support role to the home occupation;
- i) No animal, corpse, bacteria, or virus shall be brought into dwelling in connection with a home occupation;
- j) No delivery of materials to or from the dwelling unit requiring a vehicle that has a gross registered weight exceeding 5,000 kilograms.

4.6 AGRICULTURAL HOME OCCUPATIONS

Where an agricultural home occupation is permitted in a particular zone, the following provisions shall apply:

- a) Storage of materials, containers or finished products in the front or side yards shall not be permitted;

- b) Any building or structure, excluding that for residential use, used for an agricultural home occupation shall not exceed 70 m² of ground floor area;
- c) Without limiting the generality of the foregoing, agricultural home occupations may include a carpentry shop, a welding shop, a machine shop, a small tool repair shop, a tile drainage contractor, seed sales, seed cleaning, a trucking operation to a maximum of two (2) trucks, and home craft operations such as pottery or a weaving operation.

4.7 PUBLIC USES

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by any local board thereof as defined by the Municipal Act, as amended from time to time, any railway, telephone, telegraph, or gas company, any department of the Government of Ontario or Canada, Hydro One or any other public authority provided that:

- a) The lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with;
- b) No goods, material, or equipment shall be stored in the open in a residential zone or in a lot abutting a residential zone;
- c) Any building erected in a residential zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone.
- d) Any parking and loading regulations for these uses are complied with.

4.8 CONSTRUCTION USES

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

- a) Any sign which is erected does not exceed 3.0 m² in area;
- b) Such uses or buildings are used only as long as same are necessary for work in progress which has neither been finished nor abandoned, or a period one (1) year whichever is the lesser;
- c) Such uses or buildings are removed when the work for which they were permitted is terminated.

4.9 PROHIBITED USES

4.9.1 The following uses shall be prohibited in any zone unless otherwise provided for:

- a) The use of any land or the erection and use of any building or structure for the purposes of storage of unlicensed vehicles, wrecking yards, salvage yards, dumps, the collection of rags, junk, any refuse, scrap iron, or other scrap metals;
- b) The location and use of a mobile home for the purposes of residential, commercial, industrial, or institutional uses on a temporary or permanent basis;
- c) Buildings or other structures to be erected or used for industrial uses and processes in which natural resources are used as a raw material (e.g. lumber, earth, clay, sand, gravel, stone, rock, oil, gas or any other similar material) shall be erected or used not closer than 300 metres from the boundary line of any residential zone;

- d) The use of motorized vehicles in Conservation Areas;
- e) An assembled, or partially assembled Portable Garage during the time period from April 1 through November 30, in any given calendar year.

4.9.2 **Obnoxious Uses**

Any use, which due to its nature or the materials used therein, is declared under The Public Health Act, or any regulations adopted thereunder, to be a noxious trade, business or manufacture is prohibited.

4.9.3 **Dangerous Uses**

No land, building or structure shall be used in the municipality for the industrial manufacture of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitroglycerine, gun powder, petroleum, and petroleum liquid material that is likely to create danger to health, or danger from fire or explosion. This regulation does prohibit petroleum resource operations permitted under the Oil, Gas and Salt Resources Act.

4.10 **NON-CONFORMING USES**

The provisions of this By-law shall not apply:

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

4.11 **NON-COMPLIANCE WITH MINIMUM LOT OR YARD REQUIREMENTS**

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

- a) The rebuilding, enlargement, repair or renovation does not further reduce a non-complying front yard and/or side yard and/or rear yard having less than the minimum required by this By-law, and
- b) Where it is feasible, a building shall be rebuilt with the required yard setbacks; and
- c) All other applicable provisions of this By-law are complied with.

4.12 **EXISTING LOTS**

Notwithstanding any other provisions of this By-law, legally existing lots with less than the required lot area or lot frontage may be developed for the use specified in the appropriate

zone provided all other regulations of the By-law are satisfied, and in the case of lots where buildings or structures requiring sanitary sewage facilities are to be erected thereon:

- a) Such lots are serviced by approved sanitary sewage services;
- b) Such lots have a minimum frontage of 20.0 metres on a public street where a public water supply is not available.

4.13 HAZARD LANDS

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

- a) Closer than 3.0 metres from the centreline of any enclosed drain;
- b) Closer than 7.5 metres from the top-of-bank of the open portion of the Brown Drain in the Village of Dutton;
- c) Closer than 15 metres from the top-of-bank of an open drain having a width of 7.5 metres or less, from top-of-bank to top-of-bank;
- d) Closer than 30 metres from the top-of-bank of an open drain having a width of greater than 7.5 metres from top-of-bank to top-of-bank;
- e) Closer than 15 metres from the top-of-bank of a natural watercourse;
- f) Closer than 30 metres from the top-of-bank of the Thames River;
- g) Closer than 150 metres from the top-of-bank of the Lake Erie shoreline.

4.13.2 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.

4.14 MUNICIPAL WATER SUPPLY

No new dwelling shall be erected or used, which is not connected to the municipal water supply system or municipal sanitary sewage and disposal system, where such system exists at the street line.

4.15 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS

No new building shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed, and sanitary conveniences installed and, where applicable, kitchen and heating facilities have been installed and are in satisfactory working order.

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

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

- 4.16.2 No travel trailer, truck camper, motor home, or tent shall be used for the living, sleeping or eating accommodation of persons within the Municipality for a period of no more than sixty (60) days in any period of ten (10) consecutive months unless such travel trailer, truck camper, or motor home is located in a campground licensed by the Municipality under the Municipal Act.

4.17 STREET FRONTAGE OF BUILDING LOTS

Except as hereinafter provided in this By-law, no person shall erect a building or structure and no person shall use any land, building, or structure, unless the lot or parcel to be so used or upon which the building is situated, erected or proposed to be erected abuts or fronts on a public street or public road.

4.18 SIGHT RESTRICTION ON CORNER LOT

- 4.18.1 Notwithstanding any other provisions of the By-law, and except in any hamlet or village commercial zone, on a corner lot within the triangular space included between the street lines for a distance of 9.0 metres from their point of intersection, no building or structure shall be erected, no driveway shall be located, no sign, fence or boundary wall shall be placed, nor shall any shrubs or foliage be planted or maintained (more than 0.8 metres high) which obstruct the view of a driver or a vehicle approaching the intersection.
- 4.18.2 In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no building or structure shall be erected in such a manner as to materially impede vision above a height of 0.6 metres above the centreline grade of the intersecting street in the triangular area bounded by the railway and the street line and a line from the points along such railway and such street line measuring 50 metres from the point of the intersection thereof.
- 4.18.3 Where such railway intersection is unprotected, the sighting triangle will be increased to 90 metres along the streetline, and a distance of 400 metres measured along the railway or a distance required by Transport Canada.

4.19 PRIVATE GARAGES AND DRIVEWAYS ON CORNER LOTS

- 4.19.1 Notwithstanding any other provisions of this By-law, no private garage on any corner lot shall be located closer than 3.5 metres to the street line intersection; and
- 4.19.2 Notwithstanding any other provisions of this By-law, no portion of any driveway shall be located closer than nine 9.0 metres to the intersection of the two street lines or their projections.

4.20 ESTABLISHED BUILDING LINE ON STREETS OR ROADS

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

4.21 USE OF YARDS ON LANDS WITHOUT BUILDINGS

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

4.22 YARD AND OPEN SPACE PROVISIONS FOR ALL ZONES

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

4.23 PERMITTED ENCROACHMENTS IN YARDS

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

Structure	Permitted Yard	Maximum Projection from main wall
Window sills, belt courses, cornices, eaves, gutters, or pilasters	Any yard	0.6 m
Fire escapes and exterior staircases	Rear yard only	1.5 m
Bay windows, chimneys and awnings	Front and rear yards only	1.0 m
Open, roofed porches not exceeding one storey in height, uncovered terraces	Front and rear yards only	2.5 m (including eaves, cornices, and canopies)
Decks	Rear and side yards only	Not closer than 1.0 m to any lot line
Heat pumps, air exchangers, air conditioners	Any yard	1.5 m

4.24 ENCLOSURES

Enclosures to any porch or terrace permitted in Section 4.24 of this By-law shall be limited to 1.0 metre in height exclusive of roof supports but this shall not prohibit the enclosure of a porch or terrace by latticing or screening or other form of enclosure which permits a minimum of 50% of air to pass through at all times.

4.25 BUFFER (PLANTING) STRIPS

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

- 4.25.2 A buffer strip shall be used for no other purpose than planting a continuous row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 2.0 metres high, or in accordance with Section 4.15, immediately adjacent to the lot line or portion thereof along which such buffer strip is required hereunder; the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds or a combination thereof.
- 4.25.3 Where a buffer strip is required in any zone, it shall be of minimum width as specified in the regulations for that zone.
- 4.25.4 In all cases where access driveways extend through a buffer strip, it shall be permissible to interrupt the strip within 3 metres of the edge of such driveway.
- 4.25.5 A buffer strip may form part of any required landscaped open space, including the required front, side and rear yards.
- 4.25.6 Where a commercial or an industrial zone abuts a residential zone, an institutional zone, or an open space zone, or a Provincial Highway, a strip of land not less than 4.5 metres in width adjacent to land inside the commercial or industrial zone boundary shall not be used for any other purpose than a buffer strip.
- 4.25.7 Where an institutional zone abuts a residential zone, a strip of land not less than 3 metres in width adjacent to and inside the institutional zone boundary shall not be used for any other purpose than a buffer strip.

4.26 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 zone, or open space zone, the following provisions shall be complied with:

- a) No parking of vehicles with capacity over nine hundred (900) kilos shall be permitted in any side yard adjacent to the neighbouring zone;
- b) No loading space shall be located in, nor open onto any side yard adjacent to the neighbouring zone;
- c) Exterior lighting and illuminated signs shall be so arranged as to deflect light away from adjacent neighbouring zone;
- d) Outside storage shall be prohibited in any front yard or side yard adjacent to the neighbouring zone;
- e) A buffer strip shall be provided in accordance with the provisions of Section 4.25.6.

