

# **ZONING BY-LAW**

Approved by the Municipality of Dutton Dunwich  
By-law # 2022-50, May 11, 2022

**TABLE OF AMENDMENTS TO THE  
 MUNICIPALITY OF DUTTON DUNWICH ZONING BY-LAW #2022-50  
 INCLUDED IN THIS CONSOLIDATION:**

<b>ZBA #</b>	<b>By-law No.</b>	<b>Address</b>	<b>Change in Zoning</b>	<b>Zoning Map No.</b>	<b>Applicant</b>

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**MUNICIPALITY OF DUTTON DUNWICH  
ZONING BY-LAW NO. 2022-50**

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 implying 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            LICENSES AND PERMITS**  
No municipal permit, certificate, or license 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 license, 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 Land Tribunal (OLT).

## **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**            **ADDITIONAL RESIDENTIAL UNITS**, shall mean a self-contained dwelling unit with a private kitchen, bathroom facility and sleeping areas.
- 2.4**            **ADULT ENTERTAINMENT PARLOUR**, shall mean any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word “nude”, “naked”, “topless”, “bottomless”, or “sexy”, or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.
- 2.5**            **AGRICULTURAL INDUSTRIAL ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the manufacturing and wholesale and/or retail sales of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment used for tillage of soil, the planting, spraying, harvesting, transporting, treatment, processing and storage of grain, forage, feed, or forest products, products used for the housing and husbandry of livestock, poultry and fur-bearing animals, and the storage, handling and processing of milk, eggs, and manure and the manufacture of sub-surface drainage materials and equipment.
- 2.6**            **AGRICULTURAL PROCESSING ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the processing of products derived from agricultural uses, as defined in this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a sawmill, an abattoir, a rendering plant and a dead stock removal facility.
- 2.7**            **AGRICULTURAL SERVICE ESTABLISHMENT**, shall mean the use of land and/or buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined in this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agriculturally-related trucking, well-drilling, contracting and trades related to farm buildings and structures, and custom spray, tillage, planting and harvesting services.
- 2.8**            **AGRICULTURAL SUPPLY ESTABLISHMENT**, shall mean the use of land and/or

buildings or structures for the purpose of supply of goods, materials or services that are necessary to support agricultural uses as defined by this By-law. These shall include such goods and services as sale, processing and storage of seed, feed, fertilizer and chemical products, farm machinery and equipment sales and service, and animal and poultry health and breeding services.

- 2.9** AGRICULTURAL USE, shall mean the cultivation of land, the production of crops and the 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 wineries, truck gardening, aquaculture, apiaries, agro-forestry, maple syrup production, tree farm, sod farming and mushroom farming.
- 2.10** AGRICULTURAL-RELATED USES, shall mean farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.
- 2.11** AGRI-TOURISM USES, shall mean those farm-related tourism uses that promote the enjoyment, education or activities related to the farm operation or in proximity to farm operations.
- 2.12** 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.
- 2.13** 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.
- 2.14** 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.
- 2.15** 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.
- 2.16** 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.
- 2.17** APARTMENT BUILDING, shall mean the whole of a structure 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.
- 2.18** AREA OF NATURAL AND SCIENTIFIC INTEREST (ANSI), shall mean an area of land and/or 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.

- 2.19** ATTACHED, when used in reference to a building, 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.
- 2.20** ATTIC, shall mean the portion of a building situated wholly or part within the roof and which is not one-half storey.
- 2.21** 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.
- 2.22** BARRIER FREE, shall mean when applied to a building and its facilities, that the building and its facilities can be approached, entered and used by persons with physical or sensory disabilities and meets the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*, as amended.
- 2.23** 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.
- 2.24** BED AND BREAKFAST ESTABLISHMENT or VACATION HOME, shall mean a single detached dwelling in which not more than six (6) rooms are made available by the person or persons permanently residing in the said dwelling for the temporary accommodation of the travelling or vacationing public and within which light meals may be offered.
- 2.25** 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.
- 2.26** 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.
- 2.27** 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.
- 2.28** 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.
- 2.29** 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.
- 2.30** 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.

- 2.31** 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.
- 2.32** 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.
- 2.33** 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.
- 2.34** 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.
- 2.35** CARPORT, shall mean Garage, Private.
- 2.36** CATERING 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.
- 2.37** 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.
- 2.38** 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.
- 2.39** CHURCH, shall mean a place of worship.
- 2.40** 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.
- 2.41** 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.
- 2.42** 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.
- 2.43** 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.

- 2.44** COMMUNAL WALL, shall mean an exterior side or rear wall of a building that is used to support more than one fully enclosed space.
- 2.45** 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.
- 2.46** 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.
- 2.47** 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.
- 2.48** 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.
- 2.49** COUNTY, shall mean the Corporation of the County of Elgin.
- 2.50** DAY CARE CENTRE, shall mean 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:
- a) under 18 years of age in the case of a day nursery for children with a developmental handicap; and
  - b) under 12 years of age in all other cases.
- 2.51** DECK, shall mean a platform made of wood, concrete or other similar material, that has a height greater than 20.32 cm (8 in) above grade, projecting from a building or freestanding, with no roof or walls except for visual partitions, and intended for the purpose of outdoor dining, lounging, and other similar accessory uses.
- 2.52** DETACHED, when used in reference to a building, shall mean a building which is not dependent on any other building for structural support or enclosure.
- 2.53** 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.
- 2.54** 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.
- 2.55** DRIVE-IN THEATRE, shall mean an outdoor cinema where viewing occurs from cars in a parking lot.
- 2.56** 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.
- 2.57** 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.

- 2.58** 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.
- 2.59** DWELLING, APARTMENT, shall mean a dwelling consisting of five (5) 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.
- 2.60** DWELLING, BLOCK ROWHOUSE, shall mean a rowhouse 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.
- 2.61** DWELLING, TWO-UNIT CONVERTED, shall mean a dwelling originally designed as a single detached dwelling, which because of size or design, is or is capable of being converted by partition into more than one dwelling unit.
- 2.62** 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.
- 2.63** DWELLING, DOUBLE DUPLEX, shall mean a building that consists of two (2) duplex dwellings attached to each other.
- 2.64** 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.
- 2.65** DWELLING, MULTIPLE, shall mean a dwelling designed, intended or used for occupancy by not more than four (4) households living independently of each other in separate dwelling units with all dwelling units being on one lot and includes a double duplex dwelling, and a maisonette dwelling.
- 2.66** DWELLING, SEASONAL, shall mean a single detached dwelling that is not used, or intended or designed for continuous habitation as a permanent residence.
- 2.67** 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.
- 2.68** 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 place of worship or service club.
- 2.69** DWELLING, SINGLE DETACHED, shall mean a completely detached dwelling unit designed, used, or intended for occupancy by not more than one household.

- 2.70** DWELLING, ROWHOUSE, 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 and includes a triplex dwelling.
- 2.71** 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.
- 2.72** DWELLING, TWO-UNIT, shall mean a dwelling designed, intended or used for occupancy by not more than two (2) households living independently of each other in separate dwelling units.
- 2.73** 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.
- 2.74** EROSION HAZARDS, shall mean 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 access allowance.
- 2.75** EXISTING, shall mean legally existing as of the date of the passing of this by law.
- 2.76** 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.
- 2.77** 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 supplementary farm dwelling 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.
- 2.78** FARM EQUIPMENT SALES AND SERVICE, shall mean the use of land, buildings, or structures, or portions thereof, where farm vehicles and equipment are stored for the purposes of sale, lease, or hire and where such vehicles and equipment are repaired or serviced for purposes of being maintained in an operable condition.
- 2.79** 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.
- 2.80** 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.
- 2.81** 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.
- 2.82** 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.

- 2.83** 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.
- 2.84** 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.
- 2.85** FLOOD PLAIN (for river and stream systems), shall mean 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.
- 2.86** FLOOR AREA, shall mean the sum of the areas of all floors of a building measured from the outside of all exterior walls exclusive of any attic, basement, 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.
- 2.87** 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.
- 2.88** 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:
- a) Any part of such building used for any other non-residential uses, which are defined herein or specifically permitted elsewhere in this By-law;
  - b) 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;
  - c) 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 the thickness of any exterior walls of such buildings.
- 2.89** FOOD PROCESSING PLANT, shall mean a building, or part thereof, other than a restaurant or refreshment room in which agricultural products are packed, frozen, prepared, processed, preserved, graded or stored for eventual human consumption, and includes a cannery, a flour mill, a dairy, a bakery, or an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones.
- 2.90** FORESTRY USE, shall mean the 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.

- 2.91** FUNERAL HOME, shall mean a building where preparation of the deceased human body for interment or cremation is undertaken.
- 2.92** GAME PRESERVE, shall mean any lands, buildings, or structures where wild animals, birds, waterfowl or fish are kept for the purpose of hunting for food or for sport.
- 2.93** GARAGE, PRIVATE OR CARPORT, shall mean a building or portion of 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
- 2.94** 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 snow blowers and shovel
- 2.95** 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.
- 2.96** GARDEN SUITE, shall mean a one-unit, detached residential structure, containing bathroom and kitchen facilities, that is accessory to an existing residential structure and is designed to be portable and temporary.
- 2.97** 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.
- 2.98** GAS, shall mean natural gas, manufactured gas, propane-arc gas, or any mixture of the gases listed in this definition.
- 2.99** 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.
- 2.100** 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.
- 2.101** 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.
- 2.102** 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.

- 2.103** 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.
- 2.104** 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.
- 2.105** 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.
- 2.106** 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.
- 2.107** 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:
- a) The highest point of the roof assembly in the case of a building with a flat roof or deck roof;
  - b) 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;
  - c) The average level between eaves and ridges in the case of a roof type not covered in Section a) and b).
- 2.108** 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.
- 2.109** HOME OCCUPATION, shall mean 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.
- 2.110** 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.
- 2.111** 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*.
- 2.112** 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.

- 2.113** 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.
- 2.114** 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.
- 2.115** 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.
- 2.116** 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.
- 2.117** LANDING STRIP, shall mean the use of land for the landing and taking off of aircraft.
- 2.118** LANDSCAPED OPEN SPACE, 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.
- 2.119** 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.
- 2.120** 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.
- 2.121** LICENSED CANNABIS PRODUCTION FACILTIES, shall mean the use of land, buildings

or structures for the cultivation, processing, testing, destruction, packaging and/or shipping of cannabis or marihuana as approved and regulated in accordance with the *Cannabis Act*.

- 2.122** 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.
- 2.123** 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.
- 2.124** LIVESTOCK SALES BARNs AND MARKETING YARDS, shall mean the lands, buildings, and structures where livestock and agricultural produce is stored temporarily for the purpose of wholesale trade, and may include the offices of such personnel employed on the premises.
- 2.125** 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.
- 2.126** LOT, shall mean a parcel or tract of land:
- a) 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
  - b) 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.
- 2.127** 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.
- 2.128** 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.
- 2.129** 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 outdoor swimming pools, patios, outside storage of goods and materials, fences, signs, satellite dishes and parking areas) measured at grade level including all porches and verandas, open and unenclosed terraces at grade, steps, decks, bay windows, and chimneys.
- 2.130** 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.

- 2.131** 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.
- 2.132** LOT INTERIOR, shall mean a lot other than a corner lot and having access to one street.
- 2.133** LOT LINES, shall mean the boundary line of a lot defined as follows:
- a) FRONT LOT LINE, shall mean, except in the case of a corner lot, the line dividing the lot from the 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.
  - b) 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.
  - c) 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.
  - d) 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.
- 2.134** 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.
- 2.135** MACHINE OR WELDING SHOP, shall mean a building or portion thereof where farm equipment and machinery and/or small engines are serviced or repaired.
- 2.136** 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.
- 2.137** 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.
- 2.138** MANURE STORAGE AREA, shall mean land, buildings or structures used for the storage of liquid or solid manure that is generated by livestock.
- 2.139** 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.
- 2.140** 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.

