

**TOWNSHIP OF EAST GARAFRAXA
ZONING BY-LAW
60-2004**



Township Consolidation
January 2011

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SCHEDULE "A"	LAND USE	
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	A-2	Orton

SCHEDULE "B"	MDSI	
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SCHEDULE "C"	MDSII	
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SECTION 1 ADMINISTRATION

1.1 TITLE

This By-law may be referred to as "The Zoning By-law of the Township of East Garafraxa."

1.2 AREA AFFECTED BY THIS BY-LAW

This By-law applies to all lands and lands under water within the Township of East Garafraxa.

1.3 BUILDING PERMITS

The requirements of this By-law must be met before a Building Permit is issued for the erection, additions to or alteration of any building or structure.

1.4 ENFORCEMENT

Any person convicted of a violation of this By-law is liable on first conviction to a fine of not more than \$25,000, and on a subsequent conviction to a fine of not more than \$10,000, for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted in accordance with The Planning Act.

Any Corporation convicted of violation of this By-law is liable on first conviction to a fine of not more than \$50,000, and on a subsequent conviction to a fine of not more than \$25,000, for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted in accordance with The Planning Act.

If any buildings or structures or any part thereof is to be erected, altered, reconstructed or extended, or any lot is being used or is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Municipality pursuant to the provisions of The Planning Act, R.S.O. 1990 and/or the Municipal Act, R.S.O. 1990 and/or any other legislation applicable.

1.5 SEVERABILITY PROVISION

A decision of a Court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 REPEAL OF EXISTING BY-LAWS

Upon this By-law coming into force and effect, By-law No. 21/82 of the Township of East Garafraxa and all amendments thereto are hereby repealed.

1.7 EFFECTIVE DATE

This By-law shall come into force the day that it was passed where there are no appeals filed, or where appeals are filed, where all of the appeals are finally disposed of by the Ontario Municipal Board.

1.8 USE OF LAND, BUILDINGS AND STRUCTURES

No lands, buildings or structures within the area covered by this By-law shall be used for any purpose except as otherwise permitted by this By-law. Any use of land defined in this By-law but not specifically permitted in any zone is prohibited by the By-law.

1.9 APPLICATION OF OTHER REGULATIONS

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other by-law of the Township of East Garafraxa or any other Federal or Provincial regulation that may affect the use of lands, buildings or structures in the Township.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ZONES

For the purposes of this By-law, the following zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone below:

A	-	Agricultural
RU	-	Rural
RR	-	Rural Residential
ER	-	Estate Residential
HR	-	Hamlet Residential
CG	-	General Commercial
CH	-	Highway Commercial
RE	-	Recreational
I	-	Institutional
M1	-	Industrial
MX	-	Extractive Industrial
MD	-	Waste Disposal
OS	-	Open Space
EP	-	Environmental Protection

2.2 ZONE SCHEDULE

The zones and zone boundaries are shown on the attached Schedule "A", "A-1, and "A-2" which form part of this By-law and are comprised of a series of maps.

2.3 SPECIAL ZONES

Where a zone symbol is followed by a dash and a number, (for example RM-1) there are special provisions that apply to the zone. These special provisions are contained in the section of the By-law that applies to the primary zone.

2.4 DETERMINING ZONE BOUNDARIES

- i) A zone boundary shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or lane.
- ii) A zone boundary shown approximately in the centre line of a street or lane is considered to be the centre line of the street or lane.
- iii) Unless the location of a zone boundary is specified by dimensions on the zoning map, a zone boundary which lies within a lot shall be fixed by the scale of the Schedule upon which it is shown.
- iv) A zone boundary shown following approximately a shoreline of a river or the centre line of a creek, stream or channel is considered to be the

shoreline or centre line and moves with any natural change in the shoreline.

- v) Where lands have not been identified as being in a zone on the Schedules, they shall be deemed to be in the Open Space (OS) Zone.

2.5 COMPLIANCE WITH ZONING BY-LAW

No person shall change the use of any building, structure or land, or erect or use any building or structure or occupy any land or building, except in accordance with the provisions of this By-law.

Any use not specifically permitted by this By-law shall not be permitted in the Township of East Garafraxa.

No person shall use any land or locate any building or structure such that the uses, buildings or structures on other lands would no longer comply with the provisions of this By-law.

2.6 HOLDING PROVISIONS

Where a zone symbol is followed by a dash and the letter "H" (for example: M1-H), the lands shall only be used for existing uses and the expansion of those uses as of the date of adoption of this By-law.

Council may pass a By-law pursuant to Section 36 of the Planning Act R.S.O. 1990 to remove the Holding (H) symbol, thereby placing the lands in the zone indicated by the zone symbol when all of the applicable following requirements have been met:

- i) the appropriate sanitary services and water supply have been approved to service the land;
- ii) all conditions of consent or subdivision have been fulfilled;
- iii) where the lands are subject to site plan control under Section 41 of the Planning Act R.S.O. 1990, a site plan agreement in accordance with the provisions of the Planning Act has been registered on the title of the lands;
- iv) where a development agreement has been registered on title of the lands; and
- v) the required permits from all other approval agencies have been issued.

SECTION 3 GENERAL PROVISIONS

3.1 APPLICATION

The provisions of this section of the By-law shall apply to all lands within the Township of East Garafraxa unless otherwise specified.

3.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

3.2.1 Permitted Uses

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

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

Legal non-conforming uses shall be permitted to have accessory uses, buildings and structures in accordance with the provisions in this section of the By-law and the provisions of the applicable zone.

For the purposes of this By-law a barn shall be considered as a principle building in an Agricultural or Rural Zone.

3.2.2 Setback and Yard Requirements

Except as otherwise provided herein, in all Zones any accessory building or structure, which is detached from the principle building, shall be erected in compliance with the yard and setback requirements of the zone in which such building is located, but shall not be closer to the front lot line or exterior side lot line than the principle building on the lot.

Within an Agricultural, Rural, Rural Residential and Open Space Zones, a permitted accessory building shall be permitted in the front yard and exterior side yard provided that the building meets the front yard and exterior side yard requirements of the zone in which it is located.

3.2.3 Lot Coverage and Height

Unless otherwise specified in this By-law the total lot coverage of all accessory buildings and structures, except swimming pools, shall be 10 percent and the maximum height of any accessory building or structure shall be 4.5 metres.

Within a Commercial or Industrial Zone, the total lot coverage of all accessory buildings or structures shall not exceed 40 percent of the total area of the principle building. The height of any accessory building or structure shall not exceed the height restrictions of the respective Zone.

3.2.4 Accessory Structure Encroachments

Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothes poles, garden trellises, retaining walls less than 1.0 metres above the average finished grade, fences, signs or similar uses which comply with the By-laws of the Township, shall be permitted in any required interior side or rear yard.