4.27 **PARKING REQUIREMENTS**

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

Type of Use or Building	Minimum Parking Required
Single-unit dwellings, converted dwellings, dwelling units located in commercial buildings, semi-detached dwellings, duplex dwellings	One (1) parking space per unit
Triplexes, double duplexes, row housing, maisonettes, townhousing, apartment buildings	One and one-quarter (1.25) parking spaces per dwelling unit
Senior citizen housing	One (1) parking space for four (4) dwelling units
Restaurants, community centres, clubs, theatres, halls, places of entertainment	Where there are fixed seats, one (1) space for every four (4) seats
Hospitals, nursing homes, rest homes, and welfare	One (1) parking space for each two (2) beds
Schools	One and one-half (1.5) parking space for each classroom
Churches	One parking space for every four (4) seats
Hotels, motels, taverns	One (1) parking space per rental unit, one additional parking space for each 10 m ² of floor area devoted to public uses such as restaurants, taverns and other eating places associated with motels and staff
Boarding houses, rooming houses, tourist home, or bed and breakfast establishment	One (1) parking space for every room rented in addition to that required for a dwelling if applicable
Retail stores	One (1) parking space per 30 m ²
Offices, general and professional	One (1) parking space per 30 m ² of office floor area
All other commercial uses	One (1) parking space per 60 m ²
Industrial uses	One (1) parking space for every two (2) employees on the largest shift

Home occupation	One (1) off-street parking space for each 20 m ² of floor area devoted to said use in addition to that required for the dwelling
Agricultural uses	Four (4) parking spaces per farm

4.27.2 **Addition to Existing Use**

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

4.28 **STANDARDS FOR PARKING AREAS**

Where in this By-law parking areas for more than four (4) vehicles are required or permitted:

- a) Adequate drainage facilities shall be provided and maintained in accordance with the requirements of the Municipality;
- b) Parking area shall have a cement or asphalt binder or any other permanent type of surfacing to prevent the raising of dust or loose particles, and the limits of said parking area shall be defined by a fence, curb, or other suitable obstruction designed to provide a neat appearance; and prevent the encroachment of vehicles on adjoining property;
- c) The lights used for illumination of parking areas shall be so arranged as to divert the light away from adjacent lots;
- d) A structure, not more than 3 metres in height and not more than 4.5 m² in area may be erected in a parking area for the use of parking attendants;
- e) No sign other than directional signs and a sign indicating the name of the premises, not exceeding 1.0 m² in size, shall be erected on any parking area or parking lot;
- f) Parking areas shall be within 90 metres of the main entrance of the location which it is intended to serve, and shall be situated in the same zone;
- g) No gasoline pumps or other service station equipment shall be located or maintained in any parking area;
- h) A strip of land not less than 3 metres wide lying within the lot in which the parking area is located, and along all boundaries of said area shall be used for landscaping excluding those areas used as entrances and exits.

4.29 **STANDARDS FOR PARKING SPACES**

Each off-street parking space and parking lot shall be provided in accordance with the following minimum specifications:

- a) Each off-street perpendicular parking space or angled parking space shall have a minimum dimension of 2.75 metres by 6 metres; and

- b) Each off-street parallel parking space shall have a minimum dimension of 3 metres by 6 metres.

4.30 STANDARDS FOR ACCESSIBLE PARKING SPACES

4.30.1 Each off-street accessible parking space shall be provided in accordance with the following minimum specifications:

- a) The minimum size of an accessible parking space shall be:
 - i. 5 metres by 6 metres for a perpendicular parking space or angled parking space; and
 - ii. 3.9 metres by 6.7 metres for parallel parking.

4.30.2 The minimum number of accessible parking spaces for:

- a) A residential (minimum 6 units) or commercial or institutional use shall be 1 space for every 50 required parking spaces or portion thereof;
- b) A medical use shall be 1 space for every 20 required parking spaces or portion thereof; and
- c) An industrial use shall be 1 space for every 100 required parking spaces or portion thereof.

4.31 LOADING SPACES

No person shall erect or use any building or structure in any commercial or industrial zone which involves the movement of goods, merchandise, or materials unless off-street loading spaces are provided and maintained upon the same lot on which the principal use is located in accordance with the following provisions:

- a) One loading space shall be provided for every 1900 m² or fraction thereof of the total floor area, to a maximum of six (6) loading spaces in any loading area except where the total floor area is less than 300 m² whereby no loading space shall be required;
- b) Loading spaces shall have dimensions not less than 3.5 metres by 14 metres;
- c) Loading spaces shall not have less than 4.5 metres of clearance.

4.32 STANDARDS FOR LOADING SPACES

Where in this By-law loading spaces are required or permitted, the following standards shall apply:

- a) Adequate driveway space to permit the safe manoeuvring of vehicles on the lot such that they do not cause an obstruction or a hazardous condition on adjacent streets;
- b) Adequate drainage facilities in accordance with requirements of the Municipality;
- c) Loading spaces and approaches to be maintained with a stable surface that is treated to prevent the raising of dust or loose particles;
- d) Illumination of loading spaces so arranged as to be diverted away from any adjacent residential, institutional, or open space zone;
- e) Loading spaces to be located in the rear yard where a lot has access at both the front and rear to a street or road.

4.33 STANDARDS FOR ENTRANCES AND EXITS FOR LOADING AND PARKING AREAS

Where in this By-law, loading spaces or parking areas for more than four (4) vehicles are required or permitted:

- a) Entrance and exit ramps for vehicular traffic shall not exceed two (2) in number and each ramp shall have a maximum width of 7.5 metres;
- b) A driveway leading to any loading area or parking area shall have a minimum width of 3 metres for one-way traffic, and a minimum width of 6 metres for two-way traffic, and the maximum width of a driveway shall be 7.5 metres.
- c) A driveway leading to a 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. In addition, said driveway shall be located no closer than 15.0 metres from the limits of the rights-of-way at a street intersection;

4.34 PARKING OF MOTOR VEHICLES WITHOUT CURRENT LICENSE PLATES

Notwithstanding any other provisions of this By-law, no person shall use any zone for the parking or storage of any vehicle that does not have current license plates except where such vehicles are stored inside a private garage in a residential zone, or inside accessory buildings in an agricultural zone, and any number of such vehicles may be stored at a motor vehicle sales or service establishment, in a commercial zone.

4.35 PARKING REGULATIONS IN RESIDENTIAL ZONES

4.35.1 All parking spaces in any residential zone shall be located in an attached or detached private garage, or in a driveway, or in a side or rear yard, or in the case of a motor home, travel trailer, or truck camper shall be parked in a side yard or rear yard only, and provided that the lot coverage of the spaces shall not exceed fifteen (15) percent of the total lot area.

4.35.2 No motor vehicle shall be parked or stored in any residential zone other than a private passenger automobile, a motor home, travel trailer, or truck camper, or in the case of a commercial motor vehicle as provided for in Section 4.33.3 and 4.33.4 of this By-law.

4.35.3 No commercial motor vehicle, having a capacity of greater than 6000 kilos, shall be parked or stored in the Hamlet Residential (HR), Limited Service Residential (LSR), or either Village Residential (VR1 and VR2) Zone.

4.35.4 No commercial motor vehicle, having a capacity of greater than 6000 kilos, shall idle for an extended period of time in the Hamlet Residential (HR), Limited Service Residential (LSR), or either Village Residential (VR1 and VR2) Zone.

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

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

4.37 HEIGHT EXEMPTIONS

The height regulations of this By-law shall not apply to any farm building or structure, ornamental dome, skylight, chimney, tower, elevator enclosure, flag pole, antennae, radio or

television receiving or transmitting equipment, cupola, steeple, church spire, clock towers, water tanks, ventilators or any accessory mechanical appurtenances. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose they are to serve.

4.38 GRADING

4.38.1 Excavations

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

4.38.2 Removal or Leveling of Hills

This By-law shall not apply to prevent the removal or leveling of hills for the purposes of increasing or improving land for agricultural uses so long as no excavation takes place below the average grade of the land surrounding the said hill.

4.39 SWIMMING POOLS

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

- a) A swimming pool is permitted as an accessory use in any zone;
- b) A swimming pool shall not contribute to lot coverage as regulated in any zone of this by-law;
- c) A swimming pool shall not be located in any yard other than a side yard or a rear yard;
- d) No part of a swimming pool shall be located closer than one (1.0) metre to any lot line;
- e) No part of a swimming pool shall exceed a height of 2.0 metres, exclusive of related structures which shall not exceed a height of 4.0 metres;
- f) Every swimming pool shall be enclosed by a fence of at least 1.2 metres in height equipped with a self-closing gate capable of being locked;
- g) No water circulating or treatment equipment such as pumps or filters or any accessory building or structure containing such equipment, shall be located closer than 1.0 metre to any lot line, unless it is an existing building or structure.

4.40 LOSS BY NATURAL CAUSES

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

4.41 LOTS REDUCED BY PUBLIC ACQUISITION

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

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

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

4.42 ADULT ENTERTAINMENT PARLOURS

4.42.1 Notwithstanding any other provision of this By-law, an Adult Entertainment Parlour shall be prohibited in any zone or on any site or location that is situated less than 500 metres from an existing residential or institutional use.

4.42.2 An Adult Entertainment Parlour shall also be prohibited in any zone or on any site or location that is situated less than 500 metres from any zone that permits residential or institutional uses.

4.43 ANCILLARY SALE OF AUTOMOBILES

Sales of automobiles ancillary to a motor vehicle service station, public garage, or motor vehicle body shop shall be limited to maximum of six (6) automobiles being stored, kept or displayed for sale on the site at any time.

4.44 FRONT LOT LINES AND HIGHWAY NO. 401

Where a lot is bounded on one or more sides by the road allowance of Provincial Highway No. 401, the lot lines or portions thereof which abut the said road allowance shall not be deemed to be a front lot line for the purposes of this By-law.