- 2.141** MEAT PACKING OPERATION, shall mean a building, or part thereof used for the processing of meat, poultry, and fish products.
- 2.142** 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 Province, as amended from time.
- 2.143** MINIMUM DISTANCE SEPARATION I, refers to the minimum distance separation for new development from existing livestock facilities.
- 2.144** MINIMUM DISTANCE SEPARATION II, refers to the minimum distance separation for new or expanding livestock facilities from existing or approved development.
- 2.145** 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.
- 2.146** 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.
- 2.147** 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.
- 2.148** 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.
- 2.149** 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.
- 2.150** 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.
- 2.151** 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.
- 2.152** MOTOR VEHICLE, DERELICT, shall mean a motor vehicle that is inoperable and has no market value as a means of transportation.

- 2.153** 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.
- 2.154** 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.
- 2.155** MUNICIPAL DRAIN, shall mean drainage works as defined by the *Drainage Act*, as amended, from time to time.
- 2.156** MUNICIPALITY, shall mean the Corporation of the Municipality of Dutton Dunwich.
- 2.157** 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.
- 2.158** 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.
- 2.159** 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.
- 2.160** 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.
- 2.161** 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 and includes a senior citizen dwelling.
- 2.162** OCCUPANCY, shall mean to reside in as owner or tenant on a permanent or temporary basis.
- 2.163** 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.
- 2.164** OFFICE, PROFESSIONAL, shall mean any office used by professionally qualified persons, for the purposes of giving advice, consultation or treatment of clients or patients.
- 2.165** OIL, shall mean crude oil, and includes any hydrocarbon that can be recovered in liquid form from a pool through a well.
- 2.166** ON-FARM DIVERSIFIED USES, shall mean uses that are secondary to the primary agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.



- 2.167** OUTSIDE STORAGE, shall mean the storage of goods, materials, or equipment in the open air on a lot or portion thereof.
- 2.168** OWNER, shall mean the person who holds legal title to a piece of property.
- 2.169** 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.
- 2.170** PARKING SPACE, shall mean a space, whether or not enclosed, 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.
- 2.171** PARK, PRIVATE, shall mean a park not open to the general public and may be operated for commercial gain.
- 2.172** 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.
- 2.173** PATIO, shall mean a platform made of wood, concrete or other similar material, that has a height of 20.32 cm (8 in) or less above average grade, projecting from a building or freestanding, open to the sky, and intended for the purpose of outdoor dining, lounging, and other similar accessory uses.
- 2.174** PERMITTED, shall mean permitted by this By-law.
- 2.175** 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.
- 2.176** 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.
- 2.177** 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.
- 2.178** 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.
- 2.179** 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.

- 2.180** 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.
- 2.181** PLACE OF WORSHIP, shall mean a building, including but not limited to a chapel, church, gurdwara, longhouse, mandir, mosque, synagogue and temple, used for religious worship and related religious, social and charitable activities, and may include as an accessory use within the place of worship, a hall, auditorium, office of a faith leader, or a dwelling unit for a faith leader. A church or church hall is a place of worship.
- 2.182** 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.
- 2.183** PORCH, shall mean a roofed, open gallery, or portico attached to the exterior of a building.
- 2.184** 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.
- 2.185** 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.
- 2.186** 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 By-law of the Council of the Municipality.
- 2.187** PUBLIC UTILITY, shall mean any electric power, telephone, telegraph, railway, or natural gas company or public authority.
- 2.188** 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.
- 2.189** PUBLISHING AND PRINTING ESTABLISHMENT 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.
- 2.190** 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.
- 2.191** 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.
- 2.192** 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.

- 2.193** 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.
- 2.194** RENEWABLE AND ALTERNATIVE ENERGY SYSTEMS AND FACILITIES, SMALL SCALE, as defined by the Province, shall be intended primarily for on-site energy production and use shall be permitted in any Zone as an accessory use.
- 2.195** RENEWABLE AND ALTERNATIVE ENERGY SYSTEM AND FACILITIES, LARGE SCALE, as defined by the Province, shall be intended for solar, wind and biogas/biofuel energy systems for electricity production.
- 2.196** RESIDENTIAL USE, shall mean the use of a building or structure, or portion thereof, as a dwelling.
- 2.197** 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.
- 2.198** 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 their motor vehicle or while within the building, and where provision is made for the consumption of such food or refreshments by the customer while their motor vehicle, within the building, or elsewhere on the site.
- 2.199** 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.
- 2.200** RIDING STABLE, shall mean an establishment that offers horses for hire or for instruction in horsemanship.
- 2.201** 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.
- 2.202** 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.
- 2.203** ROAD, PRIVATE, shall mean a right-of-way existing on the day of passing of this Bylaw, which has not been dedicated as a street or accepted or assumed by the Corporation of the Municipality of Dutton Dunwich, but is owned privately and which affords the principal means or access to abutting, separately owned, legally conveyable parcels of land.

- 2.204** 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 Province.
- 2.205** 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.
- 2.206** 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.
- 2.207** SCHOOL, PUBLIC, shall mean a school operated by and under the jurisdiction of a public authority.
- 2.208** 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.
- 2.209** 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.
- 2.210** SELF-STORAGE FACILITY, shall mean a building divided into individual self-contained storage units, which are available to the public exclusively for the storage of their equipment or goods, and may include in combination with the lease or rental of a motor vehicle or trailer for the purpose of moving equipment or goods, the lease, rental, or sale of accessories, equipment, materials, or supplies for the purpose of packing, moving, storage, or towing, faxing, mailbox, packing, and the provision of mailbox, packing, shipping, or shredding services.
- 2.211** 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.
- 2.212** SHALL, shall always be construed as mandatory.
- 2.213** SHELTER, shall mean a lodging house used exclusively for the provision of temporary accommodation to individuals and/or those who are in need of ancillary health care, counselling and social support services.
- 2.214** SHORT TERM ACCOMODATION, shall mean primary private residential dwelling (or part of dwelling), vacation home or bed and breakfast establishment, that is rented to provide accommodations to a person or persons on a temporary basis for a period of less than 30 days and to which the Residential Tenancies Act, 2006, S.O. 2006, c.17, as may be amended from time to time, does not apply. Short-Term Accommodations do not include seasonal dwellings, hotels, motels, lodges or other commercially zoned accommodations used for the travelling public

- 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** SHIPPING CONTAINERS, shall mean a standardized reusable vessel that was originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or designed for or capable of being mounted or moved on a rail car, truck trailer/chassis, or ship.
- 2.222** 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.
- 2.223** STREET LINE shall mean the limit of road allowance and is the dividing line between a road and a lot.
- 2.224** 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.
- 2.225** SUPPLEMENTARY FARM DWELLING, 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.
- 2.226** 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.
- 2.227** 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.
- 2.228** TEMPORARY BUILDING, shall mean a building or structure used on a temporary basis for a short-term requirement.

- 2.229** 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.
- 2.230** 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 top of bank of the watercourse.
- 2.231** LODGING HOUSE, refer to the definition of Boarding House.
- 2.232** TRAILER, PARK MODEL, shall mean a building or structure that is built on a single chassis mounted on wheels and which is capable of complete relocation; and which is designed for use as a seasonal dwelling; and which shall be connected to communal or municipal services and utilities necessary for operation of installed fixtures and appliances; and which shall not have a gross floor area that exceeds 50 m<sup>2</sup>, nor a width that is greater than 2.6 metres.
- 2.233** 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.
- 2.234** 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.
- 2.235** 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.
- 2.236** 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.
- 2.237** 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.
- 2.238** 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.
- 2.239** VACATION HOME, shall mean a secondary private residential dwelling (or part of dwelling) separate from the owner’s primary private residential dwelling.

- 2.240** 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.
- 2.241** 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.
- 2.242** WATER FRONTAGE, shall mean the boundary of a lot directly abutting an original shoreline reserve or a front lot line.
- 2.243** 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.
- 2.244** 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.
- 2.245** 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.
- 2.246** WETLANDS, shall mean 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.
- 2.247** WETLANDS, SIGNIFICANT, shall mean 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 Province using applicable evaluation procedures.
- 2.248** WOODLANDS, shall mean 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.
- 2.249** WOODLANDS, SIGNIFICANT, shall mean 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 Province using applicable evaluation procedures.
- 2.250** WRECKING YARD, shall mean an establishment with a commercial wrecking license 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.
- 2.251** 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.
- 2.252** 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.

- 2.253** 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.
- 2.254** 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.
- 2.255** YARD SIDE EXTERIOR, shall mean a side yard immediately adjoining a road or a side yard of an irregular shaped lot without a rear lot line in a residential zone.
- 2.256** YARD, SIDE INTERIOR, shall mean a side yard other than an exterior side yard.
- 2.257** ZONE, shall mean an area delineated on the zoning map and established and designated by this By-law for a specific use.
- 2.258** 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:

<b>Zone</b>	<b>Symbol</b>
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 1	VR1
Village Residential 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 28 – 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 28.2 – 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 Province, 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 Lake Erie shoreline hazards, 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 Province pursuant to the Provincial Policy Statement 2020 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 are 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, BUILDINGS AND STRUCTURES**

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 or exterior 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 structure in the agricultural and village commercial one zones have eaves be built closer than 0.3 m to the rear lot line or side lot line,
- 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 centered 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 six (6.0) metres in height or contain more than two storeys;
- h) Shall be built within two (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 m<sup>2</sup>.

### **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 m<sup>2</sup> in addition to the minimum lot area requirements of the zone in which it is erected, and, in the case of a single 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 the office or consulting room for a business or 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 or tailor, milliner, caterer, hairdresser, pet groomer, aesthetic services, or massage therapists 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 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;
- h) No corpse, bacteria, or virus shall be brought into the dwelling in connection with a home occupation;
- i) 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 m<sup>2</sup> 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**

The temporary use of buildings and structures incidental and necessary for construction or restoration work will be permitted in all zones and defined areas, but only for so long as the same are necessary for construction or restoration work.

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 m<sup>2</sup> 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.

Notwithstanding any other Section of this By-law to the contrary, a mobile home or secondary dwelling may be used as a temporary dwelling for a period not to exceed 90 days after occupancy has been issued in those instances where a dwelling is being constructed, reconstructed or restored on the same lot, provided:

- a) The mobile home or secondary dwelling is connected to the existing water and sanitary facilities to the satisfaction of the municipality;
- b) The mobile home complies with specifications CAN/CSA-Z240.2.1 or CAN/CSA-Z241 Series-M contained within the Ontario Building Code;
- c) An agreement is executed between the land owner and the municipality ensuring, among other things, that the mobile home or secondary dwelling is removed by a specified date.

#### **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) The use of a truck, bus, coach, railway car, or streetcar bodies or part thereof for the purposes of any use permitted in this By-law;
- f) Licensed Cannabis Project Facilities;
- g) Large Scale Renewable and Alternative Energy System.

##### **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 water and sanitary sewage facilities are to be erected thereon:

- a) Such lot could have been legally conveyed on the date of passing of this By-law without consent under the Planning Act, as amended from time to time. Lots created by consent on or before the passing of this By-law and granted subject to the fulfillment of specific conditions shall also be considered as being legally conveyable for the purposes of this subsection;
- b) Such lots are serviced by approved municipal water and sanitary sewage services or meet the requirements for private services;
- c) Such lots have a minimum frontage of 20.0 metres on a public street where a public water supply is not available;
- d) Such lots front on a public road or a private road;
- e) Notwithstanding any other regulations of this By-law, where a use, building or structure was legally established on a lot, and such lot was subsequently altered as a result of a project of a public authority (such as a road construction project or an easement or

right-of-way) or by expropriation of municipal, provincial or federal acquisition thereby causing the use, building or structure to contravene any regulations of the By-law, the said use, building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that any regulations which are currently not met, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

#### **4.13 HAZARD LANDS**

**4.13.1** Notwithstanding any other provisions of this By-law, no permanent buildings or structures (including any permitted encroachments) shall be erected or used, or as otherwise determined by the Conservation Authority:

- 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 former 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 AND SANITARY 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.