Swimming pools shall be constructed in accordance with the requirements of the By-law for Accessory Buildings and Structures except that no water circulating or pumping equipment shall be located closer than 3.0 metres to any side or rear lot line.

Satellite antennas exceeding 1.0 metres in diameter shall be required to meet the applicable yard requirements for principle uses in a Zone.

Windmills and wind turbine generators exceeding a blade span greater than 2 metres shall be required to meet the applicable yard requirements for principle uses in a zone.

3.2.5 Fire Escapes

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes may encroach into any required rear yard a maximum distance of 1.5 metres.

3.2.6 Garages or Other Accessory Buildings or Structures

Notwithstanding the yard and setback provisions of this By-law to the contrary, a detached private garage or other accessory building or structure may be erected and used in an interior side or rear yard, provided that the following requirements are met.

i) Interior Side Yard

Where such accessory building or structure is located in an interior side yard, it shall not be closer than 1.5 metres to the interior side lot line.

ii) Rear Yard

Where such accessory building or structure is located in a rear yard, it shall not be closer than 1.5 metres to the rear lot.

iii) Distance from Main Building

Where such accessory building or structure is located in a side or rear yard, it shall not be closer than 2.0 metres from the main building.

3.2.7 Decks, Steps, Balconies or Patios

Notwithstanding the yard and setback provisions of this By-law, to the contrary, decks, steps, balconies and patios may project into any required yard or setback a maximum distance of 2.0 metres, but shall not be closer than 1.5 metres to any lot line. Where the floor of any porch, balcony or deck is in excess of 1.0 metres above finished grade, the side yard and rear yard requirements for the principal building shall apply.

3.2.8 Garden Suite

Garden suites may be permitted as a temporary use in the Agricultural, Rural and Rural Residential zones that permit a dwelling unit provided that:

- i) the unit is occupied by an immediate family member of the occupant of the primary residential use;
- ii) the lot has sufficient sewage and water services to accommodate the unit;
- iii) the unit does not exceed 55 square metres;
- iv) Council has passed a temporary use By-law under Section 39 of the Planning Act; and,
- v) there is an agreement between the owner and Township that provides for the removal of the building when it is no longer required.

3.2.9 Gate House in Industrial Zone

Notwithstanding the yard and setback provisions of this By-law, to the contrary, in an Industrial Zone, a gate house not exceeding 9.0 square metres shall be permitted in a required front or side yard or in the area between the street line and the required yard.

3.2.10 Ornamental Structures and Windows

Notwithstanding the yard and setback provisions of this By-law to the contrary, sills, chimneys, cornices, eaves, gutters, parapets, pilasters, windows or other ornamental structures may project into any required yard a maximum distance of 0.6 metres.

3.2.11 Outdoor Furnaces

Outdoor furnaces shall only be permitted on lots having a minimum area of 1.0 hectare, shall have a minimum stack height of 2.8 metres and shall be setback not less than 15 metres to any lot line and shall not be permitted in the front yard.

3.3 ACCESS ON IMPROVED PUBLIC STREET

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

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in a registered Plan of Subdivision where a properly executed Subdivision Agreement has been entered into with the Township, notwithstanding that the street or streets will not be assumed by the Township until the end of the maintenance period.

3.4 ESTABLISHED BUILDING LINE IN RESIDENTIAL ZONE

Notwithstanding any other provisions of this By-law, to the contrary, where a dwelling is to be erected in a Residential Zone between existing dwellings on the same street, such dwelling may be built with a front yard and setback equal to the average yard of the adjacent dwellings on the same side of the street within 100 metres of the lot provided that the dwelling to be erected is not located within 18 metres of the center line of a public street.

3.5 HEIGHT EXCEPTIONS

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection, alteration, or use of a barn or silo, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a radio or television tower or antenna, an air conditioner duct, a grain elevator, incidental equipment required for processing, external equipment associated with internal equipment or machinery and conveying equipment, which exceeds the maximum height requirements provided the main or principal use is permitted within the zone in which it is located and provided all other applicable provisions of this By-law are complied with.

Minimum setbacks from any lot line for all towers shall be 1.5 times the tower height.

3.6 HOME INDUSTRY

Where a home industry is permitted as an accessory use to a single detached dwelling the following provisions shall apply:

- i) In addition to persons living on the premises not more than two (2) employees shall be engaged in the home industry.
- ii) Such home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140 square metres.

- iii) There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metres.
- iv) There shall be no outside storage of goods, materials or articles .
- v) Only currently licensed motor vehicles, associated with the home industry may be parked or stored on the lot only in an interior side or rear yard.
- vi) A boarding kennel shall not be permitted as a home industry.

3.7 HOME OCCUPATION

Where a home occupation is permitted the following provisions shall apply:

- i) In addition to persons living on the premises not more than one (1) employee shall be engaged in the business and working from the dwelling. In the case of a dentist, doctor or other health care providers there may be one additional provider in a home occupation.
- ii) There shall be no display, other than a non-illuminated sign having a maximum surface area of 0.5 square metres.
- iii) There shall be no goods, wares, or merchandise offered for sale or rent on the premises other than what is produced on the premises.
- iv) There shall be no outside storage of goods, materials, containers or animal enclosures used in conjunction with the home occupation.
- v) Not more than 25 percent of the gross floor area not including the basement of the dwelling shall be used for the purposes of the home occupation, and such home occupation shall be conducted entirely within the dwelling.
- vi) There shall be no mechanical or other equipment used except that which is customarily used in a dwelling for domestic or household purposes or for use by a hairdresser or barber, dentist, drugless practitioner, physician, or other professional person.
- vii) A home occupation shall not include a boarding or lodging house, an eating establishment, or a facility offering accommodation or meals.
- viii) A home occupation shall be secondary to the principle residence and shall not change the residential character of the lot.
- ix) One home occupation only shall be permitted in conjunction with a single detached dwelling.
- x) Parking for the home occupation shall be limited to four spaces located in the side or rear yard only.

3.8 LOADING SPACE REQUIREMENTS

3.8.1 Loading Space

Loading spaces are required under this By-law, in accordance with the Loading Space Requirement Table set forth herein, and the owner of every commercial or industrial building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain loading and unloading spaces on the lot accordingly. For the purposes of this By-law, each loading or unloading space shall be 15 metres in length, 3.5 metres in width and have a vertical clearance of at least 4.3 metres.

3.8.2 LOADING SPACE REQUIREMENT TABLE

Gross Floor Area of Building	Loading Spaces Required
Less than 300 square metres	None
300 square metres to 2300 square metres or less	1 space
Exceeding 2300 square metres but not exceeding 7400 square metres	2 spaces
Exceeding 7400 square metres	1 space for each additional 7400 square metres.