4.45 GROUP HOMES

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

4.46 MINIMUM DISTANCE SEPARATION FORMULAE

4.46.1 For the purposes of this Zoning By-law, Minimum Distance Separation Formulae I and II (MDS I and II) shall be calculated in accordance with the Minimum Distance Separation (MDS) Formulae Guidelines prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) as amended from time to time. For the purpose of this section:

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

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

4.47 WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS

Wayside pits and quarries and portable asphalt plants shall be permitted in all zone categories without amendment to the Zoning By-law, except zones that are established to recognize existing development or areas of particular environmental sensitivity upon which wayside pits may be prohibited.

4.48 SETBACKS FROM PETROLEUM RESOURCE OPERATIONS

No person shall erect, locate or construct a building or structure within 75 metres of a petroleum resource operation unless the well or facility has been decommissioned in accordance with the Oil, Gas and Salt Resources Act or such building or structure is related to the petroleum operation and permitted in accordance with the Act.

4.49 MINISTRY OF TRANSPORTATION AUTHORITY

Any development proposed in proximity to a provincial highway and within the Ministry of Transportation permit control area, is subject to Ministry approval and shall obtain the necessary permits prior to construction being undertaken.

SECTION 5 AGRICULTURAL (A1) ZONE REGULATIONS

5.1 GENERAL USE REGULATIONS

5.1.1 Permitted Uses

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

Agricultural use;

Agricultural home occupation; Animal kennel;

Commercial greenhouses;

Farm buildings and structures including one single detached dwelling on one lot;

Farm produce outlets;

Forestry use;

Grass landing strip as an accessory use;

Home occupation;

Market garden operations;

Plant nurseries;

Riding stable;

Accessory uses.

5.1.2 Minimum Lot Area

20 ha

5.1.3 Minimum Lot Frontage

150 m

5.1.4 Maximum Lot Coverage

20 %

5.1.5 Maximum Building Height

12 m

5.1.6 Minimum Floor Area

For a single-unit detached dwelling:

90 m²

5.1.7 Minimum Front Yard Depth

18 m

5.1.8 Minimum Side Yard Depth

15 m

5.1.9 **Minimum Rear Yard Depth**

15 m

5.2 **SPECIAL USE REGULATIONS**

5.2.1 **Animal Kennels**

In addition to the requirements of Section 5; an animal kennel shall not be erected or used closer than:

- a) 150 metres from a dwelling located on a neighbouring lot;
- b) 300 metres from the boundary of any village or hamlet, as shown on Schedule “B”, Schedule “C”, Schedule “D”, Schedule “E”, Schedule “F”, and Schedule “G” to this By- law.

5.2.2 **Livestock Buildings and Structures**

In addition to the requirements of Section 5.1.7 to Section 5.1.9 inclusive, the following regulations shall apply to buildings and structures hereafter erected or altered for the housing of livestock:

- a) Minimum distance from the village growth boundary as shown on Schedule “B” & “C” to this By-law: 450 metres or the distance determined by application of M.D.S. II, whichever is greater.
- b) Minimum distance from a hamlet growth boundary as shown on Schedule, “D”, “E”, “F”, and “G” to this By-law: 300 metres or the distance determined by application of M.D.S. II, whichever is greater.
- c) Establishment of a new livestock operation: The distance determined by application of M.D.S. II.
- d) Expansion of a livestock operation existing as of January, 2000: The distance determined by application of MDS II

5.2.3 **Minimum Distance Separation Formulae**

In addition to the requirements of Section 5.1.7 to Section 5.1.9 inclusive, any dwellings hereafter erected for residential purposes shall be in conformity with the Minimum Distance Separation (MDS) Formulae and shall be calculated in accordance with the Minimum Distance Separation (MDS) Formulae Guidelines prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

5.3 **EXCEPTIONS - AGRICULTURAL (A1) ZONE**

5.3.1

5.3.1.1 **Defined Area**

A1-1 as shown on Schedule “A”, Map No 9

5.3.1.2 **Permitted Uses**

Farm equipment sales and service; Travel Trailer sales and service.

5.3.2

5.3.2.1 **Defined Area**

A1-2 as shown on Schedule “A”, Map No 8

5.3.2.2 **Permitted Uses**

Public garage excluding a motor vehicle service establishment, in addition to all other uses permitted in the A1 Zone

5.3.3

5.3.3.1 **Defined Area**

A1-3 as shown on Schedule “A”, Map No. 6

5.3.3.2 **Maximum Lot Coverage**

60 %

5.3.4

5.3.4.1 **Defined Area**

A1-4 as shown on Schedule “A”, Map 12 to this By-law

5.3.4.2 **Minimum Lot Area**

8.9 hectares

5.3.5

5.3.5.1 **Defined Area**

A1-5 as shown on Schedule A, Map 16 to this By-law

5.3.5.2 **Minimum Lot Area**

15 hectares

5.3.6

5.3.6.1 **Defined Area**

A1-6 as shown on Schedule “A”, Map 5 to this by-law.

5.3.6.2 **Permitted Uses**

Motor Vehicle Service Establishment - heavy vehicle/equipment repair only

All other uses permitted in A1 Zone

5.3.7

5.3.7.1 **Defined Area**

A1-7 as shown on Schedule “A”, Map 11 to this by-law.

5.3.7.2 **Permitted Uses**

Travel Trailer sales and service, in addition to all other uses permitted in the A1 Zone

5.3.8

5.3.8.1 **Defined Area**

A1-8 as shown on Schedule “A”, Map 13 to this by-law.

5.3.8.2 **Permitted Uses**

Existing A1 permitted uses

Market Garden Operations: flower crop processing establishment, accessory commercial uses, and flower crop processing education facilities

Farm Produce Outlet: year-round, permanent structure

5.3.8.3 **Maximum Combined Floor Area**

Market Garden Operations/Farm Produce Outlet: 1435 m²

5.3.8.4 **Supplemental Regulations**

The lands are subject to site plan control.

The hours of operation for the market garden operations and farm produce outlet shall be between 8 a.m. and 10 p.m.

5.3.9

5.3.9.1 **Defined Area**

A1-9 as shown on Schedule “A”, Map 7 to this by-law.

5.3.9.2 **Additional Permitted Uses**

Motocross Facility, including overnight accommodations associated with the motocross facility

5.3.9.3 **Supplementary Regulations**

- a) Additional permitted uses to be limited to operation between April 1st and October 31st in any calendar year;
- b) Overnight accommodations limited to 4 events per year;
- c) No permanent structures associated with the additional permitted uses shall be erected on the subject lands.

SECTION 6 SPECIAL AGRICULTURAL (A2) ZONE REGULATIONS

6.1 GENERAL USE REGULATIONS

6.1.1 Permitted Uses

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

Agricultural uses;
 Commercial greenhouses;
 Farm Buildings and Structures;
 Farm produce outlets;
 Forestry use;
 Grass landing strip as an accessory use;
 Market garden operations;
 Plant nurseries;
 Riding stable;
 Accessory uses.

6.1.2 Prohibited Uses

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

6.1.3 Minimum Lot Area

20 ha

6.1.4 Minimum Lot Frontage

150 m

6.1.5 Maximum Lot Coverage

20 %

6.1.6 Maximum Building Height

12 m

6.1.7 Minimum Front Yard Depth

18 m

6.1.8 Minimum Side Yard Depth

15 m

6.1.9 Minimum Rear Yard Depth

15 m

6.2 SPECIAL USE REGULATIONS

6.2.1 Livestock Buildings and Structures

In addition to the requirements of Section 6.1.7 to Section 6.1.9 inclusive, the following regulations shall apply to buildings and structures hereafter erected or altered for the housing of livestock:

- a) Minimum distance from the village growth boundary as shown on Schedule “B” & “C” to this By-law: 450 metres or the distance determined by application of M.D.S. II, whichever is greater.
- b) Minimum distance from a hamlet growth boundary as shown on Schedule, “D”, “E”, “F”, and “G” to this By-law: 300 metres or the distance determined by application of M.D.S. II, whichever is greater.
- c) Establishment of a new livestock operation: The distance determined by application of M.D.S. II.
- d) Expansion of a livestock operation existing as of January, 2000: The distance determined by application of M.D.S. II.

6.3 EXCEPTIONS – SPECIAL AGRICULTURAL (A2) ZONE

6.3.1

6.3.1.1 Defined Area

A2-1 as shown on Schedule “A”, Map No. 8

6.3.1.2 Permitted Uses

Livestock uses in accordance with the provisions of the M.D.S. II in addition to all other uses permitted in the (A2) Agricultural Zone.

6.3.2

6.3.2.1 Defined Area

A2-2 as shown on Schedule “A”, Map No. 6

6.3.2.2 Minimum Lot Area

39.5 hectares

6.3.3

6.3.3.1 Defined Area

A2-3 as shown on Schedule “A”, Map No. 13

6.3.3.2 Minimum Lot Area

34.5 hectares

6.3.4

6.3.4.1 **Defined Area**

A2-4 as shown on Schedule “A”, Map No. 13 and 14

6.3.4.2 **Prohibited Buildings and Structures**

No livestock can be housed in the barns existing on the date of passing of this By-law.

6.3.4.3 **Minimum Lot Area**

40 hectares

6.3.5

6.3.5.1 **Defined Area**

A2-5 as shown on Schedule “A”, Map No. 13 and 14

6.3.5.2 **Prohibited Uses**

No livestock can be housed in the barns existing on the date of passing of this By-law.

6.3.5.3 **Minimum Side Yard**

4.0 metres

6.3.5.4 **Minimum Lot Area**

40 hectares

6.3.6

6.3.6.1 **Defined Area**

A2-6 as shown on Schedule “A” Map No. 11

6.3.6.2 **Prohibited Uses**

No livestock may be housed in the barns existing on the date of passing of this by-law.

6.3.6.3 **Minimum Lot Area**

40 hectares

6.3.7

6.3.7.1 **Defined Area**

A2-7 as shown on Schedule “A”, Map 10 to this By-law

6.3.7.2 **Minimum Lot Area**

40 hectares

6.3.7.3 **Prohibited Uses**

Livestock-related agricultural uses within any existing buildings or structures

6.3.8

6.3.8.1 **Zoning Symbol**

A2-8

6.3.8.2 **Minimum Lot Area**

40 hectares

6.3.9

6.3.9.1 **Defined Area**

A2-9 as shown on Schedule “A”, Map 11 to this by-law.