Additions, alterations, renovations or replacements of an existing dwelling does not apply, if a private potable water supply and private sanitary sewage and disposal system is available.

#### **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



**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. A building or structure may be erected upon a lot within a registered plan of subdivision provided that it is in accordance with the provisions of a Subdivision Agreement, in respect of such plan of subdivision notwithstanding that the streets within such plan of subdivision have not been assumed and are not yet being maintained by the municipality, the County, the Province or some other road authority. The same shall apply to development of lots created through the consent process where a development agreement has been executed.

Notwithstanding the previous paragraph, for the purposes of this subsection, private roads that existed on the date of adoption of this By-law shall be considered as streets despite the fact that such roads have not been assumed by the municipality. This subsection shall only have effect for the purpose of applying provisions of this By-law and not to the consideration and granting of consents. This subsection shall also not imply any obligation on the municipality to assume and/or develop any private road into a public street or to maintain it for private or public purposes.

**4.18 FRONTAGE ON STREETS, HIGHWAYS OR ROADS OR PRIVATE ROADS AND EXEMPTIONS**

**4.18.1 Street, Highway or Road**

Except for a condominium project where the condominium agreement provides for the ongoing maintenance of any highway, street or road providing direct access to a dwelling therein or land uses on one lot with multiple ownership and/or multiple use, no person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has sufficient frontage on a highway, street or road (developed in accordance with municipal standards) as per the requirements of the respective zone within which the lot is situated. For the purposes of this By-law a street, highway or road does not include an unopened road allowance. In the case of Hazards Lands, matters shall satisfy ingress and egress standards as referenced in the PPS under the *Planning Act*.

**4.18.2 Exemptions**

The requirements for frontage on a highway, street or road shall be exempted for the following circumstances: i) for a public utility; ii) for any passive outdoor recreational use or activity (e.g. recreational trails or similar activities); iii) for a landlocked parcel accessed by a registered easement or right-of-way existing on the effective date of this By-law; iv) for a lot of record where access is via an existing private road or registered easement or right-of-way.

**4.18.3 Maintenance or Subdivision Agreement**

Despite the subsection above, where a maintenance or subdivision agreement exists between the municipality and a land owner(s) and is registered on title, frontage on an unopened or unmaintained street, highway or road or right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the zone standards set out in the corresponding zone or an exception thereto.

**4.19 SIGHT RESTRICTION ON CORNER LOT**

**4.19.1** Notwithstanding any other provisions of the By-law, and except in any hamlet or village

commercial zone, on a corner lot 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.

**4.19.2** In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no building or structure shall be erected in such a manner as to materially impede vision above a height of 0.6 metres above the centreline grade of the intersecting street in the triangular area bounded by the railway and the street line and a line from the points along such railway and such street line measuring 50 metres from the point of the intersection thereof.

**4.19.3** Where such railway intersection is unprotected, the sighting triangle will be increased to 90 metres along the streetline, and a distance of 400 metres measured along the railway or a distance required by Transport Canada.

#### **4.20 PRIVATE GARAGES AND DRIVEWAYS ON CORNER LOTS**

**4.20.1** 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

**4.20.2** 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.

#### **4.21 ESTABLISHED BUILDING LINE ON STREETS OR ROADS**

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

#### **4.22 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.

#### **4.23 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.

#### **4.24 PERMITTED ENCROACHMENTS IN YARDS**

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

<b>Structure</b>	<b>Permitted Yard</b>	<b>Maximum Projection from main wall</b>
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

#### **4.25 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.

#### **4.26 BUFFER (PLANTING) STRIPS**

- 4.26.1** 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.
- 4.26.2** 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, 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.
- 4.26.3** Where a buffer strip is required in any zone, it shall be of minimum width as specified in the regulations for that zone.
- 4.26.4** 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.
- 4.26.5** A buffer strip may form part of any required landscaped open space, including the required front, side and rear yards.
- 4.26.6** 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.

**4.26.7** 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.

**4.27 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 4.26.

**4.28 PARKING REQUIREMENTS**

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

Type of Use or Building	Minimum Parking Required
Single detached dwelling, semi-detached dwelling, duplex dwelling, two-unit converted dwelling, dwelling units located above commercial buildings	One (1) parking space per unit
Triplexes, double duplexes, rowhouse, multiple dwelling buildings	One and one-quarter (1.25) parking spaces per dwelling unit
Additional Residential Units (ARU)	One (1) for the first additional unit and none (0) for the second additional unit
Senior citizen dwelling	One (1) parking space for four (4) dwelling units
Funeral Home	1.0 space per 5 seats of seating capacity
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	One (1) parking space for each two (2) beds

Schools	One and one-half (1.5) parking space for each classroom
Group homes	1 for each 6 beds
Place of worship	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 <sup>2</sup> of floor area devoted to public uses such as restaurants, taverns and other eating places associated with motels and staff
Boarding houses, lodging houses, rooming houses, vacation home, or bed and breakfast establishment	One (1) parking space for every room rented in addition to that required for a dwelling if applicable
Personal and Other Services	3.3 spaces per 93.0 m <sup>2</sup> of gross floor area
Restaurant: Full-Service/Drive-in	15.0 spaces per 93.0 m <sup>2</sup> of gross floor area
Drive-through/Fast-Food	15.0 spaces per 93.0 m <sup>2</sup> of gross floor area
Takeout Only	12.0 spaces per 93.0 m <sup>2</sup> of gross floor area
Retail stores, and convenience store	One (1) parking space per 30 m <sup>2</sup>
Financial institutions	6.0 spaces per 93.0 m <sup>2</sup> of gross floor area
Offices, general and professional	One (1) parking space per 30.0 m <sup>2</sup> of office floor area
All other commercial uses	One (1) parking space per 60.0 m <sup>2</sup>
Industrial uses	One (1) parking space for every two (2) employees on the largest shift
Home Occupation, Agricultural Home Occupation	One (1) off-street parking space for each 20 m <sup>2</sup> of floor area devoted to said use in addition to that required for the dwelling
Agricultural uses	Four (4) parking spaces per farm

Greenhouse	1.0 space per every 2.0 ha of growing area
On-farm diversified retail use	3.3 spaces per 93.0 m <sup>2</sup> of gross floor area

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.

#### 4.29

##### **DRIVEWAY REGULATIONS**

Driveways shall be permitted in any yard, in any zone, in accordance with the requirements of this By-law or corresponding site plan agreements provided they comply with the provisions for sight visibility triangles of this By-law:

- a) a driveway serving a residential use shall have a minimum width of 3.0 m measured along the street line and no maximum;
- b) a driveway serving a single detached dwelling, semi-detached dwelling, duplex or two-unit converted dwelling or rowhouse or block roadhouse dwelling unit, the total area of the required front yard occupied for the purpose of a walkway, driveway, access area or a parking space or any combination thereof cannot exceed:
  - i. for a lot having a width of 9.0 metres or greater, 50% of the required front yard area; or
  - ii. for a lot having a width of less than 9.0 metres, 50% of the required front yard area plus 5% for each 1.0 metre decrease in lot width below 9 metres to a maximum of 70% of the required front yard area.
- c) a driveway for a commercial or industrial zone shall be subject to the approved site plan control agreement;
- d) a driveway for any other use shall have a width of 3.0 m minimum and no maximum, measured along the street line;
- e) a minimum of 1 driveway from a public open roadway or alley way is required for all use and no maximum;
- f) the minimum distance between a driveway access and an intersection of street lines, measured along the street line, shall be 9.0 m;
- g) the minimum angle of intersection between a driveway access and a street line shall be 60 degrees.

#### 4.30

##### **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 subject to site plan control and may 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 3.0 metres in height and not more than 4.5 m<sup>2</sup> 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 m<sup>2</sup> in size, shall be erected on any parking area or parking lot;
  - f) Parking areas shall be within 90.0 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 3.0 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.

#### **4.31 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 6.0 metres; and
- b) Each off-street parallel parking space shall have a minimum dimension of 3.0 metres by 6.0 metres.

#### **4.32 STANDARDS FOR BARRIER FREE PARKING SPACES**

**4.32.1** Each off-street barrier free parking space shall be provided in accordance with the following minimum specifications:

- a) The minimum size of an barrier free 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.

**4.32.2** The minimum number of barrier free 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.

#### **4.33 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 m<sup>2</sup> 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 m<sup>2</sup> 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.

#### **4.34 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 maneuvering 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.

#### **4.35 STANDARDS FOR ENTRANCES AND EXITS FOR LOADING AREAS**

Where in this By-law, loading spaces are required or permitted:

- a) Entrance and exit ramps for vehicular traffic shall have a maximum width of 7.5 metres;
- b) A driveway leading to any loading area shall have a minimum width of 3.0 metres for one-way traffic, and a minimum width of 6.0 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 shall be subject to site plan control and may be defined by a curb of concrete or rolled asphalt and may 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.

#### **4.36 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.

#### **4.37 PARKING REGULATIONS IN RESIDENTIAL ZONES**

**4.37.1** 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.

**4.37.2** 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.

**4.37.3** 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.

**4.37.4** 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.

#### **4.38 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.



#### **4.39 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.

#### **4.40 GRADING**

##### **a) 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.

##### **b) 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.

#### **4.41 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 1.53 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.

#### **4.42 LOSS BY NATURAL CAUSES**

Notwithstanding any other provisions of this By-law (save and except for any section dealing with 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.

#### **4.43 LOTS REDUCED BY PUBLIC ACQUISITION**

- 4.43.1** 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.

**4.43.2** 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.

#### **4.44 ADULT ENTERTAINMENT PARLOURS**

**4.44.1** 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.

**4.44.2** 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.

#### **4.45 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.

#### **4.46 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.

#### **4.47 GROUP HOMES**

Group homes in the form of single detached dwellings shall be permitted anywhere single detached dwellings are permitted excluding any hazard land areas (flooding and erosion).

#### **4.48 MINIMUM DISTANCE SEPARATION FORMULAE**

**4.48.1** 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 Province as amended from time to time. For the purpose of this Section:

- a) The Minimum Distance Separation Formula I shall be applied to any proposed development in any zone, excluding any hamlet or village zones.
- b) The Minimum Distance Separation Formula II shall be applied to any new or expanding livestock or poultry facility in any zone.

**4.49 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.

**4.50 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.

**4.51 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.

**4.52 SHIPPING CONTAINER OR TRUCK TRAILER USED FOR STORAGE PURPOSES**

Where a shipping container or truck trailer is used for the purpose of storage accessory to a principal use, the following provisions shall apply:

- a) A shipping container or truck trailer may not be located in any residential zone;
- b) A shipping container or truck trailer may not be located on any parcel of land in an agricultural zone that is less than 2 ha in area, unless there are no offsite dwellings within 100 metres of the parcel of land;
- c) A shipping container or truck trailer may only be located in the rear yard and must comply with the regulations of Section 4.2 Accessory Uses;
- d) A shipping container or truck trailer may not be permitted as the sole structure on any property, not be used for human habitation, not be stacked one on top of the other and shall comply with the Ontario Building Code.