3.8.3 Access

Access to loading spaces shall be by means of a driveway of at least 3.5 metres in width contained on the lot on which the spaces are located and leading to an improved year round maintained public road.

3.8.4 Loading Space Surface

Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface that is treated to prevent the raising of dust. Such loading facilities shall, before being used, be surfaced with asphalt, concrete, or crushed stone, gravel or brick and shall include provisions for drainage facilities.

3.8.5 Location

Required loading spaces shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 20 metres.

3.8.6 Additions to or Change in Use of Existing Buildings

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased by more than 300 square metres. If an addition is made to the building or structure which increases the gross floor area or the use of the building changes, then additional loading spaces shall be provided as required by this Section, in accordance with the provisions of Section 3.8.2, the Loading Space Requirement Table, for such addition.

3.9 MOBILE HOMES

Mobile homes may be used as dwelling units only as an accessory dwelling in an Agricultural Zone by a temporary use By-law passed by Council that permits accessory dwellings where they meet the following requirements:

- a) the structure shall be constructed to C.S.A. Standards for mobile homes or park model trailers;
- b) the structure shall have at least 65 square metres of ground floor area;
- c) the structure shall be completely enclosed from the surface of the finished grade to the roof; and,
- d) the structure shall be fully serviced with running water, electricity and sanitary sewage facilities.

Building permits are required for the placement of mobile homes on any lands.

3.10 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the zone provisions of this By-law for the applicable zone as if it were a separate lot. The lot area and lot frontage requirements of the most restrictive zone on the lot shall be applied to the entire lot. This section shall not be applied for the purposes of allowing additional dwelling units that would not otherwise be permitted by this by-law.

3.11 NON-CONFORMING USES

3.11.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such existing lot, building or structure was lawfully used for such purpose, prior to the effective date of this By-law and provided that the lot, building or structure continues to be used for that purpose. Where the use ceases to exist for a period of two years, the use will be deemed to have been discontinued.

3.11.2 Permitted Exterior Extension, Alteration and Reconstruction

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a purpose not permissible within the zone in which it is located, prior to the effective date of this By-law, shall not be enlarged, extended more than 0.2 metres, reconstructed or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such zone.

3.11.3 Permitted Interior Alteration

The interior of any building or structure which was lawfully used for a purpose not permissible within the zone in which it is located prior to the effective date of this By-law, may be reconstructed or structurally altered, in order to render the building or structure more convenient for the existing purpose for which it was lawfully used.

3.11.4 Restoration To A Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing, legal non-conforming building or structure or part thereof, provided that the strengthening or restoration does not increase the building height, size or volume or change the existing, lawful use of such existing building or structure unless these changes are necessary to provide for flood proofing.

3.11.5 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law, of any building or structure, the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected.

3.12 NON-COMPLYING LOTS, BUILDINGS, STRUCTURES AND USES

3.12.1 Permitted Buildings or Structures

Where a building or structure is located on a lot having less than the minimum frontage and/or lot area, and/or having less than the minimum setback and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, repaired and/or renovated provided that:

- i) the enlargement, reconstruction, repair and/or renovation does not further reduce the deficient front yard, and/or side yard and/or rear yard and/or lot coverage;
- ii) the building or structure is being used for a purpose permissible within the zone in which it is located; and,
- iii) all other applicable zone provisions of this By-law are complied with.

3.12.2 Reconstruction of Existing Building

Nothing in this By-law shall apply to prevent the reconstruction of any permitted building which is accidentally damaged or destroyed by causes beyond the control of the owner. Such permitted building may be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law provided that the reconstruction occurs within 24 months of the damage being done, but the non-compliance may not be further increased.

3.12.3 Existing Undersized Lots of Record

Where a lot, created by consent or plan of subdivision having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority, such smaller lot may be used and a permitted building or structure, may be erected, altered and/or used on such smaller lot provided that the lot is located on a year-round maintained public road and all other applicable zone provisions of this By-law are complied with.

Lots which have been increased in size following passing of this By-law may also be used in accordance with this provision.

3.13 NOXIOUS TRADE

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is defined as a noxious trade, business or manufacture under The Health Protection and Promotion Act, as amended, and the Regulations promulgated there under.

3.14 NUMBER OF DWELLING UNITS ON A LOT

Unless otherwise permitted in this By-law, no more than one dwelling unit shall be permitted on any lot.

3.15 PARKING AREA REGULATIONS

3.15.1 Parking Space Requirements

The owner of land, building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain parking spaces for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises, from time to time.

Parking spaces are required under this By-law, in accordance with Section 3.15.9, the Parking Space Requirement Table. Where the calculation of required spaces exceeds a whole space by more than 0.25, the required spaces shall be the next whole number.

3.15.2 Parking Area Surface

Non-Residential parking spaces and driveways connecting the parking spaces or area with a street shall be maintained with a stable surface that is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of asphalt crushed stone, gravel, concrete or similar material and shall include provisions for drainage facilities.

3.15.3 Ingress and Egress Provisions

- i) Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways of at least 3 metres in width but not more than 9 metres in perpendicular width.
- ii) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
- iii) The minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres.
- iv) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- v) Every lot shall be limited to the following number of driveways, namely:
 - a) up to the first 15 metres of lot frontage, not more than one driveway;
 - b) greater than 15 metres of lot frontage but not more than 30 metres of frontage, not more than two driveways with a combined width not exceeding 30 percent of the lot frontage; and,
 - c) for each additional 100 metres of lot frontage, not more than one additional driveway.
- vi) Parking spaces shall have a minimum width of 3.0 metres and have a minimum area of 18.5 square metres.

3.15.5 More Than One Use on a Lot

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

3.15.6 Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, parking areas shall be permitted in the required yards or in the area between the street line and the required setback.

3.15.7 Additions To, or Changes In, the Use of Existing Buildings and Structures

The parking space requirements referred to herein shall not apply to any building or structure lawfully in existence on the date of passage of this By-law, so long as the gross floor area is not increased and the use or number of dwelling units does not change. If any addition is made to a building or structure which increases its gross floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. Where a change in use occurs, parking spaces shall be provided for such new use in accordance with the requirements of Section 3.16.9, the Parking Space Requirement Table.

3.15.8 Use of Parking Spaces and Areas

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

Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in an Estate Residential or Hamlet Residential Zone may use the lot for the housing of one commercial motor vehicle.

Commercial vehicles that do not exceed a 3500 kg load capacity or a 5.0 metre wheelbase may be parked outdoors on the lot in any zone.