6.3.9.2 **Minimum Lot Area**

18.9 hectares.

6.3.10

6.3.10.1 **Defined Area**

A2-10 as shown on Schedule “A”, Map 8 to this by-law.

6.3.10.2 **Prohibited Uses**

Livestock-related agricultural uses within existing buildings and structures.

6.3.11

6.3.11.1 **Defined Area**

A2-11 as shown on Schedule “A”, Map 6 to this by-law.

6.3.11.2 **Minimum Lot Area**

40 hectares

6.3.12

6.3.12.1 **Defined Area**

A2-12 as shown on Schedule “A”, Map No. 7 to this by-law;

6.3.12.2 **Minimum Lot Area**

40 hectares

6.3.13 **A2-13**

6.3.13.1 **Defined Area**

A2-13 as shown on Schedule “A”, Map 9 to this by-law.

6.3.13.2 **Minimum Lot Area**

19.4 hectares

6.3.14

6.3.14.1 **Defined Area**

A2-14 as shown on Schedule “A”, Map 2 to this by-law.

6.3.14.2 **Minimum Lot Area**

40 hectares.

6.3.15

6.3.15.1 **Defined Area**

A2-15 as shown on Schedule “A”, Map 13 to this by-law.

6.3.15.2 **Minimum Lot Area**

19.0 hectares.

6.3.16

6.3.16.1 **Defined Area**

A2-16 as shown on Schedule “A”, Map 3 to this by-law.

6.3.16.2 **Minimum Lot Area**

19.4 hectares.

6.3.17

6.3.17.1 **Defined Area**

A2-17 as shown on Schedule “A”, Map 10 to this by-law.

6.3.17.2 **Prohibited Uses**

Livestock-related agricultural uses within existing buildings and structures and on the subject lands.

6.3.18

6.3.18.1 **Defined Area**

A2-18 as shown on Schedule “A”, Map 3 to this by-law.

6.3.18.2 **Prohibited Uses**

No livestock can be housed in the barns existing on the date of passing of this By-law.

SECTION 7 LARGE LOT AGRICULTURAL (A3) ZONE REGULATIONS

7.1 GENERAL USE REGULATIONS

7.1.1 Permitted Uses

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

Agricultural use;

Agricultural home occupation;

Animal kennel;

Commercial greenhouses;

Farm buildings and structures including one single detached dwelling on one lot;

Farm produce outlets;

Forestry use;

Grass landing strip as an accessory use;

Home occupation;

Market garden operations;

Plant nurseries;

Riding stable;

Accessory uses.

7.1.2 Minimum Lot Area

40 ha

7.1.3 Minimum Lot Frontage

150 m

7.1.4 Maximum Lot Coverage

20 %

7.1.5 Maximum Building Height

12 m

7.1.6 Minimum Floor Area

For a single-unit detached dwelling: 90 m²

7.1.7 Minimum Front Yard Depth

18 m

7.1.8 **Minimum Side Yard Depth**

15 m

7.1.9 **Minimum Rear Yard Depth**

15 m

7.2 **SPECIAL USE REGULATIONS**

7.2.1 **Animal Kennels**

In addition to the requirements of Section 7; an animal kennel shall not be erected or used closer than:

- a) 150 metres from a dwelling located on a neighbouring lot;
- b) 300 metres from the boundary of any village or hamlet, as shown on Schedule “B”, Schedule “C”, Schedule “D”, Schedule “E”, Schedule “F”, and Schedule “G” to this By- law.

7.2.2 **Livestock Buildings and Structures**

In addition to the requirements of Section 7.1.7 to Section 7.1.9 inclusive, the following regulations shall apply to buildings and structures hereafter erected or altered for the housing of livestock:

- a) Minimum distance from the village growth boundary as shown on Schedule “B” & “C” to this By-law: 450 metres or the distance determined by application of M.D.S. II, whichever is greater.
- b) Minimum distance from a hamlet growth boundary as shown on Schedule, “D”, “E”, “F”, and “G” to this By-law: 300 metres or the distance determined by application of M.D.S. II, whichever is greater.
- c) Establishment of a new livestock operation: The distance determined by application of M.D.S. II.
- d) Expansion of a livestock operation existing as of January, 2000: The distance determined by application of MDS II

7.2.3 **Minimum Distance Separation Formulae**

In addition to the requirements of Section 7.1.7 to Section 7.1.9 inclusive, any dwellings hereafter erected for residential purposes shall be in conformity with the Minimum Distance Separation (MDS) Formulae and shall be calculated in accordance with the Minimum Distance Separation (MDS) Formulae Guidelines prepared by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

7.2.4 **Supplementary Farm Dwelling Units**

Notwithstanding Section 7.1.1, an additional single-detached dwelling unit or accessory living quarters to an agricultural use shall be permitted on a lot having an area 40 hectares or greater.

7.3 EXCEPTIONS – LARGE LOT AGRICULTURAL (A3) ZONE

7.3.1

7.3.1.1 **Defined Area**

A3-1 as shown on Schedule “A”, Map No. 6

7.3.1.2 **Permitted Uses**

Wood pallet repair business in addition to all other uses permitted in the A3 Zone.

7.3.1.3 **Minimum Side Yard**

Wood Pallet Repair Business – east side yard: 170 metres

Wood Pallet Repair Business – west side yard: 315 metres

All other permitted uses in accordance with subsection 5.1.8 of this By-law.

7.3.1.4 **Minimum Rear Yard**

Wood Pallet Repair Business: 469 metres

All other permitted uses in accordance with subsection 5.1.9 of this By-law

Uncontrolled

SECTION 8 RURAL RESIDENTIAL (RR) ZONE REGULATIONS

8.1 GENERAL USE REGULATIONS

8.1.1 Permitted Uses

No land shall be used or no building or structure shall be erected, altered or used in the Rural Residential (RR) Zone except for the following purposes:

One single-unit detached dwelling on one lot; Home occupation;
Accessory uses.

8.1.2 Minimum Lot Area

Where a public water supply is not available: 2000 m²

Where a public water supply is available: 1860 m²

8.1.3 Minimum Lot Frontage

30 m

8.1.4 Maximum Lot Depth

120 m

8.1.5 Maximum Lot Coverage

30 percent

8.1.6 Maximum Building Height

10.5 m

8.1.7 Minimum Floor Area

90 m²

8.1.8 Front Yard Depth

10.5 m

8.1.9 Side Yard Width

3 m

8.1.10 Rear Yard Depth

7.5 m

8.1.11 Minimum Separation Distance

From the edge of a railroad right-of-way: 30 m

8.2 **SPECIAL USE REGULATIONS**

8.3 **EXCEPTIONS - RURAL RESIDENTIAL (RR) ZONE**

8.3.1

8.3.1.1 **Defined Area**

RR-1 as shown on Schedule “A”, Map No. 10

8.3.1.2 **Minimum Lot Area**

1.25 hectares

8.3.1.3 **Minimum Lot Frontage**

95 metres

8.3.2

8.3.2.1 **Defined Area**

RR-2 as shown on Schedule “A”, Map 9 to this by-law.

8.3.2.2 **Minimum Floor Area**

70 m²

8.3.3

8.3.3.1 **Defined Area**

RR-3 as shown on Schedule “A”, Map 2 to this by-law.

8.3.3.2 **Maximum Floor Area for Accessory Buildings**

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

SECTION 9 SPECIAL RURAL RESIDENTIAL (RS) ZONE REGULATIONS

9.1 GENERAL USE REGULATIONS

9.1.1 Permitted Uses

No land shall be used or no building or structure shall be erected, altered or used in the Special Rural Residential (RS) Zone except for the following purposes:

One single-unit detached dwelling on one lot;

Agricultural use as an accessory use;

Agricultural home occupation;

Animal kennel;

Forestry use;

Home occupation

9.1.2 Minimum Lot Area

2750 m²

9.1.3 Minimum Lot Frontage

30.0 m

9.1.4 Maximum Lot Coverage

30 %

9.1.5 Maximum Building Height

10.5 m

9.1.6 Minimum Floor Area

90.0 m²

9.1.7 Front Yard Depth

15 m

9.1.8 Side Yard Width

3 m

9.1.9 Rear Yard Depth

7.5 m

9.2 SPECIAL USE REGULATIONS

- 9.2.1 The maximum number of livestock permitted at any given time shall not exceed the equivalent of one (1) nutrient unit as defined in the Nutrient Management Act, 2002 and associated regulations developed by the Ontario Ministry of Agriculture Food and Rural Affairs as amended from time to time.
- 9.2.2 In addition to the requirements of Section 9.1.7 thru 9.1.9; a building housing livestock shall not be erected or used closer than the distance determined on application of M.D.S. II.
- 9.2.3 In addition to the requirements of Section 9; an animal kennel shall not be erected or used closer than:
- a) 150 metres from a dwelling located on a neighbouring lot;
 - b) 300 metres from the boundary of any village or hamlet, as shown on Schedule “B”, Schedule “C”, Schedule “D”, Schedule “E”, Schedule “F”, and Schedule “G” to this By-law.

9.3 EXCEPTIONS - SPECIAL RURAL RESIDENTIAL (RS) ZONE

9.3.1

9.3.1.1 **Defined Area**

RS-1 as shown on Schedule “A”, Map No. 9

9.3.1.2 **Minimum Lot Size**

1.0 hectare

9.3.2

9.3.2.1 **Defined Area**

RS-2 as shown on Schedule “A”, Map No. 6

9.3.2.2 **Minimum Lot Area**

0.8 hectares

9.3.2.3 **Permitted Uses**

Contractor’s Yard or Shop in addition to all other uses permitted in the RS Zone.

9.3.3

9.3.3.1 **Defined Area**

RS-3 as shown on Schedule “A”, Map No. 15

9.3.3.2 **Minimum Front Yard Depth**

Notwithstanding subsection 9.1.7, the existing Front Yard for the existing buildings and structures shall be permitted.