Where a shipping container is used for the purpose of human habitation, the following provisions shall apply:

- a) A shipping container shall be permitted where residential uses are permitted;
- b) A shipping container is subject to the same requirements and limitations as permanent buildings;
- c) A shipping container shall comply with the Ontario Building Code.

**4.53 ADDITIONAL RESIDENTIAL UNITS (ARU)**

Additional residential units may be permitted in association with a single detached dwelling, semi-detached dwelling and rowhouse dwellings, as well as permitted accessory structures, in accordance with the regulations specified by the Zone category in which the additional residential unit is permitted, and shall be subject to the following regulations:

- i. shall be built in accordance with all relevant regulations within both the Ontario Building Code and Ontario Fire Code;
- ii. shall be connected to private or municipal sanitary sewer and municipal water service;
- iii. shall provide parking, subject to Section 4.28;
- iv. shall be a prohibited use on a residential dwelling lot containing a garden suite, boarding house or lodging house;
- v. shall be limited to a maximum of 40 percent of the gross floor area of the primary dwelling unit in urban area and 60 percent in rural area, measured prior to the

- development of the additional residential unit;
- vi. shall not be permitted within a floodplain area or hazard lands;
- vii. shall not be permitted on lots with legal non-conforming uses unless approved through a Zoning By-Law Amendment.

**4.54**

**DWELLING UNITS IN A NON-RESIDENTIAL BUILDING OR BUILDINGS OR ON NO-RESIDENTIAL LOTS**

Where an accessory dwelling or accessory dwelling unit is a permitted use in a non-residential building or on a non-residential lot, the following requirements shall apply:

- i. the dwelling or dwelling unit shall have a separate parking space;
- ii. the dwelling shall comply with all applicable setbacks and other zone standards in the zone in which the dwelling is located;
- iii. no dwelling unit shall be permitted in a commercial building used for an automotive service i.e. auto body shop, auto repair garage, automotive service station, automotive sales establishment, automotive washing establishment, gasoline bar, gasoline card lock facility, commercial parking lot, a recreational vehicle sales, storage and repair establishment, or a sales, storage and repair establishment for boats, snowmobiles, all terrain vehicles or similar sports equipment.

## SECTION 5

## AGRICULTURAL (A1) ZONE REGULATIONS

### 5.1 GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the Agricultural (A1) Zone except in accordance with the following regulations.

#### 5.1.1 Permitted Uses

- a) Agricultural uses;
- b) One agricultural home occupation, subject to Section 4.6;
- c) On-farm diversified uses;
- d) Agricultural-related uses;
- e) Agri-tourism uses;
- f) Animal kennels;
- g) Greenhouses;
- h) One single detached dwelling on one lot;
- a) Additional Residential Units, subject to Section 4.53;
- i) Farm produce outlets;
- j) Forestry uses;
- k) Landing strips;
- l) One home occupation, subject to Section 4.5;
- m) One bed and breakfast establishment or vacation home;
- n) Market garden operations;
- o) Plant nurseries;
- p) Riding stable;
- q) Accessory uses.

#### 5.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 5.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	20.0 ha
Minimum Lot Frontage	150.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20%
Maximum Building Height	12.0 m
Minimum Floor Area for a Single Detached Dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	18.0 m
Minimum Interior Side Yard Depth	15.0 m
Minimum Exterior Side Yard Depth	15.0 m
Minimum Rear Yard	15.0 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, 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
- c) M.D.S. II, whichever is greater.
- d) Establishment of a new livestock operation: The distance determined by application of M.D.S. II.
- e) 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, 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 Province.

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

**5.3.1 Defined Area A1-1 as shown on Schedule “A”, Map 9 to this By-law**

- a) **Permitted Uses**  
Farm equipment sales and service; Travel Trailer sales and service.

**5.3.2 Defined Area A1-2 as shown on Schedule “A”, Map 8 to this By-law**

- a) **Permitted Uses**  
Public garage excluding a motor vehicle service establishment, in addition to all other uses permitted in the A1 Zone.

**5.3.3 Defined Area A1-3 as shown on Schedule “A”, Map 6 to this By-law**

- a) **Maximum Lot Coverage**  
60 %.

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

- a) **Minimum Lot Area**  
8.9 hectares.

**5.3.5 Defined Area A1-5 as shown on Schedule A, Map 16 to this By-law**

- a) **Minimum Lot Area**  
15 hectares.

- 5.3.6 Defined Area A1-6 as shown on Schedule “A”, Map 5 to this by-law**
- a) Permitted Uses**  
Motor Vehicle Service Establishment - heavy vehicle/equipment repair only, in addition to all other uses permitted in A1 Zone.
- 5.3.7 Defined Area A1-7 as shown on Schedule “A”, Map 11 to this by-law**
- a) Permitted Uses**  
Travel Trailer sales and service, in addition to all other uses permitted in the A1 Zone.
- 5.3.8 Defined Area A1-8 as shown on Schedule “A”, Map 13 to this by-law**
- a) Permitted Uses**  
Market Garden Operations: flower crop processing establishment, accessory commercial uses, and flower crop processing education facilities; and Farm Produce Outlet: year-round, permanent structure, in addition to all other uses permitted in the A1 Zone.
- b) Maximum Combined Floor Area**  
Market Garden Operations/Farm Produce Outlet: 1 435 m<sup>2</sup>.
- c) Supplemental Regulations**
- i. The lands are subject to site plan control.
  - ii. 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 Defined Area A1-9 as shown on Schedule “A”, Map 7 to this by-law (further amended by By-law 2022-08)**
- a) Additional Permitted Uses**  
Motocross Facility, including overnight accommodations associated with the motocross facility.
- b) Supplementary Regulations**
- i. Additional permitted uses to be limited to operation between March 1 and November 30 in any calendar year;
  - ii. Overnight accommodations limited to 8 events per year;
  - iii. No permanent structures associated with the additional permitted uses shall be erected on the subject lands.
- 5.3.10 Defined Area A1-10 as shown on Schedule “A”, Map 11 to this by-law (By-law 2017-34)**
- a) Permitted Uses**  
One (1) additional single detached dwelling unit to an agricultural use, in addition to all other uses permitted in the A1 Zone.
- b) Minimum Side Yard Depth**  
150 m to the east lot line for one (1) additional single detached dwelling unit to an agricultural use.
- 5.3.11 Defined Area A1-11 as shown on Schedule “A”, Map 7 to this by-law (By-law 2019-57)**
- a) Permitted Uses**

Supplementary Farm Dwelling, in addition to all other uses permitted in the A1 Zone.

**5.3.12 Defined Area A1-12 as shown on Schedule “A”, Map 10 to this by-law (By-law 2019-77)**

**a) Permitted Uses**

- i. Farm equipment sales and service;
- ii. Motor Vehicle Service Establishment – heavy vehicle/equipment repair;
- iii. All other uses permitted in the A1 Zone.

**b) Minimum Lot Area**

4.05 hectares.

**c) Minimum Lot Frontage**

122 metres

**5.3.13 Defined Area A1-13 as shown on Schedule “A”, Map 10 to this by-law (By-law 2020-67)**

**a) Permitted Uses**

A storm water management facility, in addition to the uses permitted in the A1 Zone.

**5.3.14 Defined Area A1-14 as shown on Schedule “A”, Map 14 to this by-law (By-law 2021-52)**

**a) Permitted Uses**

Additional Residential Units, in addition to the uses permitted in the A1 Zone.

**b) Minimum Front Yard Depth**

9 metres.

**c) Supplementary Regulations**

A minimum 10.0 m buffer between the proposed dwelling and the drip line of the trees is required. If the proposed dwelling is constructed closer than 10.0 m, then an Environmental Impact Assessment (EIS) will be required to confirm no negative impact on the natural heritage feature.



## SECTION 6

## SPECIAL AGRICULTURAL (A2) ZONE REGULATIONS

### 6.1 GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the Special Agricultural (A2) Zone except in accordance with the following regulations:

#### 6.1.1 Permitted Uses

- a) Agricultural uses;
- b) On-farm diversified uses;
- c) Agricultural-related uses;
- d) Agri-tourism uses;
- e) Greenhouses;
- f) Farm produce outlets;
- g) Forestry uses;
- h) Landing strips;
- i) Market garden operations;
- j) Plant nurseries;
- k) Riding stables;
- l) Accessory uses.

#### 6.1.2 Prohibited Uses

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

#### 6.1.3 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 6.1.4 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	20.0 ha
Minimum Lot Frontage	150.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20%
Maximum Building Height	12.0 m
Minimum Front Yard Depth	18.0 m
Minimum Interior Side Yard Depth	15.0 m
Minimum Exterior Side Yard Depth	15.0 m
Minimum Rear Yard Depth	15.0 m

### 6.2 SPECIAL USE REGULATIONS

#### 6.2.1 Livestock Buildings and Structures

In addition to the requirements of Section 6, 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.
- c) M.D.S. II, whichever is greater.
- d) Establishment of a new livestock operation: The distance determined by application of M.D.S. II.
- e) 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 Defined Area A2-1 as shown on Schedule “A”, Map 8 to this By-law**

##### **a) 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 Defined Area A2-2 as shown on Schedule “A”, Map 6 of this Bylaw**

##### **a) Minimum Lot Area**

39.5 hectares.

#### **6.3.3 Defined Area A2-3 as shown on Schedule “A”, Map 13 of this By-law**

##### **a) Minimum Lot Area**

34.5 hectares.

#### **6.3.4 Defined Area A2-4 as shown on Schedule “A”, Maps 13 and 14 of this By-law (By-law 2000-23)**

##### **a) Prohibited Buildings and Structures**

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

##### **b) Minimum Lot Area**

40 hectares.

#### **6.3.5 Defined Area A2-5 as shown on Schedule “A”, Maps 13 and 14 of this By-law**

##### **a) Prohibited Uses**

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

##### **b) Minimum Side Yard**

4.0 metres.

##### **c) Minimum Lot Area**

40 hectares.

#### **6.3.6 Defined Area A2-6 as shown on Schedule “A” Map 11 of this By-law**

##### **a) Prohibited Uses**

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

##### **b) Minimum Lot Area**

40 hectares.

#### **6.3.7 Defined Area A2-7 as shown on Schedule “A”, Map 10 to this By-law**

##### **a) Minimum Lot Area**

40 hectares

**b) Prohibited Uses**

Livestock-related agricultural uses within any existing buildings or structures.

**6.3.8 Defined Area A2-8 as shown on Schedule “A”, Maps 7, 9, 10, 12, 13, 14 and 16 to this By-law**

**a) Minimum Lot Area**

40 hectares.

**6.3.9 Defined Area A2-9 as shown on Schedule “A”, Map 11 to this By-law**

**a) Minimum Lot Area**

18.9 hectares.

**6.3.10 Defined Area A2-10 as shown on Schedule “A”, Map 8 to this By-law**

**a) Prohibited Uses**

Livestock-related agricultural uses within existing buildings and structures.

**6.3.11 Defined Area A2-11 as shown on Schedule “A”, Map 6 to this By-law**

**a) Minimum Lot Area**

40 hectares.

**6.3.12 Defined Area A2-12 as shown on Schedule “A”, Map 7 to this By-law**

**a) Minimum Lot Area**

40 hectares.

**6.3.13 Defined Area A2-13 as shown on Schedule “A”, Map 9 to this By-law**

**a) Minimum Lot Area**

19.4 hectares.

**6.3.14 Defined Area A2-14 as shown on Schedule “A”, Map 2 to this By-law**

**a) Minimum Lot Area**

40 hectares.

**6.3.15 Defined Area A2-15 as shown on Schedule “A”, Map 13 to this By-law (By-law 2016-13)**

**a) Minimum Lot Area**

19.0 hectares.