Commercial motor vehicles used in conjunction with a farm and one commercial truck and school bus are permitted in an Agricultural, Rural Residential and Rural Zone provided that in the Rural Residential Zone such vehicle must be parked in the side or rear yard unless it is parked indoors.

3.15.9

PARKING SPACE REQUIREMENT TABLE

TYPE OF NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Assembly Hall, Auditorium, Arena, Community Centre, Place of Worship, Private Club, Theater, Farmers Market, Eating Establishment or Tavern or establishment licensed under the Liquor License Act or other similar places of assembly not otherwise specified herein.	1 parking space for each four persons that may be legally accommodated at any one time, or each 9.0 square metres, whichever is greater.
Eating Establishment, Drive-Through	1 parking space for each 2 square metres or fraction thereof of gross floor area.
Home for the Aged, Nursing Home, Seniors Apartments	1 parking space for each four beds or fraction thereof plus one space per two staff persons
Hotel, Motel, Resort, Cottage or Cabin Establishment, Tourist Establishment or Camping Establishment	1 parking space for each guest room, cottage, cabin or camp site plus one space for each 9.0 sq. m. devoted to a public use.
Residential	1.5 parking spaces per dwelling unit.
Bed and Breakfast	1 parking space per rental room
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 28 square metres of gross floor area.

3.16

PEAT EXTRACTION, PITS AND QUARRIES

The excavation of peat, establishment or operation of pits or quarries is prohibited within the area covered by this By-law, except in the locations permitted by this By-law, and in accordance with the provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, washing, screening, sorting or crushing rock, sand gravel and/or peat except as expressly provided for in this By-law.

3.17

PLANTING STRIPS

3.17.1

Location

Where a lot in an Institutional, Commercial, Industrial or Recreational Zone abuts an interior side or rear lot line of a lot in any Residential Zone, a 3.0 metre wide planting strip adjoining such abutting lot line, or portion thereof, shall be required.

3.17.2 Contents

Such required planting strip shall be used for no other purposes than planting a continuous, unpierced hedgerow of trees, evergreens or shrubs or other natural vegetation, or solid fencing not less than 1.5 metres high, immediately adjacent to the lot line, or portion thereof, where such planting strip is required. The remainder of the planting strip shall be used for no other purpose than the planting of shrubs, flowering shrubs, flower beds, grass or a combination thereof.

3.17.3 Driveways and Walkways

In all cases where ingress and egress, driveways, launching ramps or walkways extend through a required planting strip, it shall be permissible to interrupt the planting strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walkway.

3.17.4 Landscaped Open Space

A planting strip or buffer screen referred to in this Section may form a part of any landscaped open space required by this By-law but shall form part of a required yard.

3.18 PUBLIC USES

3.18.1 Public Services

Except as provided in Section 3.18.2 hereof, the provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public uses provided by the Township, County, or any Public Authority including any Department or Ministry of the Government of Canada or Ontario or any Conservation Authority established by the Government of Ontario and, for the purposes of this section, shall include any utility provider, telephone, or cable company and any natural gas distribution system operated by a Company distributing gas to the residents of the Township, which company possesses all the necessary powers, rights, licenses and franchises. For the purposes of this By-law, public uses shall not include any facility used for residential purposes.

3.18.2 Location Restrictions

Notwithstanding any other provision contained in this By-law to the contrary, where a public use is specifically mentioned as a permitted use within a specific zone classification, then such public use shall only be permitted within that zone or zones and shall comply with the zone provisions of the zone or zones in which the public use is permitted, save and except that there shall be no minimum lot area or lot frontage requirement.

3.18.3 Provisions

- i) No goods, materials or equipment shall be stored outside a building or structure located on the lot, except as may otherwise be permitted under this By-law and shall not be stored closer than 60 metres from a Residential Zone.
- ii) The zone provisions of the zone in which the use is located shall be complied with except as otherwise provided in this By-law;

- iii) The building or structure shall be designed and maintained in general harmony with the uses permitted within the respective zone.

3.18.4 Streets and Service Installations

Nothing in this By-law shall prevent land from being used as a street or highway, or prevent the installation of a watermain, sanitary sewer, storm sewer, gas main, pipeline, overhead or underground hydro, communication line or high voltage electrical facilities owned, operated and maintained by Hydro One or a Public Utilities Commission or their successors, subject to location approval by Township.

3.19 PORTABLE ASPHALT PLANTS

Portable Asphalt Plants shall be permitted accessory to a specific public roads project as a temporary use in an Agricultural and Rural Zone.

3.20 REDUCTION OF REQUIREMENTS

No person shall change the purpose for which any land, building or structure is used or erect any building, structure, or addition to any existing building or structure, or reduce the area of any lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

3.21 RESTRICTIONS ON DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS

Notwithstanding any other provision of this By-law, to the contrary, no dwelling unit shall be located within a portion of a non-residential building which is used to house livestock or has flammable fluids or hazardous materials stored in bulk for commercial purposes or in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a building used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle body shop or a marine or small engines service shop.

3.22 SERVICES REQUIRED

No person shall erect or use a building or structure for a residential use on any lands unless approved sewage disposal and water supply services are available to the lot.

3.23 SIGHT TRIANGLES

On a corner lot fronting on two public roads, within the triangular space formed by the street lines and a line drawn from a point on one street line to a point in the other street line, each such point being 10.0 metres for Township Roads, 15.0 metres for the intersection of a Township and County Road and 30.0 metres for the intersections of two County Roads. Measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in The Highway Traffic Act, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 1.0 metres in height. Such triangular space may hereinafter be referred to as

a "sight triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

3.24 SIGNS

Unless otherwise specified, the provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign having a face area of 10 square metres or less provided such sign complies with the By-laws of the Township and is accessory to the use of the land on which it is located.

Where a sign has a face area of greater than 10 square metres it shall be deemed an accessory structure for the purposes of this By-law. Commercial signs that are not accessory to a use on the lot and shall only be permitted where such structures are specifically permitted by this By-law.

3.25 SPECIAL SETBACKS

3.25.1 Livestock Facilities

Notwithstanding any other yard or setback provisions in this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and otherwise permitted by this By-law shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) calculated using Schedule "B" to this By-law.

Notwithstanding any other yard or setback provision in this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Separation Distance (MDS II) calculated using Schedule C to this By-law. In addition to the MDS requirements above, no specialized agriculture, as defined in this By-law shall be permitted within 500 metres of any lands zoned Hamlet Residential (HR) or Estate Residential (ER).

3.25.2 Street Centre Lines

Where a lot abuts a road allowance less than 20 metres in width, the minimum setback from the street line shall be 10 metres from the centre line of the street plus the required front yard or exterior side yard within the zone.