9.3.3.3 **Minimum Side Yard Depth**

Notwithstanding subsection 9.1.8, the existing westerly Side Yard for the existing livestock barn and accessory buildings shall be permitted.

9.3.4

9.3.4.1 **Defined Area**

RS-4 as shown on Schedule “A”, Map No. 14

9.3.4.2 **Minimum Lot Frontage**

Notwithstanding any other section of this by-law to the contrary, no frontage shall be required on a public road. Access to the subject lands shall be provided via an existing private right of way, which extends east from Hill Street through Part Lots 8 & 9, Concession 9 to the subject site.

9.3.4.3 **Minimum Lot Area**

6.5 hectares

9.3.5

9.3.5.1 **Defined Area**

RS-5 as shown on Schedule “A”, Map No. 6

9.3.5.2 **Minimum Lot Area**

1.9 hectares

9.3.6

9.3.6.1 **Defined Area**

RS-6 as shown on Schedule “A”, Map No. 10

9.3.6.2 **Minimum Lot Area**

0.9 hectares

9.3.7

9.3.7.1 **Defined Area**

RS-7 as shown on Schedule “A”, Map No. 15

9.3.7.2 **Minimum Lot Area**

1.27 hectares

9.3.8

9.3.8.1 **Defined Area**

RS-8 as shown on Schedule “A”, Map No. 11

9.3.8.2 **Permitted Uses**

Motorcycle sales and repair business in addition to all other uses permitted in the RS Zone.

9.3.9

9.3.9.1 **Defined Area**

RS-9 as shown on Schedule “A”, Map No. 7

9.3.9.2 **Minimum Lot Area**

0.7 hectares

9.3.10

9.3.10.1 **Defined Area**

RS-10 as shown on Schedule “A” Map No. 12

9.3.10.2 **Minimum Lot Area**

1.52 hectares

9.3.11

9.3.11.1 **Defined Area**

RS-11 as shown on Schedule “A” Map No. 9

9.3.11.2 **Minimum Lot Area**

1.87 hectares

9.3.12

9.3.12.1 **Defined Area**

RS-12 as shown on Schedule “A” Map No. 5

9.3.12.2 **Minimum Lot Area**

1.2 hectares

9.3.12.3 **9.3.12.3 Prohibited Uses**

Contractor’s Yard or Shop

9.3.13

9.3.13.1 **Defined Area**

RS-13 as shown on Schedule “A” Map No. 11

9.3.13.2 **Minimum Lot Area**

1.0 hectare

9.3.13.3 **Minimum Side Yard for Buildings and Structures Used or Intended to be Used for Livestock Purposes**

3.0 metres

9.3.14

9.3.14.1 **Defined Area**

RS-14 as shown on Schedule 'A', Map 10 to this By-Law

9.3.14.2 **Minimum Lot Area**

1850 m²

9.3.15

9.3.15.1 **Defined Area**

RS-15 as shown on Schedule "A", Map 13 to this by-law.

9.3.15.2 **Minimum Setback from Lake Erie Shoreline**

118 metres.

9.3.16

9.3.16.1 **Defined Area**

RS-16 as shown on Schedule "A", Map No 8 to this By-law.

9.3.16.2 **Minimum Lot Frontage**

20.0 metres

9.3.17

9.3.17.1 **Defined Area**

RS-17 as shown on Schedule "A", Map No 8 to this By-law.

9.3.17.2 **Minimum Lot Frontage**

18.0 metres

9.3.18

9.3.18.1 **Defined Area**

RS-18 as shown on Schedule "A", Map No 3 to this By-law.

9.3.18.2 **Minimum Lot Frontage**

8.0 metres

9.3.19

9.3.19.1 **Defined Area**

RS-20 as shown on Schedule “A”, Map No 10 to this By-law.

9.3.19.2 **Minimum Distance Separation Formulae**

Notwithstanding Section 4.46.1, the Minimum Distance Separation I shall be 50.0m to a livestock facility located at 29202 Marsh Line.

Uncontrolled

SECTION 10 LIMITED SERVICE RESIDENTIAL (LSR) ZONE REGULATIONS

10.1 GENERAL USE REGULATIONS

10.1.1 Permitted Uses

No land shall be used or no buildings or structures shall be erected, altered or used in the Limited Service Residential (LSR) Zone except for the following purposes:

One seasonal single unit detached dwelling on one lot;

An accessory use.

10.1.2 Minimum Lot Area

1860 m²

10.1.3 Minimum Lot Frontage

30 m

10.1.4 Maximum Lot Coverage

20 %

10.1.5 Maximum Building Height

10.5 m

10.1.6 Minimum Floor Area

70 m²

10.1.7 Front Yard Depth

6 m

10.1.8 Side Yard Depth

a) Interior side yard 4.5 m

b) Exterior side yard 6 m

10.1.9 Rear Yard Depth

10.5 m

10.2 SPECIAL USE REGULATIONS

10.3 **EXCEPTIONS - LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

10.3.1

10.3.1.1 **Defined Area**

LSR-1 as shown on Schedule “A”, Map No. 15

10.3.1.2 **Permitted Buildings and Structures**

Existing buildings and structures for the permitted uses

Uncontrolled

SECTION 11 HAMLET RESIDENTIAL (HR) ZONE REGULATIONS

11.1 GENERAL USE REGULATIONS

11.1.1 Permitted Uses

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

One single unit detached dwelling on one lot; One converted dwelling on one lot;
Home occupation

11.1.2 Minimum Lot Area

1000 m²

11.1.3 Minimum Lot Frontage

25 m

11.1.4 Maximum Lot Coverage

30 %

11.1.5 Maximum Building Height

10.5 m

11.1.6 Minimum Floor Area

- | | |
|--|-------------------|
| a) For a single unit detached dwelling: | 90 m ² |
| b) For each dwelling unit in a converted dwelling: | 90 m ² |

11.1.7 Front Yard Depth

6 m

11.1.8 Side Yard Depth

Single-unit detached dwelling with or without attached garage or carport: 2 m on one side and 3 m on the other side

Single-unit detached dwelling situated on a corner lot: 4.5m on the side abutting a public street and 2.0 m on the other side

11.1.9 Rear Yard Depth

9 m

11.2 SPECIAL USE REGULATIONS

11.3 EXCEPTIONS - HAMLET RESIDENTIAL (HR) ZONE

11.3.1

11.3.1.1 **Defined Area**

HR-1(h) as shown on Schedule “C”

11.3.1.2 **Permitted Uses**

One single-unit detached dwelling on one lot. Home occupation

11.3.1.3 **Special Regulations**

No single unit detached dwelling shall be erected within 85 metres of any existing livestock buildings located on the lands zoned OS-3 on Schedule “E” Map No. 3E.

11.3.2

11.3.2.1 **Defined Area**

HR-2 as shown on Schedule “C”

11.3.2.2 **Permitted Uses**

An agricultural use;

One single-unit detached dwelling on one lot; Home occupation.

11.3.2.3 **Special Regulations**

The regulations of Section 5.0 of this By-law shall apply to an agricultural use.

11.3.3

11.3.3.1 **Defined Area**

HR-3 as shown on Schedule “E”

11.3.3.2 **Minimum Lot Frontage**

17.9 metres

11.3.4

11.3.4.1 **Defined Area**

HR-4 as shown on Schedule “E”, Map 3 to this by-law.

11.3.4.2 **Minimum Lot Area and Frontage**

Existing as of the date of passing of this by-law

11.3.4.3 **Maximum Height and Lot Coverage**

Existing as of the date of passing of this by-law

11.3.4.4 **Minimum Yards**

Existing as of the date of passing of this by-law

Uncontrolled

SECTION 12 VILLAGE RESIDENTIAL 1 (VR1) ZONE REGULATIONS

12.1 GENERAL USE REGULATIONS

12.1.1 Permitted Uses

No land, building, or structure shall be used or erected in the Village Residential Zone 1 (VR1) except for the following purposes:

One single-detached dwelling on one lot;

One duplex dwelling or one two-unit converted dwelling on one lot;

One unit of a semi-detached dwelling on one lot;

Home occupation;

Accessory use

12.1.2 Minimum Lot Area

For a single-detached dwelling where a public water supply and public sanitary sewage services are available: 465 m²

For a single-detached dwelling where a public water supply is available but public sanitary sewage services are not available: 930 m²

For one unit of a semi-detached dwelling: 300 m²

For a duplex or converted dwelling: 600 m²

12.1.3 Minimum Lot Frontage

For a single-detached dwelling where a public water supply and public sanitary sewage services are available: 15 m

For a single-detached dwelling where a public water supply is available but public sanitary sewage services are not available: 20 m

For one unit of a semi-detached dwelling: 10 m

For a duplex or converted dwelling: 20 m

12.1.4 Minimum Lot Depth

30 m

12.1.5 Maximum Lot Coverage

35 %

12.1.6 Minimum Floor Area

80 m²

12.1.7 Minimum Front Yard

7.5 m

12.1.8 **Minimum Side Yard**

Where a garage or carport is attached: 1.5 m plus 0.5 m for each additional or partial storey above the first storey

Where no garage or carport is attached: 1.5 m plus 0.5 m for each additional or partial storey above the first storey on one side of the main building, and 3 m on the other side of the building

On a corner lot: 4.5 m on the side abutting a public street and 1.5 m plus 0.5 m for each additional or partial storey above the first storey on the other side

12.1.9 **Minimum Rear Yard**

7.5 m

12.1.10 **Maximum Building Height**

12.0 m

12.2 SPECIAL USE REGULATIONS

12.2.1 Not more than one secondary dwelling unit per lot may be permitted in a single-unit detached, semi-detached or townhouse dwelling unit located in the Village Residential Zone 1 (VR1), where the dwelling is owner occupied, the minimum dwelling unit floor area is 25m² (269 ft²) but not greater than the main dwelling unit area, the unit is not entirely below grade, any required additions are made to the rear of the dwelling and one additional parking space is provided for the secondary dwelling unit.