**6.3.16 Defined Area A2-16 as shown on Schedule “A”, Map 3 to this By-law (By-law 2016-36)**

**a) Minimum Lot Area**

19.4 hectares.

**6.3.17 Defined Area A2-17 as shown on Schedule “A”, Map 10 to this By-law (By-law 2016-48)**

**a) Prohibited Uses**

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

**6.3.18 XXXX (Deleted by By-law 2017-16)**

**6.3.19 Defined Area A2-19 as shown on Schedule “A”, Map 8 to this By-law (By-law 2017-16)**

**a) Minimum Lot Area**

17.3 hectares.

**6.3.20 Defined Area A2-19 (b) as shown on Schedule “A”, Map 5 to this By-law (By-law 2019-76)**

**a) Minimum Lot Area**

19.12 hectares.

**6.3.21 Defined Area A2-20 as shown on Schedule “A”, Map 6 to this By-law (By-law 2020-70)**

**a) Minimum Lot Area**

19.54 hectares.

**6.3.22 Defined Area A2-21 as shown on Schedule “A”, Map 8 to this By-law (By-law 2020-76)**

**a) Minimum Lot Area**

19.4 hectares

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

### 7.1. GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the Agricultural (A3) Zone except in accordance with the following regulations:

#### 7.1.1 Permitted Uses

- a) Agricultural uses;
- b) On-farm diversified uses;
- c) Agricultural-related uses;
- d) Agri-tourism Uses;
- e) One agricultural home occupation, subject to Section 4.6;
- f) Animal kennels;
- g) Greenhouses;
- h) One single detached dwelling on one lot;
- i) Additional Residential Units, subject to Section 4.53;
- j) Farm produce outlets;
- k) Forestry uses;
- l) Landing strips;
- m) One home occupation, subject to Section 4.5;
- n) One bed and breakfast establishment or vacation home;
- o) Market garden operations;
- p) Plant nurseries;
- q) Riding stables;
- r) Accessory uses.

#### 7.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 7.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	40.0 ha
Minimum Lot Frontage	150.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20%
Maximum Building Height	12.0 m
Minimum Floor Area for a Single Detached Dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	18.0 m
Minimum Interior Side Yard Depth	15.0 m
Minimum Exterior Side Yard Depth	15.0 m
Minimum Rear Yard Depth	15.0 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, 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, 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 Province.

### **7.2.4 Supplementary Farm Dwelling**

Notwithstanding Section 7, an additional single detached dwelling unit or accessory living quarters to an agricultural use shall be permitted on a lot having an area 40.0 hectares or greater.

## **7.3 EXCEPTIONS – LARGE LOT AGRICULTURAL (A3) ZONE**

### **7.3.1 Defined Area A3-1 as shown on Schedule “A”, Map 6 of this By-law**

#### **a) Permitted Uses**

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

#### **b) Minimum Side Yard**

- i. Wood Pallet Repair Business – east side yard: 170 metres Wood Pallet Repair Business – west side yard: 315 metres.
- ii. All other permitted uses in accordance with Section 7 of this By-law.

#### **c) Minimum Rear Yard**

- i. Wood Pallet Repair Business: 469 metres.
- ii. All other permitted uses in accordance with Section 7 of this By-law

### **7.3.2 Defined Area A3-2 as shown on Schedule “A”, Map 3 of this By-law (By-law # 2022-21)**

#### **a) Permitted Uses**

- i. Existing A3 permitted uses.
- ii. Additional Residential Unit (ARU).

## SECTION 8

## RURAL RESIDENTIAL (RR) ZONE REGULATIONS

### 8.1 GENERAL USE REGULATIONS

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

#### 8.1.1 Permitted Uses

- a) One single detached dwelling on one lot;
- b) Additional Residential Units, subject to Section 4.53;
- c) One home occupation, subject to Section 4.5;
- d) One bed and breakfast establishment or vacation home;
- e) Accessory uses.

#### 8.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 8.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	Where a public water supply is not available: 2,000 m <sup>2</sup>  Where a public water supply is available: 1,860 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Depth	120.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	10.5 m
Minimum Floor Area for a Single Detached Dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	10.5 m
Minimum Interior Side Yard Depth	3.0 m
Minimum Exterior Side Yard Depth	10.5 m
Minimum Rear Yard	7.5 m

### 8.2 SPECIAL USE REGULATIONS

#### 8.2.1 Minimum Separation Distance

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

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

#### 8.3.1 Defined Area RR-1 as shown on Schedule "A", Map 10 of this By-law

- a) **Minimum Lot Area**  
1.25 hectares.
- b) **Minimum Lot Frontage**  
95 metres.

#### 8.3.2 Defined Area RR-2 as shown on Schedule "A", Map 9 to this By-law

**a) Minimum Floor Area**

70 m<sup>2</sup>.

8.3.3 Defined Area RR-3 as shown on Schedule "A", Map 2 to this By-law

**a) 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

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

#### 9.1.1 Permitted Uses

- a) One single detached dwelling on one lot;
- b) Additional Residential Units, subject to Section 4.53;
- c) Agricultural uses as an accessory use;
- d) Animal kennels;
- e) Forestry uses;
- f) One bed and breakfast establishment or vacation home;
- g) One home occupation, subject to Section 4.5.

#### 9.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 9.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	2,750 m <sup>2</sup>
Maximum Lot Area	8,093 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	10.5 m
Minimum Floor Area for a Single Detached Dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	15.0 m
Minimum Interior Side Yard Depth	3.0 m
Minimum Exterior Side Yard Depth	10.5 m
Minimum Rear Yard Depth	7.5 m

### 9.2 SPECIAL USE REGULATIONS

- a) 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 Province as amended from time to time.
- b) In addition to the requirements of 9.1.3; a building housing livestock shall not be erected or used closer than the distance determined on application of M.D.S. II.
- c) In addition to the requirements of Section 9; an animal kennel shall not be erected or used closer than:
  - i. 150 metres from a dwelling located on a neighbouring lot;
  - ii. 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 Defined Area RS-1 as shown on Schedule “A”, Map 9 of this By-law**
- a) **Minimum Lot Size**  
1.0 hectare.
- 9.3.2 Defined Area RS-2 as shown on Schedule “A”, Map 6 of this By-law**
- a) **Minimum Lot Area**  
0.8 hectares.
- b) **Permitted Uses**  
Contractor’s Yard or Shop in addition to all other uses permitted in the RS Zone.
- 9.3.3 Defined Area RS-3 as shown on Schedule “A”, Map 15 of this By-law**
- a) **Minimum Front Yard Depth**  
Notwithstanding Section 9, the existing Front Yard for the existing buildings and structures shall be permitted.
- b) **Minimum Side Yard Depth**  
Notwithstanding Section 9, the existing westerly Side Yard for the existing livestock barn and accessory buildings shall be permitted.
- 9.3.4 Defined Area RS-4 as shown on Schedule “A”, Map 14 of this By-law**
- a) **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.
- b) **Minimum Lot Area**  
6.5 hectares.
- 9.3.5 Defined Area RS-5 as shown on Schedule “A”, Map 6 of this By-law**
- a) **Minimum Lot Area**  
1.9 hectares.
- 9.3.6 Defined Area RS-6 as shown on Schedule “A”, Map 10 of this By-law**
- a) **Minimum Lot Area**  
0.9 hectares.
- 9.3.7 Defined Area RS-7 as shown on Schedule “A”, Map 15 of this By-law**
- a) **Minimum Lot Area**  
1.27 hectares.
- 9.3.8 Defined Area RS-8 as shown on Schedule “A”, Map 11 of this By-law**
- a) **Permitted Uses**  
Motorcycle sales and repair business in addition to all other uses permitted in the RS Zone.

- 9.3.9 Defined Area RS-9 as shown on Schedule “A”, Map 7 of this By-law**
- a) **Minimum Lot Area**  
0.7 hectares.
- 9.3.10 Defined Area RS-10 as shown on Schedule “A” Map 12 of this By-law**
- a) **Minimum Lot Area**  
1.52 hectares.
- 9.3.11 Defined Area RS-11 as shown on Schedule “A” Map 9 of this By-law**
- a) **Minimum Lot Area**  
1.87 hectares.
- 9.3.12 Defined Area RS-12 as shown on Schedule “A” Map 5 of this By-law**
- a) **Minimum Lot Area**  
1.2 hectares.
  - b) **Prohibited Uses**  
Contractor’s Yard or Shop.
- 9.3.13 Defined Area RS-13 as shown on Schedule “A” Map 11 of this By-law**
- a) **Minimum Lot Area**  
1.0 hectare.
  - b) **Minimum Side Yard for Buildings and Structures Used or Intended to be Used for Livestock Purposes**  
3 metres.
- 9.3.14 Defined Area RS-14 as shown on Schedule “A”, Map 10 to this By-Law**
- a) **Minimum Lot Area**  
1850 m<sup>2</sup>.
- 9.3.15 Defined Area RS-15 as shown on Schedule “A”, Map 13 to this By-law**
- a) **Minimum Setback from Lake Erie Shoreline**  
119 metres.
- 9.3.16 Defined Area RS-16 as shown on Schedule “A”, Map 8 to this By-law**
- a) **Minimum Lot Frontage**  
20 metres.
- 9.3.17 Defined Area RS-17 as shown on Schedule “A”, Map 8 to this By-law**
- a) **Minimum Lot Frontage**  
18 metres.
- 9.3.18 Defined Area RS-18 as shown on Schedule “A”, Map 3 to this By-law (By-law 2016-37)**

- a) **Minimum Lot Frontage**  
9.0 metres.
- 9.3.18 (b) **Defined Area RS-18(b) as shown on Schedule “A”, Map 5 to this By-law (By-law 2015-22)**
  - a) **MDS Exemption**  
Notwithstanding Section 4.48, the Minimum Distance Separation 1 setback for RS-18 shall be 225.0 metres to a livestock located at 27289 Aberdeen Line.
- 9.3.19 **Defined Area RS-19 as shown on Schedule “A”, Map 10 to this By-law (By-law 2016-48)**
  - a) **Minimum Distance Separation Formulae**  
Notwithstanding Section 4.48, the Minimum Distance Separation I shall be 50.0 metres to a livestock facility located at 29202 Marsh Line.
- 9.3.20 **XXXXXX**
- 9.3.21 **Defined Area RS-21 as shown on Schedule “A”, Maps 15 and 16 to this By-law (By-law 2017-73)**
  - a) **Minimum Lot Frontage**  
18.4 metres.
- 9.3.22 **Defined Area RS-22 as shown on Schedule “A”, Map 7 to this By-law (By-law 2017-33)**
  - a) **Minimum Lot Frontage**  
11.5 metres.
- 9.3.23 **Defined Area RS-23 as shown on Schedule “A”, Map 15 to this By-law (By-law 2018-52)**
  - a) **Minimum Lot Frontage**  
9.0 metres.
- 9.3.24 **Defined Area RS-24 as shown on Schedule “A”, Map 12 to this By-law (By-law 2019-14)**
  - a) **Minimum Rear Yard Depth**  
2.5 metres, existing accessory structures.
  - b) **Minimum Side Yard Depth**  
0.19 metres, existing accessory structures.
- 9.3.25 **Defined Area RS-25 as shown on Schedule “A”, Map 13 to this By-law (By-law 2019-84)**
  - a) **Permitted Uses**  
An Event Centre, in addition to the uses permitted in the RS Zone.
  - b) **Permitted Buildings and Structures**  
The existing barn on the date of passing this By-law may be used for the use permitted

in the RS-25 Zone and all other buildings and structures in the RS Zone.

**c) Definition**

'Event Centre' shall mean a building or part of a building used for wedding receptions, banquets and other social gatherings.