Where a lot abuts a County Road, the minimum setback shall be 15 metres from the centre line of the street plus the required front yard or exterior side yard within the zone.

3.25.3 Waste Disposal Areas

No habitable building or structure shall be located closer than 250 metres to any land used or formerly used as a waste disposal site.

3.25.4

Watercourses

All buildings or structures shall be located a minimum of 15 metres from the high water mark of any river, stream, creek or municipal drain.

3.25.5

Steep Slopes or Ravines

All buildings or structures shall be located a minimum of 15 metres from the top of bank of a slope in excess of 25 percent.

3.25.6

Wetlands

All buildings and structures shall be located a minimum of 30 metres from the edge of a wetland.

3.26

TEMPORARY CONSTRUCTION USES

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Township on the lot so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section, abandoned shall mean the discontinuation of work for more than 30 consecutive days and/or the failure to maintain a current building permit.

3.27

THROUGH LOTS

Where a lot, which is not a corner lot, has lot frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located.

3.28

TRAVEL TRAILERS AND CAMPERS

3.28.1

Parking and Storage

The parking and storing of travel trailers, motor homes, truck campers and camper trailers shall be prohibited in all Residential Zones except that one trailer, camper or motor home may be stored on the occupant's lot, where a dwelling is in existence on the same lot, but only in the rear or interior side yard, provided that it meets the setbacks for an accessory building.

3.28.2

Use

The use of trailers, travel trailers, recreational vehicles, truck campers, and camper trailers for commercial purposes or habitation shall be prohibited in all Zones except in areas where such use is expressly permitted by this By-law. No other form of trailer or vehicle shall be used for human habitation unless expressly permitted by this By-law.

SECTION 4 ZONE PROVISIONS

4.1 AGRICULTURAL (A) ZONE

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

4.1.1 Permitted Uses

- i) agricultural use
- ii) bed and breakfast establishment
- iii) farm produce sales outlet accessory to a farm
- iv) farm produce storage facility
- v) greenhouse operation
- vi) home occupation
- vii) home industry
- viii) kennel
- ix) resource management activities
- x) riding school or boarding stables
- xi) single detached dwelling
- xii) specialized agriculture not exceeding 450 animal units
- xiii) a second single detached dwelling accessory to a farm on a lot of at least 38 hectares (94 acres) located within 50 m of the existing dwelling.
- xiv) wayside pit or wayside quarry including a portable asphalt plant

4.1.2 Regulations for Permitted Uses

- i) Minimum Lot Area 19 hectares
- ii) Minimum Lot Frontage 150 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 15 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 30 m
- iv) Maximum Lot Coverage 5%
- v) Maximum Height 12 m
- vi) Minimum dwelling unit size 140 sq m

4.1.3 Special Provisions for Livestock Buildings

- i) Minimum interior side yard 30 m

4.1.4 Exceptions

4.1.4.1 Agricultural Exception One (A-1) Zone
(Part of the West Half of Lot 2, Concession 15)

Notwithstanding the provisions of this By-law, to the contrary on lands zoned Agricultural Exception One (A-1), a tea room is a permitted use, in accordance with the following:

- i) For the purposes of this Section a tea room shall mean that part of an existing building where food is prepared and offered for sale to the public for immediate consumption on the premises with a maximum seating capacity of 24 persons.
- ii) No parking space required under Section 3.15.9 shall be located closer than 80 metres from the centre line of County Road 24.

In all other respects, the provisions of this By-law shall apply.

4.1.4.2 Agricultural Exception Two (A-2) Zone
(Part of the South West Half of Lot 5, Concessions XIII, fronting of County Road No. 3)

Notwithstanding the provisions of the Agricultural Zone, to the contrary, on lands zoned Agricultural Exception Two (A-2), a golf driving range not exceeding 4 hectares is a permitted use.

In all other respects, the provisions of this By-law shall apply.

4.1.4.3 Agricultural Exception Three (A-3) Zone
(Part of the West Part of Lot 13, Concession 13)

Notwithstanding the provisions of the Agricultural (A) Zone, to the contrary, lands zoned Agricultural Exception Three (A-3), none of the provisions of the Agricultural (A) Zone shall apply to prevent the use of lands so zoned for an addition onto the rear of the existing dwelling.

In all other respects, the provisions of this By-law shall apply.

4.1.4.4 Agricultural Exception Four (A-4) Zone
(East Part of Lot 12, Concession 16)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Agricultural Exception Four (A-4), in addition to the uses permitted in the Agricultural (A) Zone, open storage of farm equipment, snowmobiles, boats or other similar uses shall be permitted.

In all other respects, the provisions of this By-law shall apply.

4.1.4.5 Agricultural Exception Five (A-5) Zone
(West Part of Lot 4, Concession 16)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Agricultural Exception Five (A-5), the following provisions shall apply:

- a) a kennel is strictly prohibited

- b) Maximum number of animal units shall be 50 units;
- c) Minimum interior side yard to an existing accessory building or structure shall be 3.0 m.

In all other respects, the provisions of this By-law shall apply.

4.1.4.6 Agricultural Exception Six (A-6) Zone
(West Part of Lot 1, Concession 13)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Agricultural Exception Six (A-6), an existing barn is permitted, and no provision shall apply that prevents the addition to the existing barn, extending 19.0 metres closer to the front lot line.

4.1.4.7 Agricultural Exception Seven (A-7) Zone
By-Law 32-2009 East Part of Lot 14 and 15, Concession 9)

Notwithstanding the Minimum Distance Separation requirements for a new expanded livestock facility to a residential dwelling on an adjacent parcel, on lands zoned Agricultural Exception Seven (A-7), the minimum distance separation distance shall be 76.8 metres. In all other respects, the provisions of By-Law 60-2004 shall apply.

Site Plan Control for agricultural livestock operations exceeding 150 nutrient units shall apply, pursuant to Section 9.3.2 of Township Official Plan.

4.2 RURAL (RU) ZONE

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

4.2.1 Permitted Uses

- i) agricultural use
- ii) bed and breakfast establishment
- iii) farm produce sales outlet accessory to an agricultural use
- iv) greenhouse
- v) home industry
- vi) home occupation
- vii) public open space
- viii) resource management activities
- ix) single detached dwelling
- x) veterinary hospital,
- xi) wayside pit or a wayside quarry including a portable asphalt plant
- xii) riding school or boarding stables
- xiii) a kennel on a lot of at least 19 hectares

4.2.2 Regulations for Permitted Uses

- i) Minimum Lot Area 10.0 hectares
- ii) Minimum Lot Frontage 100 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 6 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 30 m
- iv) Maximum Lot Coverage 5 %
- v) Maximum Height 10.5 m
- vi) Minimum Dwelling Floor Area 140 sq m

Special Provisions for Livestock Buildings

- vii) Minimum interior side yard 30 m

4.2.3 Exceptions

4.2.3.1 Rural Exception One (RU-1) Zone By-Law 6-2006 (Concession 14, Part East Part Lot 16)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned Rural Exception (RU-1) the existing house, barn and machinery shed are permitted, notwithstanding Section 4.4.2 Regulations for Permitted Uses and Section 3.25 setbacks.