12.3 EXCEPTIONS - VILLAGE RESIDENTIAL 1 (VR1) ZONE

12.3.1

12.3.1.1 **Defined Area**

VR1-1 as shown on Schedule "B", Map No. 1

12.3.1.2 **Permitted Uses**

Day care centre

12.3.1.3 **Minimum Lot Frontage**

27.0 metres

12.3.1.4 **Minimum Lot Area**

1.46 hectares

12.3.2

12.3.2.1 **Defined Area**

VR1-2 as shown on Schedule "B", Map No. 2 to this By-law

12.3.2.2 **Permitted Uses**

Existing residential uses

All uses permitted in the General Commercial (C1) Zone.

12.3.3

12.3.3.1 **Defined Area**

VR1-3 as shown on Schedule “B”, Map 1 to this by-law.

12.3.3.2 **Permitted Uses**

Existing VR1 permitted uses

Motor Vehicle Body Shop

Outdoor storage of vehicles is not permitted

12.3.4

12.3.4.1 **Defined Area**

VR1-4 as shown on Schedule “B”, Map 2 to this by-law.

12.3.4.2 **Permitted Uses**

Animal Clinic within the dwelling that existed on the subject lands as of January 1, 2013, including a maximum of 5 parking spaces;

All other uses permitted in the VR1 Zone, including a maximum of one (1) residential dwelling.

12.3.4.3 **Prohibited Uses**

Animal kennel;

On-site incineration of animals associated with the animal clinic;

Outdoor storage or boarding associated with the animal clinic.

SECTION 13 VILLAGE RESIDENTIAL 2 (VR2) ZONE REGULATIONS

13.1 GENERAL USE REGULATIONS

13.1.1 Permitted Uses

No land, building, or structure shall be used or erected in the Village Residential Zone 2 (VR2) except for the following purposes:

Apartment buildings;

Bed & Breakfast Establishment;

Group homes;

Nursing homes or rest homes;

Row housing and maisonettes;

Senior citizen dwelling;

Townhouse and block townhouse dwellings;

Triplex and double duplex dwellings;

Accessory uses.

13.1.2 Minimum Lot Area

Triplex and double duplex dwellings: 700 m²

All other cases: 1200 m²

13.1.3 Minimum Lot Frontage

Triplex and double duplex dwellings: 18 m

All other cases: 30 m

13.1.4 Minimum Lot Depth

40 m

13.1.5 Maximum Lot Coverage

Row housing, maisonettes, and townhouse dwellings: 25%

All other cases: 40%

13.1.6 Maximum Building Height

12 m

13.1.7 **Minimum Floor Area**

For each triplex, double duplex, row housing, and maisonette dwelling unit: 80 m²

For each apartment building dwelling unit: 60 m²

For each senior citizen, nursing home, rest home, or group home dwelling unit: 46 m²

13.1.8 **Minimum Front Yard**

7.5 m

13.1.9 **Minimum Side Yard**

On a corner lot:

4.5 m

All other cases:

6.0 m

13.1.10 **Minimum Rear Yard**

7.5 m

13.1.11 **Maximum Number of Dwelling Units per Hectare of Land**

60

13.2 SPECIAL USE REGULATIONS

13.2.1 Not more than one secondary dwelling unit per lot may be permitted in a single-unit detached, semi-detached or townhouse dwelling unit located in the Village Residential Zone 2 (VR2), where the dwelling is owner occupied, the minimum dwelling unit floor area is 25m² (269 ft²) but not greater than the main dwelling unit area, the unit is not entirely below grade, any required additions are made to the rear of the dwelling and one additional parking space is provided for the secondary dwelling unit.

13.3 EXCEPTIONS - VILLAGE RESIDENTIAL 2 (VR2) ZONE

13.3.1

13.3.1.1 **Defined Area**

VR2-1 as shown on Schedule "B", Map No. 1

13.3.1.2 **Permitted Uses**

Apartment Building - Senior Citizens

13.3.1.3 **Minimum Lot Frontage**

19.0 metres along County Road No. 15

13.3.1.4 **Minimum Parking Requirement**

One space per dwelling unit

13.3.1.5 **Minimum Buffer Strip**

A buffer strip 1.2 metres in width shall be provided along the west side lot line.

13.3.2

13.3.2.1 **Defined Area**

VR2-2 as shown on Schedule “B”, map no. 2

13.3.2.2 **Minimum Lot Frontage**

20 metres

13.3.3

13.3.3.1 **Defined Area**

VR2-3 as shown on Schedule “B” map no. 1

13.3.3.2 **Permitted Uses**

Apartment Building – Senior Citizens

13.3.3.3 **Minimum Parking Requirement**

One parking space per dwelling unit

Uncontrolled

SECTION 14 HAMLET COMMERCIAL (HC) ZONE REGULATIONS

14.1 GENERAL USE REGULATIONS

14.1.1 Permitted Uses

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

Boarding house or rooming house;
 Bed & breakfast or tourist home;
 Bus depot;
 Caterer's establishment;
 Clinic;
 Convenience plaza;
 Offices, general or professional;
 Hotel, motel or tavern;
 Laundry establishment;
 Library;
 Motor vehicle sales establishment;
 Motor vehicle service establishment;
 Parking lot;
 Personal service shop;
 Place of entertainment;
 Post office;
 Public garage;
 Publishing and printing establishment (newspaper);
 Restaurant;
 Retail store;
 Service shop;
 Variety store;
 One dwelling unit as an accessory use.

14.1.2 Minimum Lot Area

1500 m²

14.1.3 Minimum Lot Frontage

25.0 m

14.1.4 **Maximum Lot Coverage**

40 %

14.1.5 **Maximum Building Height**

12.0 m

14.1.6 **Front Yard Depth**

7.5 m

14.1.7 **Side Yard Width**

Where the yard abuts a residential zone:

4.5 m

Where the yard abuts a public street on a corner lot:

6.0 m

All other cases:

nil

14.1.8 **Rear Yard Depth**

10.5 m

14.2 SPECIAL USE REGULATIONS

14.3 EXCEPTIONS - HAMLET COMMERCIAL (HC) ZONE

Uncontrolled

SECTION 15 HIGHWAY COMMERCIAL (C1) ZONE REGULATIONS

15.1 GENERAL USE REGULATIONS

15.1.1 Permitted Uses

No land shall be used or no building or structure shall be erected, altered or used in the Highway Commercial (C1) Zone except for the following purposes:

Antique Store;

Auction sales facilities;

Commercial greenhouses;

Drive-in theatre;

Garden supply centre;

Motel;

Motor vehicle service establishment with or without eating facilities;

Motor vehicle sales establishment;

Restaurant;

Drive-in restaurant;

One dwelling unit as an accessory use.

15.1.2 Minimum Lot Area

2000 m²

15.1.3 Minimum Lot Frontage

30 m

15.1.4 Maximum Lot Coverage

30 %

15.1.5 Maximum Building Height

12 m

15.1.6 Front Yard Depth

10 m

15.1.7 Side Yard Width

Where the highway commercial zone abuts a residential zone: 6.0 m

All other cases: 3.0 m

15.1.8 Rear Yard Depth

7.5 m

15.2 SPECIAL USE REGULATIONS

15.2.1 Dwelling as an Accessory Use

Notwithstanding any other provisions of this Section, where one dwelling unit is permitted as an accessory use, the minimum lot area shall be 950.0 m² over and above the minimum lot area requirements of the zone in which it is erected, and, in the case of a single unit dwelling the maximum building height shall be 9.0 metres, and the minimum floor area shall be 80.0 m².

15.3 EXCEPTIONS - HIGHWAY COMMERCIAL (C1) ZONE

15.3.1

15.3.1.1 Defined Area

C1-1 as shown on Schedule "B", Map No. 1

15.3.1.2 Permitted Uses

Truck terminal in addition to all other uses permitted in the C1 Zone.

15.3.1.3 Minimum Interior Side Yard Between Buildings

6.0 metres 15.3.1.4

15.3.1.4 Minimum Rear Yard Depth

1.0 metre

15.3.2

15.3.2.1 Defined Area

C1-2 as shown on Schedule "A", Map No. 13

15.3.2.2 Permitted Uses

Motor vehicle service establishment without eating facilities; Motor vehicle sales establishment;

Recreational vehicle sales and service establishment; Service shop;

One dwelling unit as an accessory use.

SECTION 16 VILLAGE GENERAL COMMERCIAL (VC1) ZONE REGULATIONS

16.1 GENERAL USE REGULATIONS

16.1.1 Permitted Uses

No land, building, or structure shall be used or erected in the General Commercial (VC1) Zone except for the following purposes:

Animal clinics;

Auction sales facilities;

Bed and breakfast establishment and tourist homes;

Boarding and rooming houses;

Bus depot;

Caterer's establishment;

Churches, clubs, institutional uses;

Convenience plaza;

Dairies and bakeries;

Farm equipment sales and service outlets;

Financial institutions;

Funeral homes;

Hospitals;

Hotels and taverns;

Laundry establishment;

Motor vehicle service establishments, motor vehicle sales establishments, public garages, taxi service establishments, motor vehicle body shops;

Offices (business and professional);

Personal service shop;

Place of entertainment;

Private schools;

Publishing and printing establishments (newspaper);

Recreational facilities;

Restaurants and snack bars;

Retail stores and service shops not engaged in manufacturing on the premises unless such manufacturing is incidental to such retail business, does not exceed fifty (50) percent of the total floor area of the establishment and the products manufactured are primarily for sale at retail on the premises;

Residential uses connected to part of the commercial building and located over the first storey commercial use, to a maximum of three storeys above the permitted commercial use; Accessory uses.

16.1.2 **Minimum Lot Area**

120 m²

16.1.3 **Minimum Lot Frontage**

6 m

16.1.4 **Maximum Lot Coverage**

90 %

16.1.5 **Maximum Building Height**

12 m

16.1.6 **Minimum Front Yard**

nil

16.1.7 **Minimum Side Yard**

On a corner lot or where the yard abuts a VR1, VR2, I, or P Zone: 5 m

All other cases: nil where there is a common wall, otherwise 1.0 metre

16.1.8 **Minimum Rear Yard**

Where a building contains residential accommodation: 6 m

Abutting a VR1, VR2, I, or P Zone: 5 m

All other cases: nil where there is a common wall, otherwise 1.0 metre

16.2 SPECIAL USE REGULATIONS

16.2.1 **Buffer Strip**

Notwithstanding anything else in this By-law, where a Village General Commercial (VC1) Zone abuts a Residential, Open Space, or Parkland Zone, a strip of land not less than 1.5 metres in width adjacent to and inside the VC1 Zone boundary shall not be used for any purpose other than a buffer strip in compliance with Subsection 4.25 of this By-law.