**d) Other**

Minimum number of parking spaces required is 44 spaces. No more than 2 persons may be employees which are not permanent residents of dwelling

**9.3.26 Defined Area RS-26 as shown on Schedule "A", Map 14 to this By-law (By-law 2021-25)**

**a) Minimum Lot Frontage**

10.0 metres.

## SECTION 10 LIMITED SERVICE RESIDENTIAL (LSR) ZONE REGULATIONS

### 10.1 GENERAL USE REGULATIONS

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

#### 10.1.1 Permitted Uses

- a) One seasonal single detached dwelling on one lot;
- b) Accessory uses.

#### 10.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 10.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	1,860 m <sup>2</sup>
Minimum Lot Frontage	30 m
Maximum Lot Coverage (includes accessory buildings and structures)	20 %
Maximum Building Height	10.5 m
Minimum Floor Area for a Single Detached Dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	6.0 m
Minimum Interior Side Yard Depth	4.5 m
Minimum Exterior Side Yard Depth	6.0 m
Minimum Rear Yard Depth	10.5 m

### 10.2 SPECIAL USE REGULATIONS

None.

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

#### 10.3.1 Defined Area LSR-1 as shown on Schedule "A", Map 15 of this By-law

##### a) Permitted Buildings and Structures

Existing buildings and structures for the permitted uses

## SECTION 11 HAMLET RESIDENTIAL (HR) ZONE REGULATIONS

### 11.1 GENERAL USE REGULATIONS

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

#### 11.1.1 Permitted Uses

- a) One single detached dwelling on one lot;
- b) One two-unit converted dwelling on one lot;
- c) Additional Residential Units, subject to Section 4.53;
- d) One home occupation, subject to Section 4.5;
- e) One bed and breakfast establishment or vacation home;
- f) Accessory uses.

#### 11.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 11.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	1,000 m <sup>2</sup>
Minimum Lot Frontage	25.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	10.5 m
Minimum Floor Area for a single detached dwelling and two-unit converted dwelling	90 m <sup>2</sup>
Minimum Front Yard Depth	6.0 m
Minimum Interior Side Yard Depth	2.0 m on one side and 3.0 m on the other side with or without an attached garage or carport
Minimum Exterior Side Yard Depth	4.5 m
Minimum Rear Yard Depth	9.0 m

### 11.2 SPECIAL USE REGULATIONS

None.

### 11.3 EXCEPTIONS - HAMLET RESIDENTIAL (HR) ZONE

#### 11.3.1 Defined Area HR-1(h) as shown on Schedule “C”, Map 1 of this By-law

##### a) Permitted Uses

- i. One single detached dwelling on one lot.
- ii. Home occupation.

##### b) Special Regulations

No single detached dwelling shall be erected within 85 metres of any existing livestock buildings.

#### 11.3.2 Defined Area HR-2 as shown on Schedule “C”, Map 1 of the By-law

**a) Permitted Uses**

- i. An agricultural use;
- ii. One single detached dwelling on one lot; and
- iii. Home occupation.

**b) Special Regulations**

The regulations of Section 5 of this By-law shall apply to an agricultural use.

**11.3.3 Defined Area HR-3 as shown on Schedule “E”, Map 1 of this Plan**

**a) Minimum Lot Frontage**

17.9 metres.

**11.3.4 Defined Area HR-4 as shown on Schedule “C”, Map 1 to this By-law**

**a) Minimum Lot Area and Frontage**

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

**b) Maximum Height and Lot Coverage**

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

**c) Minimum Yards**

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

**11.3.5 Defined Area HR-5 as shown on Schedule “C”, Map 1 to this By-law (By-law 2020-63)**

**a) Permitted Uses**

A residential secondary unit, in addition to the permitted uses in the HR Zone



**SECTION 12****VILLAGE RESIDENTIAL 1 (VR1) ZONE REGULATIONS****12.1 GENERAL USE REGULATIONS**

No land shall be used, or no buildings or structures shall be erected altered or used in the Village Residential Zone 1 (VR1) except in accordance with the following regulations:

**12.1.1 Permitted Uses**

- a) One single detached dwelling on one lot;
- b) One semi-detached dwelling on one lot;
- c) One duplex dwelling or one two-unit converted dwelling on one lot;
- d) Additional Residential Units, subject to Section 4.53;
- e) One bed and breakfast establishment or vacation home;
- f) One home occupation, subject to Section 4.5;
- g) Accessory uses.

**12.1.2 Permitted Buildings and Other Structures**

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

**12.1.3 Zone Provisions**

<b>Zone Provision</b>	<b>Single Detached Dwelling</b>	<b>Semi-Detached Dwelling</b>	<b>Duplex or Two-Unit Converted Dwelling</b>
Minimum Lot Area	465 m <sup>2</sup>	300 m <sup>2</sup> per lot	600 m <sup>2</sup>
Minimum Lot Frontage	15.0 m	10.0 m per lot	20.0 m
Minimum Lot Depth	30.0 m	30.0 m	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	35 %	40%	40 %
Minimum Floor Area	80 m <sup>2</sup>	80 m <sup>2</sup>	80 m <sup>2</sup>
Maximum Building Height	12.0 m	12.0 m	12.0 m
Minimum Front Yard Depth	7.5 m	7.5 m	7.5 m

Minimum Interior Side Yard Depth	1.5 m or where there is no attached garage, 3.0 m on one side and 1.5 m on the other side	1.5 m or where there is no attached garage, 3.0 m on one side and 1.5 m on the other side, except where there is a common wall there is no side yard requirement	1.5 m or where there is no attached garage, 3.0 m on one side and 1.5 m on the other side, except where there is a common wall there is no side yard requirement
Minimum Exterior Side Yard Depth	4.5 m or 6.0 m where any garage door opening is located	4.5 m or 6.0 m where any garage door opening is located	4.5 m or 6.0 m where any garage door opening is located
Minimum Rear Yard Depth	7.5 m	7.5 m	7.5 m

## 12.2 SPECIAL USE REGULATIONS

None.

## 12.3 EXCEPTIONS - VILLAGE RESIDENTIAL 1 (VR1) ZONE

### 12.3.1 Defined Area VR1-1 as shown on Schedule “B”, Map 1 of this By-law

#### a) Permitted Uses

Day care centre.

#### b) Minimum Lot Frontage

27.0 metres.

#### c) Minimum Lot Area

1.46 hectares.

### 12.3.2 Defined Area VR1-2 as shown on Schedule “B”, Map 2 to this By-law

#### a) Permitted Uses

Existing residential uses; all uses permitted in the General Commercial (C1) Zone.

### 12.3.3 Defined Area VR1-3 as shown on Schedule “B”, Map 1 to this By-law

#### a) Permitted Uses

- i. Existing VR1 permitted uses Motor Vehicle Body Shop;
- ii. Outdoor storage of vehicles is not permitted.

### 12.3.4 Defined Area VR1-4 as shown on Schedule “B”, Map 2 to this By-law

#### a) Permitted Uses

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

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

**b) Prohibited Uses**

Animal kennel; On-site incineration of animals associated with the animal clinic; Outdoor storage or boarding associated with the animal clinic.

**12.3.5 Defined Area VR1-5 as shown on Schedule “B”, Map 2 to this By-law (By-law 2017-61)**

**a) Minimum Side Yard**

- i. Where a garage or carport is attached: 1.37 m for all storeys;
- ii. Where no garage or carport is attached: 1.37 m for all storeys;
- iii. On a corner lot: 4.5 m on the side abutting a public street and 1.37 on the other side for all storeys.

**12.3.6 Defined Area VR1-6 as shown on Schedule “B”, Map 2 to this By-law (By-law 2020-65)**

**a) Minimum Side Yard**

- i. Where a garage or carport is attached: 1.37 m for all storeys;
- ii. Where no garage or carport is attached: 1.37 m for all storeys;
- iii. On a corner lot: 3.5 m on the side abutting a public street and 1.37 m on the other side for all storeys.

**SECTION 13****VILLAGE RESIDENTIAL 2 (VR2) ZONE REGULATIONS****13.1 GENERAL USE REGULATIONS**

No land shall be used, or no buildings or structures shall be erected altered or used in the Village Residential Zone 2 (VR2) except in accordance with the following regulations:

**13.1.1 Permitted Uses**

- a) Rowhouse or block rowhouse dwellings;
- b) Multiple dwelling;
- c) Apartment dwelling;
- d) Nursing home or rest home;
- e) Additional Residential Units, subject to Section 4.53;
- f) Accessory uses.

**13.1.2 Permitted Buildings and Other Structures**

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

**13.1.3 Zone Provisions**

<b>Zone Provision</b>	<b>Rowhouse or Block Rowhouse Dwellings</b>	<b>Multiple Dwellings</b>	<b>Apartment Dwellings</b>	<b>Nursing Home or Rest Home</b>
Minimum Lot Area	225 m <sup>2</sup> per lot	700 m <sup>2</sup>	1,200 m <sup>2</sup>	1,200 m <sup>2</sup>
Minimum Lot Frontage	7.5 m for interior units 9.0 m for exterior units 12.0 m for exterior units on corner lots	18.0 m	30.0 m	30.0 m
Minimum Lot Depth	40.0 m	40.0 m	40.0 m	40.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	50 % for interior units 40 % for exterior units	40 %	40 %	40 %
Maximum Building Height	12.0 m	12.0 m	12.0 m	12.0 m
Minimum Floor Area	80 m <sup>2</sup>	80 m <sup>2</sup>	80 m <sup>2</sup>	80 m <sup>2</sup>
Minimum Front Yard Depth	7.5 m	7.5 m	7.5 m	7.5 m
Minimum Interior Side Yard Depth	1.5 m, except where there	6.0 m	6.0 m	6.0 m

	is a common wall there is no side yard requirement			
Minimum Exterior Side Yard Depth	4.5 m	4.5 m	4.5 m	4.5 m
Minimum Rear Yard Depth	7.5 m	7.5 m	7.5 m	7.5 m
Minimum Landscaped Open Space	35 %	35 %	35 %	35 %

**13.2 SPECIAL USE REGULATIONS**

None.

**13.3 EXCEPTIONS - VILLAGE RESIDENTIAL 2 (VR2) ZONE**

**13.3.1 Defined Area VR2-1 as shown on Schedule “B”, Map 1 of this By-law**

**a) Permitted Uses**

Apartment Building - Senior Citizen Dwelling.

**b) Minimum Lot Frontage**

19.0 metres along County Road 15.

**c) Minimum Parking Requirement**

One space per dwelling unit.

**d) Minimum Buffer Strip**

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

**13.3.2 Defined Area VR2-2 as shown on Schedule “B”, Map 2 of this By-law**

**a) Minimum Lot Frontage**

20 metres.

**13.3.3 Defined Area VR2-3 as shown on Schedule “B” Map 1 of this By-law**

**a) Permitted Uses**

Apartment Building – Senior Citizen Dwelling.

**b) Minimum Parking Requirement**

One parking space per dwelling unit.

**13.3.4 Defined Area VR2-4 as shown on Schedule “B” Map 2 of this By-law (By-law 2017-05)**

**a) Minimum Lot Area**

1,099 m<sup>2</sup>.

**b) Minimum Lot Frontage**

19.5 metres.

**c) Maximum Lot Coverage**

34.5%.

**d) Sight Restriction on Corner Lot**

Notwithstanding Section 4.19, the minimum triangular space between the street lines at their point of intersection to a building or structure shall be 8.8 m.