In all other respects, the provisions of this By-Law shall apply.

4.2.3.2 Rural Exception One (RU-2) Zone
By-Law 36-2007 (Concession 12, Part West Part Lot 4)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned Rural Exception (RU-2) no buildings or structures are permitted notwithstanding Section 4.2.2 Regulations for Permitted Uses.

In all other respects, the provisions of this By-Law shall apply.

4.3 RURAL RESIDENTIAL (RR) ZONE

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

4.3.1 Permitted Uses

- i) single detached dwelling
- ii) bed and breakfast
- iii) home industry
- iv) home occupation
- v) an agricultural use not exceeding 1 animal unit per hectares

4.3.2 Regulations for Permitted Rural Residential Uses

- i) Minimum Lot Area 1.0 hectares
- ii) Minimum Lot Frontage 60 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 6 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 20 m
- iv) Maximum Lot Coverage 5 %
Minimum dwelling floor area 160 sq m
- v) Maximum Height 10.5 m

Special Provisions for Livestock Buildings

- vi) Minimum interior side yard 15 m
- vii) Minimum distance from a dwelling on another lot 60 m
- viii) Livestock buildings shall not be permitted in the Front Yard
- ix) Minimum lot size for livestock buildings 2 ha
- x) Maximum size for livestock building 37 sq m.

4.3.3 Exceptions

4.3.4.1 Rural Residential Exception One (RR-1) Zone
(Part of West Half Lot 9, Concession 15)

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, on lands zoned Rural Residential Exception One (RR-1) a Home Occupation may include the use of a maximum of 47 square metres of the existing accessory building to produce artistic ornamental ironcraft.

In all other respects, the provisions of this By-law shall apply.

4.3.4.2 Rural Residential Exception Two (RR-2) Zone
(Part of the West Half of Lot 5, Concession 9)

Notwithstanding the provisions of the Rural Residential (RR) Zone, to the contrary, on lands zoned Rural Residential Exception Two (RR-2) the following shall apply:

- i) Addition of Permitted Uses:
 - a) A nature shop retail outlet, in an accessory building, selling and displaying bird seed, bird feeders and houses and related accessories, hand crafted gifts and gift baskets containing items such as spices, flavoured oils and vinegars;
 - b) A private picnic area; and
 - c) A nature trail including the display of permitted retail items.
- ii) Notwithstanding the subsection, the existing barn having maximum dimensions of 16 metres by 17 metres may be used to house livestock or fowl.
- iii) A minimum of 6 parking spaces shall be provided.
- iii) Signs, identifying or advertising the Use shall be restricted to a maximum of 2 surface areas, no larger than 3 square metres each, and shall be located a minimum of 5 metres from the front property line.

In all other respects, the provisions of this By-law shall apply.

4.3.4.3 Rural Residential Exception Three (RR-3) Zone
(East Part of Lot 10, Concession 19)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Rural Residential Exception Three (RR-3), the minimum required front yard shall be 25.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.3.4.4 Rural Residential Exception Four (RR-4) Zone
(East Part of Lot 9, Concession 9)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Rural Residential Exception Four (RR-4) the minimum required front yard shall be 22.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.3.4.5 Rural Residential Exception Five (RR-5)
(Part of East Part 4, Concession 15)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Rural Residential Exception Five (RR-5) the minimum required front yard shall be 28.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.3.4.6 Rural Residential Exception Six (RR-6)
(Part of Lot 15, Concession 15)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Rural Residential Exception Six (RR-6) the minimum required front yard shall be 15.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.3.4.7 Rural Residential Exception Seven (RR-7) Zone
(Part of the East Part of Lot 6, Concession 19)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Rural Residential Exception Seven (RR-7), the exterior side yard shall be 15.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.3.4.8 Rural Residential Exception Eight (RR-8) Zone
By-Law 14-2005 (Part of the West Part of Lot 1, Concession 17)

Notwithstanding General Provisions 3.2.3 Height, the maximum height for a 12.2 metre by 21.95 metre accessory building is 6.0 metres.

4.3.4.9 Rural Residential Exception Nine (RR-9) Zone
By-Law 25-2005 (Part of the East Part of Lot 1, Concession 17)

Notwithstanding the provisions of Section 4.3.2 (iv), the maximum lot coverage shall be 10%; and notwithstanding the General Provisions 3.6 Home Industry and Definitions 5.65, total gross floor area for a workshop shall not exceed a maximum of 375 square metres and subject to Site Plan Control.

4.3.4.10 Rural Residential Exception Ten (RR-10) Zone
By-Law 23-2005 (Part of the West Part of Lot 16, Concession 12)

Notwithstanding the provisions of Section 4.3.2 (iv), Minimum dwelling floor area, the permitted minimum dwelling floor area in the RR-10 Zone is 130 sq.m.

4.3.4.11 Rural Residential Exception Eleven (RR-11) Zone
By-Law 33-2005 (Part of the West Part of Lot 5, Concession 13)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-11, the maximum lot coverage shall be 25%;

4.3.4.12 Rural Residential Exception Twelve (RR-12) Zone
By-Law 23-2006 (Part East Part of Lot 22, Concession 9)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-12, the minimum front yard shall be 25 metres.

4.3.4.13 Rural Residential Exception Thirteen (RR-13) Zone
By-Law 40-2006 (Part East Part of Lot 5, Concession 19)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-13:

Section 4.3.2. iii) Minimum Yard Requirements shall be:

- a) Front Yard 18 metres
- b) Rear Yard 8 metres

4.3.4.14 Rural Residential Exception Fourteen (RR-14) Zone
By-Law 43-2006 (Part East Part of Lot 21, Concession 11)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-14, all buildings and structures shall be located a minimum of 15 metres from the edge of a wetland.

4.3.4.15 Rural Residential Exception Thirteen (RR-15) Zone
By-Law 48-2006 (Part West Part of Lot 9, Concession 13)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-15 nothing shall prevent the erection of a three car garage and removable Garden Suite.

4.3.4.16 Rural Residential Exception Thirteen (RR-16) Zone
By-Law 56-2006 (Part West Part of Lot 7, Concession 19)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned RR-15 nothing shall prevent the erection of an addition to the existing dwelling.