16.2.2 **Dwelling Unit Size**

Where a dwelling unit is permitted in a Village General (VC1) Commercial Zone the minimum floor habitable space of the dwelling unit shall not be less than 60 m².

16.2.3 **Motor Vehicle Service Establishments and Public Garages**

Notwithstanding anything contained in this By-law, where a lot in Village Commercial (VC1) Zone, is used for a motor vehicle service establishment or public garage, the following special regulations shall apply:

	Interior Lot	Corner Lot
Minimum lot frontage:	30 m	45 m
Minimum lot depth:	40 m	40 m

- a) No portion of any pump island on a service station shall be located closer than 6 metres 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 be not less than 9 metres.
- c) The maximum width of a curb ramp at the street line shall not exceed 7.5 metres.
- d) The minimum distance between ramps shall be not less than 9 metres.
- e) The minimum interior angle of a ramp to a street line shall be 45 degrees, and the maximum interior angle of a ramp to the street line shall be 90 degrees.
- f) The distance between the property line of the lot at the street line and the nearest ramp shall be a minimum of 3 metres.
- g) 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.

16.2.4 **Awnings and Signs**

Notwithstanding Section 4.23, signs and awnings may project into the public highway to a maximum of 1.0 metre, within the VC1 defined area as shown on Schedule B, Map No. 2.

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

16.3.1

16.3.1.1 **Defined Area**

VC1-1 as shown on Schedule "B", Map 2 to this by-law.

16.3.1.2 **Minimum Side Yard**

0 metres on the south side yard and 2.0 metres on the north side yard

16.3.1.3 **Buffer Strip**

Notwithstanding Section 16.2.1, a buffer strip will not be required along the southerly side lot line.

16.3.2

Intentionally left blank

16.3.3

Intentionally left blank

16.3.4

Intentionally left blank

16.3.5

16.3.5.1

Defined Area

VC1-5 as shown on Schedule "B" Map No. 2

16.3.5.2

Dwelling Unit Size

The minimum floor area of a dwelling unit located above the main floor shall be 45m²

Uncontrolled

SECTION 17 VILLAGE LOCAL COMMERCIAL (VC2) ZONE REGULATIONS

17.1 GENERAL USE REGULATIONS

17.1.1 Permitted Uses

No land, building, or structure shall be used or erected in the Local Commercial (VC2) Zone except for the following purposes:

Offices, Professional;

Personal service shop;

Variety store;

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

Accessory uses.

17.1.2 Minimum Lot Area

700 m²

17.1.3 Minimum Lot Frontage

20 m

17.1.4 Maximum Lot Coverage

40 %

17.1.5 Maximum Building Height

12 m

17.1.6 Minimum Front Yard

7.5 m

17.1.7 Minimum Side Yard

On a corner lot or where the yard abuts a VR1, VR2, I, or P Zone: 5 m

All other cases: 3 m

17.1.8 Minimum Rear Yard

Where the yard abuts a Commercial, Industrial or Institutional Zone: 6 m

Where the building contains a dwelling unit: 10 m

All other cases: 10 m

17.2 SPECIAL USE REGULATIONS**17.2.1 Buffer Strip**

Notwithstanding anything else in this By-law, where a Village Local Commercial (VC2) Zone abuts a Residential, Open Space, or Parkland Zone, a strip of land not less than 1.5 metres in width adjacent to and inside the Village Local Commercial (VC2) Zone boundary shall not be used for any purpose other than a buffer strip in compliance with Subsection 4.25 of this By-law.

17.2.2 Dwelling Unit Size

Where a dwelling unit is permitted in a Village Commercial Zone the minimum floor habitable space of the dwelling unit shall not be less than 60 m².

17.2.3 Maximum Floor Area For Commercial Use

100 m².

17.3 EXCEPTIONS - VILLAGE LOCAL COMMERCIAL (VC2) ZONE**17.3.1****17.3.1.1 Defined Area**

VC2-1 as shown on Schedule "B", Map No. 2

17.3.1.2 Permitted Uses

A medical laboratory

17.3.2**17.3.2.1 Defined Area**

VC2-2 as shown on Schedule "B", Map No. 1

17.3.2.2 Permitted Uses

A motor vehicle sales establishment and motor vehicle service establishment, in addition to all other uses permitted in the VC2 Zone.

SECTION 18 FARM INDUSTRIAL/COMMERCIAL (M1) ZONE REGULATIONS

18.1 GENERAL USE REGULATIONS

18.1.1 Permitted Uses

No land shall be used or no building or structure shall be erected, altered or used in the Farm Industrial/Commercial (M1) Zone except for the following purposes:

Abattoir;

Animal clinic;

Grain handling and storage facilities;

Farm equipment sales and services;

Farm fuel sales;

Feed mill;

Fertilizer plant;

Food processing plant;

Livestock sales and marketing yards;

Machine or welding shop for farm implements and equipment;

Meat packing operation;

Sawmill;

One dwelling unit as an accessory use;

A commercial use as an accessory use.

18.1.2 Minimum Lot Area

4000 m²

18.1.3 Minimum Lot Frontage

30 m

18.1.4 Maximum Lot Coverage

30 %

18.1.5 Maximum Building Height

12 m

18.1.6 Front Yard Depth

10 m

18.1.7 **Side Yard Width**

5 m

18.1.8 **Rear Yard Depth**

7.5 m

18.2 **SPECIAL USE REGULATIONS**

18.3 **EXCEPTIONS - FARM INDUSTRIAL/COMMERCIAL (M1) ZONE**

Uncontrolled

SECTION 19 RURAL INDUSTRIAL (M2) ZONE REGULATIONS

19.1 GENERAL USE REGULATIONS

19.1.1 Permitted Uses

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

- Bulk sales establishment;
- Contractor's yard;
- Dog pound;
- Industrial use light;
- Industrial use general;
- Lumber and building materials yard;
- Machine or welding shop;
- Public garage;
- Truck terminal;
- A commercial use as an accessory use;
- One dwelling unit as an accessory use.

19.1.2 Minimum Lot Area

4000 m²

19.1.3 Minimum Lot Frontage

30 m

19.1.4 Maximum Lot Coverage

30 %

19.1.5 Maximum Building Height

12 m

19.1.6 Front Yard Depth

12 m

19.1.7 Side Yard Width

7.5 m

19.1.8 Rear Yard Depth

9 m

19.2 **SPECIAL USE REGULATIONS**

19.3 **EXCEPTIONS - RURAL INDUSTRIAL (M2) ZONE**

19.3.1

19.3.1.1 **Defined Area**

M2-1 as shown on Schedule “A”, Map No. 12

19.3.1.2 **Permitted Uses**

Farm equipment sales and service in addition to all other uses permitted in the M2 Zone.

19.3.1.3 **Prohibited Uses**

Retail sale of gasoline and motor fuels.

Uncontrolled

SECTION 20 EXTRACTIVE INDUSTRIAL (M3) ZONE REGULATIONS

20.1 GENERAL USE REGULATIONS

20.1.1 Permitted Uses

No land shall be used or no building or structure shall be erected, altered or used in the Extractive Industrial (M3) Zone except for the following purposes:

Pit;

An agricultural use;

A commercial use as an accessory use.

20.1.2 Minimum Yards

a) For the excavation of a pit:

From a lot line: 15 m

From a street or road allowance: 30 m

From a dwelling: 60 m

From a residential or institutional zone: 60 m

b) For buildings, plants, structures or product stockpiles accessory to the pit and located on the pit property:

From a lot line: 30 m

From an occupied dwelling: 60 m

From a residential or institutional zone: 60 m

20.1.3 Buffer Strip

Where an Extractive Industrial (M3) Zone abuts any residential (HR, RR, RS or LSR) Zone, an Institutional (I) Zone, an Open Space (OS) Zone, a Lakeshore Recreation (LR) Zone, or an opened road allowance, a buffer strip having a minimum width of 30.0 metres shall be provided.

20.2 SPECIAL USE REGULATIONS

20.3 EXCEPTIONS - EXTRACTIVE INDUSTRIAL (M3) ZONE

SECTION 21 VILLAGE INDUSTRIAL (M4) ZONE REGULATIONS

21.1 GENERAL USE REGULATIONS

21.1.1 Permitted Uses

No land, building, or structure shall be used or erected in the Industrial (M4) Zone except for the following purposes:

- Bulk sales establishment;
- Contractor's yard;
- Industrial use light;
- Industrial use general;
- Lumber and building materials yard;
- Machine or welding shop;
- Motor Vehicle Sales Establishment;
- Public garage;
- Truck terminal;
- A commercial use as an accessory use;

One dwelling unit located in a portion of a non-residential building, in conformity with the floor space regulations for the VRI Zone, for one caretaker or one person and his family employed in the manufacturing and industrial operations or uses permitted in this section;

Accessory uses.

21.1.2 Minimum Lot Area

2000 m²

21.1.3 Minimum Lot Frontage

30 m

21.1.4 Maximum Lot Coverage

65 %

21.1.5 Maximum Building Height

12 m

21.1.6 Minimum Front Yard

9 m

21.1.7 Maximum Side Yard

Where the use abuts a Residential or Parkland Zone: 8 m

All other cases: 5 m

21.1.8 **Minimum Rear Yard**

Where the use abuts a Residential or Parkland Zone: 15 m
 All other cases: 7.5 m

21.1.9 **Outdoor Storage**

No outdoor storage shall be permitted in the front, side, or rear yard where such yard fronts onto, lies opposite, or abuts a Residential or Parkland Zone.