## SECTION 14 HAMLET COMMERCIAL (HC) ZONE REGULATIONS

### 14.1 GENERAL USE REGULATIONS

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

#### 14.1.1 Permitted Uses

- a) One bed and breakfast or vacation home;
- b) Bus depots;
- c) Catering establishments;
- d) Clinics;
- e) Convenience plazas;
- f) Offices, general or professional;
- g) Hotels, Motels or Taverns;
- h) Laundry establishments;
- i) Library;
- j) Motor vehicle sales establishments;
- k) Motor vehicle service establishments;
- l) Parking lots;
- m) Personal service shops;
- n) Places of entertainment;
- o) Post offices;
- p) Public garages;
- q) Publishing and printing establishments;
- r) Restaurants;
- s) Retail stores;
- t) Service shops;
- u) Variety stores;
- v) Accessory uses;
- w) One dwelling unit above a commercial use, subject to Section 4.54, as an accessory use.

#### 14.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 14.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	1,500 m <sup>2</sup>
Minimum Lot Frontage	25.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	40 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	7.5 m
Minimum Floor Area for Dwelling Unit	80 m <sup>2</sup>
Minimum Interior Side Yard Depth	4.5 m where the yard abuts a residential zone  No requirement in all other cases
Minimum Exterior Side Yard Depth	6.0 m

Minimum Rear Yard Depth	10.5 m
Minimum Landscaped Open Space	30 %

**14.2 SPECIAL USE REGULATIONS**

None.

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

None.



## SECTION 15 HIGHWAY COMMERCIAL (C1) ZONE REGULATIONS

### 15.1 GENERAL USE REGULATIONS

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

#### 15.1.1 Permitted Uses

- a) Antique Stores;
- b) Auction sales facilities;
- c) Greenhouses;
- d) Drive-in theatres;
- e) Garden supply centres;
- f) Motels, Hotels or Taverns;
- g) Motor vehicle service establishment with or without eating facilities;
- h) Motor vehicle sales establishment;
- i) Restaurants, including drive-in or takeout;
- j) Lumber yards and building supply outlets;
- k) Bulk sales establishments;
- l) Self-storage facilities;
- m) Accessory uses.

#### 15.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 15.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	2,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	10.0 m
Minimum Interior Side Yard Depth	6.0 m where a highway commercial zone abuts a residential zone  3.0 m all other cases
Minimum Exterior Side Yard Depth	12.0 m for automobile uses or motel  7.5 m all other uses
Minimum Rear Yard Depth	7.5 m
Minimum Landscaped Open Space	30 %

### 15.2 SPECIAL USE REGULATIONS

None.

### 15.3 EXCEPTIONS - HIGHWAY COMMERCIAL (C1) ZONE

#### 15.3.1 Defined Area C1-1 as shown on Schedule "B", Map 1 of this By-law

**a) Permitted Uses**

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

**b) Minimum Interior Side Yard Between Buildings**

6.0 metres.

**c) Minimum Rear Yard Depth**

1.0 metre.

**15.3.2 Defined Area C1-2 as shown on Schedule “A”, Map 13 of this By-law**

**a) Permitted Uses**

- i. Motor vehicle service establishment without eating facilities;
- ii. Motor vehicle sales establishment;
- iii. Recreational vehicle sales and service establishment; Service shop;
- iv. One dwelling unit as an accessory use.

**15.3.3 Defined Area C1-3-H-1 as shown on Schedule “B”, Map 1 of this By-law (By-law 2016-60)**

**a) Permitted Uses**

- i. Animal clinic
- ii. Antique store
- iii. Auction sales facilities
- iv. Bulk sales establishment
- v. Clinic
- vi. Greenhouses
- vii. Convenience plaza
- viii. Drive-in theatre
- ix. Financial institution
- x. Garden supply centre
- xi. Hotel
- xii. Laundry establishment
- xiii. Motel
- xiv. Motor vehicle service establishment with or without eating facilities
- xv. Motor vehicle sales establishment
- xvi. Office, general
- xvii. Office, professional
- xviii. Recreational facility
- xix. Restaurant
- xx. Restaurant, drive-in or takeout
- xxi. Restaurant, drive-thru
- xxii. Retail store
- xxiii. Warehouse.

**b) Prohibited Uses**

Open storage areas.

**c) Maximum Lot Coverage**

35%.

**d) Minimum Rear Yard Depth**

3.0 m.

**e) Minimum Floor Area**

200 m<sup>2</sup>.

**f) Additional Parking Requirements**

- i. Restaurant, drive-in or takeout: 1 parking space per 10 m<sup>2</sup> of gross floor area
- ii. Restaurant, drive-thru: 1 parking space per 10 m<sup>2</sup> of gross floor area

**g) Other**

Section 4.13 Hazard Lands shall apply.

**h) Holding Zone**

Development within the C1-3-H-1 zone shall be prohibited until the H-1 – Holding has been removed.

The H-1 Holding will not be removed until a Site Plan Approval Agreement has been entered into between the Municipality and the Developer and registered against title, that fully addresses municipal servicing for the lands, comprising; sanitary sewers, water supply, drainage, storm water management, utilities, and vehicular circulation and access; and, a Landscaping Plan has been prepared, to provide for landscaped aesthetic and buffering areas, all to the satisfaction of the Municipality and the County (if applicable).

## SECTION 16

## VILLAGE GENERAL COMMERCIAL (VC1) ZONE REGULATIONS

### 16.1 GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the General Commercial (VC1) Zone except in accordance with the following regulations:

#### 16.1.1 Permitted Uses

- a) Animal clinics;
- b) One bed and breakfast establishment or vacation home;
- c) Boarding and rooming houses;
- d) Bus depots;
- e) Catering establishments;
- f) Place of worship, clubs, institutional uses;
- g) Convenience plazas;
- h) Dairies and bakeries;
- i) Farm equipment sales and service outlets;
- j) Financial institutions;
- k) Funeral homes;
- l) Hospitals;
- m) Hotels and taverns;
- n) Laundry establishments;
- o) Motor vehicle service establishments, motor vehicle sales establishments, public garages, taxi service establishments, motor vehicle body shops;
- p) Offices (business and professional);
- q) Personal service shops;
- r) Places of entertainment;
- s) Private schools;
- t) Publishing and printing establishments;
- u) Recreational facilities;
- v) Restaurants including fast-food, take-out but not drive-through;
- w) 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;
- x) 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;
- y) Accessory uses.

#### 16.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 16.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	120 m <sup>2</sup>
Minimum Lot Frontage	6.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	90 %

Maximum Building Height	12.0 m
Minimum Front Yard Depth	No requirement
Minimum Interior Side Yard Depth	5.0 m abutting a VR1, VR2, I, or P Zone  No requirement where there is a common wall  1.0 m all other cases
Minimum Exterior Side Yard Depth	5.0 m
Minimum Rear Yard Depth	6.0 m where a building contains residential dwelling  5.0 m abutting a VR1, VR2, I, or P Zone  No requirement where there is a common wall  1.0 m all other cases

## 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 Section 4.26 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 m<sup>2</sup>.

### 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
<b>Minimum lot frontage:</b>	30.0 m	45.0 m
<b>Minimum lot depth:</b>	40.0 m	40.0 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 9.0 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 9.0 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 3.0 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 4.24, 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 2 of this By-law.

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

#### **16.3.1 Defined Area VC1-1 as shown on Schedule “B”, Map 2 to this By-law**

**a) Minimum Side Yard**

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

**b) Buffer Strip**

Notwithstanding Section 16, a buffer strip will not be required along the southerly side lot line.

#### **16.3.2 Defined Area VC1-5 as shown on Schedule “B” Map 2 of this By-law**

**a) Dwelling Unit Size**

The minimum floor area of a dwelling unit located above the main floor shall be 45 m<sup>2</sup>.

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

### 17.1 GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the Local Commercial (VC2) Zone except in accordance with the following regulations:

#### 17.1.1 Permitted Uses

- a) Offices, professional;
- b) Personal service shops;
- c) Variety stores;
- d) One bed and breakfast establishment or vacation home;
- e) One dwelling unit connected to and forming an integral part of the commercial building and provided with a separate access;
- f) Accessory uses.

#### 17.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 17.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	700 m <sup>2</sup>
Minimum Lot Frontage	20.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	40 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	7.5 m
Minimum Interior Side Yard Depth	5.0 m abutting a VR1, VR2, I or P Zone  No requirement where there is a common wall  3.0 m all other cases
Minimum Exterior Side Yard Depth	5.0 m
Minimum Rear Yard Depth	6.0 m where a yard abuts a Commercial, Industrial or Institutional Zone  10.0 m where a building contains a dwelling unit  10.0 m all other cases
Minimum Landscaped Open Space	20 %

### 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 Section 4.26 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 m<sup>2</sup>.

**17.2.3 Maximum Floor Area for Commercial Use**

100 m<sup>2</sup>.

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

**17.3.1 Defined Area VC2-1 as shown on Schedule “B”, Map 2 of this By-law**

**a) Permitted Uses**

A medical laboratory.

**17.3.2 Defined Area VC2-2 as shown on Schedule “B”, Map 1 of this By-law**

**a) 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

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

#### 18.1.1 Permitted Uses

- a) Abattoirs;
- b) Animal clinics;
- c) Grain handling and storage facilities;
- d) Farm equipment sales and services;
- e) Farm fuel sales;
- f) Feed mills;
- g) Fertilizer plants;
- h) Food processing plants;
- i) Livestock sales and marketing yards;
- j) Machine or welding shops for farm implements and equipment;
- k) Meat packing operations;
- l) Sawmills;
- m) Accessory uses;

#### 18.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 18.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	10.0 m
Minimum Interior Side Yard Depth	5.0 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	7.5 m
Minimum Landscaped Open Space	30 %

### 18.2 SPECIAL USE REGULATIONS

None.

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

None.

## SECTION 19 RURAL INDUSTRIAL (M2) ZONE REGULATIONS

### 19.1 GENERAL USE REGULATIONS

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

#### 19.1.1 Permitted Uses

- a) Bulk sales establishments;
- b) Contractor's yards;
- c) Dog pounds;
- d) Industrial uses light;
- e) Industrial uses general;
- f) Lumber and building material yards;
- g) Machine or welding shops;
- h) Public garages;
- i) Truck terminals;
- j) Accessory uses.

#### 19.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 19.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	30 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	12.0 m
Minimum Interior Side Yard Depth	7.5 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	9.0 m
Minimum Landscaped Open Space	30 %

### 19.2 SPECIAL USE REGULATIONS

None.

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

#### 19.3.1 Defined Area M2-1 as shown on Schedule "A", Map 12 of this By-law

##### a) Permitted Uses

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

##### b) Prohibited Uses

Retail sale of gasoline and motor fuels.

## SECTION 20 EXTRACTIVE INDUSTRIAL (M3) ZONE REGULATIONS

### 20.1 GENERAL USE REGULATIONS

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

#### 20.1.1 Permitted Uses

- a) Pits;
- b) Agricultural uses;
- c) Accessory uses.

#### 20.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 20.1.3 Zone Provisions

Zone Provision	Excavation of a Pit	Buildings, plants, structure or product stockpiles accessory to the pit and located on the pit property
Minimum Lot Area	No requirement	No requirement
Minimum Lot Frontage	No requirement	No requirement
Maximum Lot Coverage (includes accessory buildings and structures)	No requirement	No requirement
Maximum Building Height	No requirement	No requirement
Minimum Front Yard Depth	30.0 m	30.0 m
Minimum Interior Side Yard Depth	15.0 m	30.0 m
Minimum Exterior Side Yard Depth	15.0 m	30.0 m
Minimum Rear Yard Depth	15.0 m	30.0 m

### 20.2 SPECIAL USE REGULATIONS

#### 20.2.1 Minimum Setback from Residential

From an occupied dwelling: 60 metres  
From a Residential or Institutional zone: 60 metres

#### 20.2.2 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.

### 20.3 EXCEPTIONS - EXTRACTIVE INDUSTRIAL (M3) ZONE

None.