Section 4.3.2 iii) Minimum Yard requirement shall be:

- a) Front Yard 17 metres

4.3.4.17 Rural Residential Exception Thirteen (RR-17) Zone
By-Law 24-2008 (Part West Part of Lot 2, Concession 12)

Notwithstanding General Provisions 3.2.3 Height, the Maximum height for a 7.4 metre by 9.2 metre accessory building is 8.0 metres to the peak and shall be permitted within 120 metres setback to a Provincially Significant Wetland.

4.4 ESTATE RESIDENTIAL (ER) ZONE

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

4.4.1 Permitted Uses

- i) home occupation
- ii) single detached dwelling

4.4.2 Regulations for Permitted Uses

- i) Minimum Lot Area 1.0 hectares
- ii) Minimum Lot Frontage 60 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 6 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 15 m
- iv) Maximum Lot Coverage 10%
- v) Maximum Height 10.5 m
- vi) Minimum dwelling floor area 180 sq m

4.4.3 Exceptions

4.4.3.1 Estate Residential Exception One (ER-1) Zone

(Part of Lots 1 and 2, Concession B)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception One (ER-1) the minimum lot frontage shall be 40 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.2 Estate Residential Exception Two (ER-2)

(Part of Lots 1 and 2, Concession B)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception Two (ER-2), the minimum required front yard shall be 20 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.3 Estate Residential Exception Three (ER-3) Zone
(Lot 20, Plan 111, 16 Hilltop Crescent)
By-Law 47-2005 (Lot 74, Plan 7M15, 2 Brookhaven Crescent)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception Three (ER-3), the minimum required front yard shall be 27.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.4 Estate Residential Exception Four (ER-4) Zone
(Lots 18, 19 and 20, Plan 7M-5)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception Four, (ER-4) the minimum required rear yard shall be 6.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.5 Estate Residential Exception Five (ER-5)
(Lot 4, Plan 7M-5)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception Five (ER-5), the minimum exterior side yard shall be 16.0 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.6 Estate Residential Exception Six (ER-6) Zone
(Lot 1, Plan 7M-5)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Estate Residential Exception Six (ER-6), the minimum required front yard shall be 29.5 metres.

In all other respects, the provisions of this By-law shall apply.

4.4.3.7 Estate Residential Exception Seven (ER-7) Zone
(Lots 10, 11, 12, Plan 7M-5)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Seven (ER-7) the minimum lot frontage shall be 39.0 metres.

4.4.3.8 Estate Residential Exception Eight (ER-8) Zone
(Lots 1, 13, 30, 31, 64, 75, 83, Plan 7M-15)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Eight (ER-8) the minimum exterior side yard shall be 20.0 metres.

4.4.3.9 Estate Residential Exception Nine (ER-9) Zone
(Lots 23, 35,36,37, and 38, Plan 7M-15)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Nine (ER-9) the minimum lot frontage shall be 37.0 metres.

4.4.3.10 Estate Residential Exception Ten (ER-10) Zone
By-Law 17-2006 (Lots 85, Plan 7M-15, 48 Brookhaven Crescent)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Ten (ER-10) the minimum front yard shall be 29 metres and rear yard shall be 12.47 metres, notwithstanding the provisions of Section 3.25.6, minimum 30 metres from the edge of a wetland.

In all other respects, the provisions of this by-law shall apply.

4.4.3.11 Estate Residential Exception Eleven (ER-11) Zone
By-Law 39-2006 (Lots 91, Plan 7M-15, 53 Brookhaven Crescent)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Eleven (ER-11) the minimum interior yard requirement shall be 5.9 metres.

In all other respects, the provisions of this by-law shall apply.

4.4.3.12 Estate Residential Exception Twelve (ER-12) Zone
By-Law 44-2006 (Lots 77, Plan 7M-15, 64 Brookhaven Crescent)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Twelve (ER-12), a building envelope less than 30 metres from a wetland is permitted.

In all other respects, the provisions of this by-law shall apply.

4.4.3.13 Estate Residential Exception Thirteen (ER-13) Zone
By-Law 45-2006 (Lots 78, Plan 7M-15, 62 Brookhaven Crescent)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Thirteen (ER-13), a building envelope less than 30 metres from a wetland is permitted.

In all other respects, the provisions of this by-law shall apply.

4.4.3.14 Estate Residential Exception Fourteen (ER-14) Zone
By-Law 46-2006 (Lots 95, Plan 7M-15, 61 Brookhaven Crescent)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Fourteen (ER-14), a building envelope less than 30 metres from a wetland is permitted.

In all other respects, the provisions of this by-law shall apply.

4.4.3.15 Estate Residential Exception Fifteen (ER-15) Zone
(Lots 53, Plan 7M-15, 44 Brookhaven Crescent)

By-Law 57-2006

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Fifteen (ER-15), a building envelope less than 30 metres from a wetland is permitted.

In all other respects, the provisions of this by-law shall apply.

4.4.3.16 Estate Residential Exception Sixteen (ER-16) Zone
(Lots 99, Plan 7M-15, 69 Brookhaven Crescent)

By-Law 13-2007

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Sixteen (ER-16), the minimum setback to a wetland for all buildings and structures shall be 17 metres.

In all other respects, the provisions of this by-law shall apply.

4.4.3.17 Estate Residential Exception Seventeen (ER-17) Zone
(Lots 25, Plan 111, 19 Hilltop Crescent)

By-Law 40-2008

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Estate Residential Exception Seventeen (ER-17) an accessory building may be located closer to the front lot line than the principal building with a front yard setback of 28 metres.

In all other respects, the provisions of this by-law shall apply.

4.5 HAMLET RESIDENTIAL (HR) ZONE

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

4.5.1 Permitted Uses

- i) single detached dwelling
- ii) home occupation

4.5.2 Regulations for Permitted Uses

		private services	municipal services
i)	Minimum Lot Area	1.0 hectares	0.6 hectares
ii)	Minimum Lot Frontage	60.0 m	30 m
iii)	Minimum Yard Requirements		
	a) Front Yard	7.5 m	7.5 m
	b) Interior Side Yard	3.0 m	3 m
	c) Exterior Side Yard	7.5 m	6 m
	d) Rear Yard	7.5 m	6 m
iv)	Maximum Lot Coverage	20%	20%
v)	Maximum Height	10.5 m	10.5 m
vi)	Minimum dwelling unit floor area		140 sq. m.