21.1.10 **Buffer Strips**

Where a Village Industrial (M4) Zone abuts any Residential Zone, a buffer strip as provided in Section 4.25 of this By-law, as amended, shall be provided and the minimum width of the planting strip shall be not less than 1.5 metres.

21.2 SPECIAL USE REGULATIONS

21.3 EXCEPTIONS - VILLAGE INDUSTRIAL (M4) ZONE

21.3.1

21.3.1.1 **Defined Area**

M4-1 as shown on Schedule "B", Map No. 1

21.3.1.2 **Permitted Uses**

One dwelling unit as a main or accessory use in addition to all other uses permitted in the M4 Zone.

21.3.1.3 **Prohibited Uses**

More than one dwelling unit.

21.3.2

21.3.2.1 **Defined Area**

M4-2 as shown on Schedule "B", Map No. 1

21.3.2.2 **Minimum Lot Area**

2,875 m²

21.3.2.3 **Permitted Uses**

One (1) residential dwelling on one lot, in addition to all other uses permitted in the Village Industrial (M4) Zone.

SECTION 22 SECTION 22 - INSTITUTIONAL (I) ZONE REGULATIONS

22.1 GENERAL USE REGULATIONS

22.1.1 Permitted Uses

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

Clinic;

Church;

Community centre;

Funeral home;

Institutional use;

Nursing home or rest home;

Senior citizen home;

School, private and public;

One dwelling unit or single unit detached dwelling;

Accessory use;

22.1.2 Minimum Lot Area

Where a public water supply is not available: 1500 m²

Where a public water supply is available: 700 m²

22.1.3 Minimum Lot Frontage

Where a public water supply is not available: 26 m

Where a public water supply is available: 20 m

22.1.4 Maximum Lot Coverage

40 %

22.1.5 Maximum Building Height

12 m

22.1.6 Front Yard Depth

7.5 m

22.1.7 Side Yard Width

3 m

22.1.8 **Rear Yard Depth**

Where a public water supply is not available: 7.5 m

Where a public water supply is available: 5.0m

22.1.9 **Buffer Strips**

Where an Institutional (I) Zone abuts any Residential Zone, a Buffer strip as provided in Section 4.25 shall be provided and the minimum width of the buffer strip shall be not less than 1.5 metres.

22.2 **SPECIAL USE REGULATIONS**

22.3 **EXCEPTIONS - INSTITUTIONAL (I) ZONE 22.3.1**

22.3.1

22.3.1.1 **Defined Area**

I-1 as shown on Schedule "B" Map No. 2

22.3.1.2 **Minimum Front Yard**

3.5 metres

22.3.1.3 **Minimum Side Yard**

Nil.

SECTION 23 OPEN SPACE (OS) ZONE REGULATIONS

23.1 GENERAL USE REGULATIONS

23.1.1 Permitted Uses

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

Agricultural use as an accessory use;

Campground;

Cemetery;

Conservation area;

Fairgrounds;

Forestry use;

Game preserve;

Golf course;

Park, public or private;

Rifle range and trap shooting range;

One dwelling unit or single-unit detached dwelling as an accessory use.

23.1.2 Minimum Lot Area

4,000 m²

23.1.3 Minimum Lot Frontage

30 m

23.1.4 Maximum Lot Coverage

20 %

23.1.5 Front Yard Depth

18 m

23.1.6 Side Yard Depth

7.5 m

23.1.7 Rear Yard Depth

7.5 m

23.2 SPECIAL USE REGULATIONS

23.2.1 Dwelling Units

An accessory dwelling unit shall:

- a) Have a minimum floor area of 90.0 m²
- b) Be used as the residence of the owner/operator or an employee of the owner/operator.

23.3 EXCEPTIONS - OPEN SPACE (OS) ZONE

23.3.1

23.3.1.1 Defined Area

OS-1 as shown on Schedule "A", Map No. 9

23.3.1.2 Permitted Uses

A forestry use, game preserve, a private park, agricultural use and a dwelling unit or single-unit detached dwelling as an accessory use

23.3.2

23.3.2.1 Defined Area

OS-2 as shown on Schedule "A", Map No. 9

23.3.2.2 Permitted Uses

A golf course, a dwelling unit or a single unit detached dwelling as an accessory use and an agricultural use.

23.3.3

23.3.3.1 Defined Area

OS-3 as shown on Schedule "C"

23.3.3.2 Permitted Uses

A fairgrounds and an agricultural use.

23.3.4

23.3.4.1 Defined Area

OS-4 as shown on Schedule "F"

23.3.4.2 Permitted Uses

Campground; Private park;

One dwelling unit or single-unit detached dwelling as an accessory use.

23.3.4.3 Special Use Regulations

Notwithstanding any other section of this By-law to the contrary, a mobile home will be a permitted use in a campground in the OS-4 Zone.

23.3.4.4 **Defined Area**

OS-5 as shown on Schedule “A”, Map 9 to this by-law.

23.3.4.5 **Permitted Uses**

Conservation Use.

Uncontrolled

SECTION 24 PARKLAND (P) ZONE REGULATIONS

24.1 GENERAL USE REGULATIONS

24.1.1 Permitted Uses

No land shall be used or no buildings or structures shall be erected or used in the Parkland (P) Zone except for the following purposes:

Park, public or private;

Conservation areas;

Dwelling unit for a caretaker or workman whose presence on the premises is necessary at all times;

Accessory uses.

24.1.2 Minimum Lot Area

4,000 m²

24.1.3 Minimum Lot Frontage

30 m

24.1.4 Minimum Yard

7.5 m

24.1.5 Maximum Lot Coverage

20 %

24.2 SPECIAL USE REGULATIONS

24.2.1 Building Regulations

Any buildings erected in a Parkland (P) Zone shall be set back a minimum distance of 7.5 m from any lot line, shall not cover more than 20% of the area of the lot, and shall comply with Section 4.27 of this By-law respecting parking requirements.

24.3 EXCEPTIONS - PARK AND RECREATION (P) ZONE

24.3.1

24.3.1.1 Defined Area

P-1 as shown on Schedule "F"

24.3.1.2 Permitted Use

One (1) single-detached residential dwelling in accordance with the lot and yard regulations of Section 9.0 of the Zoning By-law.

SECTION 25 LAKESHORE RECREATION (LR) ZONE REGULATIONS

25.1 GENERAL USE REGULATIONS

25.1.1 Permitted Uses

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

Bed and breakfast establishment or tourist home;

Campground;

Conservation area;

Golf course;

Marina;

Mobile home park;

Park, public or private;

Commercial use as an accessory use;

One dwelling unit as an accessory use.

25.1.2 Minimum Lot Area

4000 m²

25.1.3 Minimum Lot Frontage

30 m

25.1.4 Maximum Lot Coverage

20 %

25.1.5 Minimum Front Yard Depth

18 m

25.1.6 Minimum Side Yard Depth

7.5 m

25.1.7 Minimum Rear Yard Depth

7.5 m

25.2 SPECIAL USE REGULATIONS

25.3 EXCEPTIONS - LAKESHORE RECREATION (LR) ZONE

SECTION 26 ENVIRONMENTAL PROTECTION (EP) ZONE REGULATIONS

26.1 GENERAL USE REGULATIONS

26.1.1 Permitted Uses

No land shall be used in the Environmental Protection (EP) Zone except for the following purposes:

Conservation area;

Forestry use;

Park, public or private;

Agricultural use as an accessory use.

26.1.2 Prohibited Uses

Buildings and structures

26.1.3 Minimum Lot Area

4000 m²

26.1.4 Minimum Lot Frontage

30 m

26.2 SPECIAL USE REGULATIONS

26.3 EXCEPTIONS - ENVIRONMENTAL PROTECTION (EP) ZONE

SECTION 27 PUBLIC UTILITY (U) ZONE REGULATIONS

27.1 GENERAL USE REGULATIONS**27.1.1 Permitted Uses**

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

Flood and erosion control;

Utility station;

Highway maintenance yard;

Municipal waste disposal site.

27.1.2 Minimum Lot Area

4000 m²

27.1.3 Minimum Lot Frontage

30 m

27.2 SPECIAL USE REGULATIONS**27.3 EXCEPTIONS – PUBLIC UTILITY (U) ZONE**

SECTION 28 TEMPORARY (T) ZONE REGULATIONS

28.1 GENERAL USE REGULATIONS

28.1.1 Permitted Temporary Uses

The following temporary uses will be permitted subject to a site-specific Zoning By-law amendment for the time period ending as listed in Section 28.2:

- T1: One (1) mobile home or one (1) park model home for temporary residential accommodation until such time as a permanent dwelling is completed;
- T2: One (1) mobile home or one (1) park model home in conjunction with a farm operation intended as a supplementary dwelling for farm labourers;
- T3: One (1) mobile home or one (1) park model home as a retirement dwelling for a farmer;
- T4: One (1) mobile home or one (1) park model home for a family member, including but not limited to an elderly, convalescent or challenged family member who is related to a resident of a permanent dwelling on the same property. Without limiting the generality of the foregoing, such temporary residential accommodation may include a “Garden Suite” (as defined in the Planning Act), “Granny Flat” or “Portable Living Unit for Seniors” as described by the Province of Ontario;
- T5: One (1) mobile home or one (1) travel trailer to be used as a site office or for accommodation for a caretaker or watchman during a large construction project.

28.1.2 Supplementary Regulations

Temporary uses will be subject to the main use zoning provisions of this By-law for the applicable zone in which the temporary use is located.

28.1.3 Expiration of Temporary Zoning

Upon expiration of a Temporary (T) Zone, the lands subject to the temporary zoning will be revert to the regulations of the underlying zone prior to temporary rezoning.

28.2 DEFINED AREA AND END DATES

28.2.1

28.2.1.1 Defined Area

RS-T4 as shown on Schedule “A”, Map No. 16 to this by-law.

28.2.1.2 End Date

The period of time for which this By-law shall be in effect, shall not exceed ten (10) years from the day of the passing of the By-law (that being the 8th day of June 2016) or sooner should the occupier no longer require the temporary use, unless further periods of time not exceeding three (3) years have been granted Council.