## SECTION 21

## VILLAGE INDUSTRIAL (M4) ZONE REGULATIONS

### 21.1 GENERAL USE REGULATIONS

No land shall be used, or no buildings or structures shall be erected altered or used in the Industrial (M4) Zone except in accordance with the following regulations:

#### 21.1.1 Permitted Uses

- a) Bulk sales establishments;
- b) Contractor's yards;
- c) Industrial uses light;
- d) Industrial uses general;
- e) Lumber and building materials yards;
- f) Machine or welding shops;
- g) Motor vehicle sales establishments;
- h) Public garages;
- i) Truck terminals;
- j) Accessory uses.

#### 21.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 21.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	2,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	65 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	9.0 m
Minimum Interior Side Yard Depth	8.0 m where the use abuts a Residential or Parkland Zone  5.0 m all other cases
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	15.0 m where the use abuts a Residential or Parkland Zone  7.5 m all other cases

### 21.2 SPECIAL USE REGULATIONS

#### 21.2.1 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.

#### 21.2.2 Buffer Strips

Where a Village Industrial (M4) Zone abuts any Residential Zone, a buffer strip as provided in Section 4.26 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.

**21.3 EXCEPTIONS - VILLAGE INDUSTRIAL (M4) ZONE**

**21.3.1 Defined Area M4-1 as shown on Schedule “B”, Map 1 of this By-law**

**a) Permitted Uses**

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

**b) Prohibited Uses**

More than one dwelling unit.

**21.3.2 Defined Area M4-2 as shown on Schedule “B”, Map 1 of this By-law**

**a) Minimum Lot Area**

2,875 m<sup>2</sup>.

**b) Permitted Uses**

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

**21.3.3 Defined Area M4-3 as shown on Schedule “B”, Map 1 of this By-law (By-law 2015-34)**

**a) Permitted Uses**

Office, general.

## SECTION 22 INSTITUTIONAL (I) ZONE REGULATIONS

### 22.1 GENERAL USE REGULATIONS

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

#### 22.1.1 Permitted Uses

- a) Clinics;
- b) Schools, private and public;
- c) Places of worship;
- d) Nursing homes or rest homes;
- e) Day care centres;
- f) Indoor recreation facilities;
- g) Community centres;
- h) Government buildings;
- i) Funeral homes;
- j) One dwelling unit or single detached dwelling;
- k) Accessory uses.

#### 22.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 22.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	1,500 m <sup>2</sup> where a public water supply is not available
	700 m <sup>2</sup> where a public water supply is available
Minimum Lot Frontage	26.0 m where a public water supply is not available
	20.0 m where a public water supply is available
Maximum Lot Coverage (includes accessory buildings and structures)	40 %
Maximum Building Height	12.0 m
Minimum Front Yard Depth	7.5 m
Minimum Interior Side Yard Depth	3.0 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	7.2 m where a public water supply is not available
	5.0 m where a public water supply is available

### 22.2 SPECIAL USE REGULATIONS

#### 22.2.1 Buffer Strips

Where an Institutional (I) Zone abuts any Residential Zone, a Buffer strip as provided in Section 4.26 shall be provided and the minimum width of the buffer strip shall be not less

than 1.5 metres.

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

**22.3.1 Defined Area I-1 as shown on Schedule “B” Map 2 of this By-law**

**a) Minimum Front Yard**  
3.5 metres.

**b) Minimum Side Yard**  
No requirement.

**22.3.2 Defined Area I-2 as shown on Schedule “B” Map 2 of this By-law (By-law 2018-16)**

**a) Permitted Uses**  
All uses permitted in the I Zone, except nursing home or rest home; senior citizen dwelling, one dwelling unit or single detached dwelling.

## SECTION 23 OPEN SPACE (OS) ZONE REGULATIONS

### 23.1 GENERAL USE REGULATIONS

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:

#### 23.1.1 Permitted Uses

- a) Agricultural uses;
- b) Campgrounds;
- c) Cemeteries;
- d) Conservation areas;
- e) Fairgrounds;
- f) Forestry uses;
- g) Game preserves;
- h) Golf courses;
- i) Parks, public or private;
- j) Rifle ranges and trap shooting ranges;
- k) Accessory Uses;
- l) One dwelling unit or single detached dwelling as an accessory use.

#### 23.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 23.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20 %
Maximum Building Height	No requirement
Minimum Front Yard Depth	18.0 m
Minimum Interior Side Yard Depth	7.5 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	7.5 m

### 23.2 SPECIAL USE REGULATIONS

#### 23.2.1 Dwelling Units

- a) An accessory dwelling unit shall:
  - i. Have a minimum floor area of 90.0 m<sup>2</sup>
  - ii. 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 Defined Area OS-1 as shown on Schedule "A", Map 9 of this By-law

##### a) 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 Defined Area OS-2 as shown on Schedule “A”, Map 9 of this By-law**

**a) Permitted Uses**

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

**23.3.3 Defined Area OS-3 as shown on Schedule “C”, Map 1 of this By-law**

**a) Permitted Uses**

A fairground and an agricultural use.

**23.3.4 Defined Area OS-4 as shown on Schedule “F”, Map 1 of this By-law**

**a) Permitted Uses**

- i. Campground;
- ii. Private park;
- iii. One dwelling unit or single detached dwelling as an accessory use.

**b) Special Use Regulations**

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

**23.3.5 Defined Area OS-5 as shown on Schedule “A”, Map 9 to this By-law**

**a) Permitted Uses**

Conservation Use.

## SECTION 24 PARKLAND (P) ZONE REGULATIONS

### 24.1 GENERAL USE REGULATIONS

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:

#### 24.1.1 Permitted Uses

- a) Parks, public or private;
- b) Conservation areas;
- c) Dwelling unit for a caretaker or workman whose presence on the premises is necessary at all times;
- d) Accessory uses.

#### 24.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 24.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20 %
Maximum Building Height	No requirement
Minimum Front Yard Depth	7.5 m
Minimum Interior Side Yard Depth	7.5 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	7.5 m

### 24.2 SPECIAL USE REGULATIONS

#### 24.2.1 Building Regulations

Any buildings erected in a Parkland (P) Zone shall comply with Section 4.37 of this By-law respecting parking requirements.

### 24.3 EXCEPTIONS - PARK AND RECREATION (P) ZONE

#### 24.3.1 Defined Area P-1 as shown on Schedule "F", on Map 1 of this By-law

##### a) Permitted Use

One (1) single detached dwelling in accordance with the lot and yard regulations of Section 9 of the Zoning By-law.

## SECTION 25 LAKESHORE RECREATION (LR) ZONE REGULATIONS

### 25.1 GENERAL USE REGULATIONS

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:

#### 25.1.1 Permitted Uses

- a) One seasonal single detached dwelling on one lot;
- b) One bed and breakfast establishment or vacation home;
- c) Campgrounds;
- d) Conservation areas;
- e) Golf courses;
- f) Marinas;
- g) Mobile home parks;
- h) Parks, public or private;
- i) Accessory Uses;
- j) Commercial uses as an accessory use;
- k) One dwelling unit as an accessory use.

#### 25.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 25.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	20 %
Maximum Building Height	No requirement
Minimum Front Yard Depth	18.0 m
Minimum Interior Side Yard Depth	7.5 m
Minimum Exterior Side Yard Depth	7.5 m
Minimum Rear Yard Depth	7.5 m

### 25.2 SPECIAL USE REGULATIONS

None.

### 25.3 EXCEPTIONS - LAKESHORE RECREATION (LR) ZONE

None.

## SECTION 26 ENVIRONMENTAL PROTECTION (EP) ZONE REGULATIONS

### 26.1 GENERAL USE REGULATIONS

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

#### 26.1.1 Permitted Uses

- a) Conservation areas;
- b) Forestry uses;
- c) Parks, public or private;
- d) Accessory uses;
- e) Agricultural uses.

#### 26.1.2 Prohibited Uses

- a) Buildings and structures

#### 26.1.3 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 26.1.4 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	No requirement
Maximum Building Height	No requirement
Minimum Front Yard Depth	No requirement
Minimum Interior Side Yard Depth	No requirement
Minimum Exterior Side Yard Depth	No requirement
Minimum Rear Yard Depth	No requirement

### 26.2 SPECIAL USE REGULATIONS

None.

### 26.3 EXCEPTIONS - ENVIRONMENTAL PROTECTION (EP) ZONE

None.

## SECTION 27 PUBLIC UTILITY (U) ZONE REGULATIONS

### 27.1 GENERAL USE REGULATIONS

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:

#### 27.1.1 Permitted Uses

- a) Flood and erosion controls;
- b) Utility stations;
- c) Highway maintenance yards;
- d) Municipal waste disposal sites.

#### 27.1.2 Permitted Buildings and Other Structures

- a) Buildings and structure for the permitted uses;
- b) Accessory buildings and structures for the permitted uses, subject to Section 4.2.

#### 27.1.3 Zone Provisions

Zone Provision	Main Building
Minimum Lot Area	4,000 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Maximum Lot Coverage (includes accessory buildings and structures)	No requirement
Maximum Building Height	No requirement
Minimum Front Yard Depth	No requirement
Minimum Interior Side Yard Depth	No requirement
Minimum Exterior Side Yard Depth	No requirement
Minimum Rear Yard Depth	No requirement

### 27.2 SPECIAL USE REGULATIONS

None.

### 27.3 EXCEPTIONS – PUBLIC UTILITY (U) ZONE

None.

## **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: Deleted

T2: One (1) mobile home or one (1) park model home in conjunction with a farm operation intended as a supplementary farm dwelling;

T3: Deleted

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” as described by the Province;

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                  Defined Area RS-T4 as shown on Schedule “A”, Map 16 to this By-law (By-law 2016-42 – expires June 8, 2026)**

##### **a) 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.

#### **28.2.2                  Defined Area A1-T4 as shown on Schedule “A”, Map 9 to this By-law (By-law 2018-25 – expires March 28, 2038)**

##### **a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed twenty (20) years from the day of the passing of the By-law (that being the 28th day of March 2018) 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.

#### **28.2.3                  Defined Area A1-T4 as shown on Schedule “A”, Map 10 to this By-law (By-law 2018-44 – expires July 11, 2038)**

**a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed twenty (20) years from the day of the passing of the By-law (that being the 11th day of July 2018) 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.

**28.2.4 Defined Area A1-T4 as shown on Schedule “A”, Map 16 to this By-law (By-law 2020-19 – expires March 11, 2040)**

**a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed twenty (20) years from the day of the passing of the By-law (that being the 11th day of March 2020) 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.

**28.2.5 Defined Area RS-T1 as shown on Schedule “A”, Map 4 to this By-law (By-law 2020-20 – expires March 11, 2021).**

**a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed one (1) year from the day of the passing of the By-law (that being the 11th day of March 2020) 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.

**28.2.6 Defined Area HR-T4 as shown on Schedule “C”, Map 1 to this By-law (By-law 2020-36 – expires May 27, 2040)**

**a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed twenty (20) years from the day of the passing of the By-law (that being the 27th day of May 2020) 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.

**28.2.7 Defined Area A1-T1 as shown on Schedule “A”, Map 14 to this By-law (By-law 2021-45 – expires June 9, 2024)**

**a) End Date**

The period of time for which this By-law shall be in effect, shall not exceed three (3) years from the day of the passing of the By-law (that being the 9th day of June 2021) 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.

**28.2.8 Defined Area A3-2-T1 as shown on Schedule “A”, Map 3 to this By-law (By-law 2022-21 – expires February 9, 2023)**

**b) End Date**

The period of time for which this By-law shall be in effect, shall not exceed one (1) year from the day of the passing of the By-law (that being the 9th day of February 2022) 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.