4.5.3 Exceptions

4.6 GENERAL COMMERCIAL (CG) ZONE

No person shall within any General Commercial (CG) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.6.1 Permitted Uses

- i) accessory dwelling unit attached to and above or behind the principle use
- ii) assembly hall
- iii) banks or financial institutions
- iv) business, professional and administrative offices
- v) clinic
- vi) convenience store
- vii) day nursery
- viii) gas bar
- ix) hotels and motels
- x) parking lot
- xi) personal services shop
- xii) place of amusement
- xiii) place of worship
- xiv) post office
- xv) private club
- xvi) public storage buildings
- xvii) restaurant or tavern
- xviii) retail store
- xix) service shop

4.6.2 Regulations for Permitted Uses

		private services	municipal services
i)	Minimum Lot Area	0.5 hectares	0.2 hectares
	- Minimum Lot Area for accessory dwelling	1.5 hectares	0.5 hectares
ii)	Minimum Lot Frontage	30 m	15 m
iii)	Minimum Yard Requirements		
	a) Front Yard	6 m	6 m
	b) Interior Side Yard	2 m	2 m
	- Interior Side Yard abutting Residential zone or use	6 m	6 m
	c) Exterior Side Yard	6 m	6 m
	d) Rear Yard	7.5 m	6 m
iv)	Maximum Lot Coverage	50%	50%
v)	Minimum Landscaped Open Space	15%	15%
vi)	Maximum Height	10.5 m	10.5 m
vii)	In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required		

- viii) Minimum dwelling unit size 55 sq m

4.6.3 Exceptions

4.6.3.1 General Commercial Exception One (CG-1) Zone (Plan 45, East Half of Lot 5, Concession 13)

Notwithstanding the provisions of the General Commercial Zone to the contrary, on lands zoned General Commercial Exception One (CG-1) the following shall apply:

- i) Minimum setback from the line between Lots 5 and 18 in Plan 45 shall be 4 metres,
- ii) Maximum lot coverage 50%, provided that any lot coverage in excess of 40% consists of greenhouse structures only
- iii) A landscaped open space strip is required along that part of the side lot line between Lots 5 and 18, Plan 45, which abuts a Residential Zone.
- iv) A landscaped open space strip or a solid fence at least 2 metres high is required along the rear lot line between Lots 4, 5 and 10, Plan 45.
- v) A minimum of 7 parking spaces shall be required for Lots 4 and 5, Plan 45.

In all other respects, the provisions of this By-law shall apply.

4.6.3.2 General Commercial Exception Two (CG-2) Zone (Part Lot 5, Plan 45)

Notwithstanding the provision of the General Commercial Zone to the contrary, on lands zoned General Commercial Exception Two (CG-2) the following uses shall apply:

- i) Only permitted uses:
 - a) a single detached dwelling, or a dwelling unit accessory to a permitted non-residential use;
 - b) a public use;
 - c) a retail store;
 - d) a service shop;
 - e) a business or professional office;
 - f) a medical clinic;
 - g) an eating establishment; and
 - h) a general store.
- ii) Minimum lot area
- iii) Minimum lot frontage
- iv) Minimum front yard 7.5 metres
- v) Minimum interior side yard
 - a) abutting a residential zone or use 3 metres
 - b) not abutting a residential zone or use 2 metres
- vi) Minimum rear yard
 - a) abutting a residential zone or use 7.5 metres

- b) not abutting a residential zone or use 4.5 metres
- vii) Maximum lot coverage 40 percent
- viii) Maximum dwellings or dwelling units per lot 1
- ix) Minimum gross floor dwelling or dwelling unit area: 103 square metres
- x) Landscaped open space: a landscaped open space strips shall be required along any section of a rear or side lot line that abuts a residential zone or lot used for residential purposes.

In all other respects, the provisions of this By-law shall apply.

4.7 HIGHWAY COMMERCIAL (CH) ZONE

No person shall within any Highway Commercial (CH) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.7.1 Permitted Uses

- i) accessory detached dwelling or accessory unit(one only)
- ii) building supply and lumber outlet
- iii) commercial greenhouse/nursery sales
- iv) convenience store
- v) equipment sales/rental establishment
- vi) farm implement sales outlet
- vii) farm produce sales outlet
- viii) hotel and motel
- ix) marine or small engine sales and service establishment
- x) motor vehicle body shop
- xi) motor vehicle dealership
- xii) motor vehicle fuel bar or service station
- xiii) public storage facilities
- xiv) recreational establishment
- xv) recreational vehicle sales and service operation
- xvi) restaurant or tavern
- xvii) transportation depot
- xviii) veterinary clinic

4.7.2 Regulations for Permitted Uses

- i) Minimum Lot Area 1.0 hectares
- ii) Minimum Lot Frontage 60 m
- iii) Minimum Yard Requirements
 - a) Front Yard 15 m
 - b) Interior Side Yard 6 m
 - c) Exterior Side Yard 15 m
 - d) Rear Yard 7.5 m
- iv) Maximum Lot Coverage 25%
- v) Minimum Landscaped Open Space 15%
- vi) Maximum Height 10.5 m
- vii) In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required.
- viii) Minimum dwelling unit size 55 sq m

4.7.3 Exceptions

4.7.3.1 Highway Commercial Exception One (CH-1) Zone (Lot 17, Concession 15)

Notwithstanding the requirements of the Highway Commercial Zone, to the contrary on lands designated Highway Commercial Exception One (CH-1) only the following uses shall be permitted:

- i) one single family dwelling or dwelling unit accessory to a permitted use;
- ii) a nursery;
- iii) a garden center;
- iv) a landscaping business;
- v) a greenhouse;
- vi) a retail outlet accessory to a permitted CH-1 use; and
- vii) an open or enclosed storage area for goods or materials.

In all other respects, the provisions of this By-law shall apply.

4.7.3.2 Highway Commercial Exception Two (CH-2) Zone (Part Lots 19 and 20, Concession 13)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Highway Commercial Exception Two (CH-2) the following additional uses are permitted:

- i) bulk fertilizer storage and blending;
- ii) crop testing plots;
- iii) feed and feed manufacturing, storage and bagging;
- iv) grain handling, storage and drying; and,
- v) weigh scale.

In all other respects, the provisions of this By-law shall apply.

4.7.3.3 Highway Commercial Exception Three (CH-3) (Part Lot 14, Concession 16)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Highway Commercial Exception Three (CH-3) the following provisions shall apply:

- a) All residential uses are prohibited.
- b) The minimum required front yard shall not apply to prevent a display area for the sale of agriculturally-related equipment.

In all other respects, the provisions of this By-law shall apply.

4.7.3.4 Highway Commercial Exception Four (CH-4) (Part of Lot 10, Concession 19)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Highway Commercial Exception Four (CH-4) in addition to the permitted uses in the Highway Commercial Zone, a body shop shall be permitted.

In all other respects, the provisions of this By-law shall apply.

4.7.3.5 Highway Commercial Exception Five (CH-5) Repealed By-Law 61-2006

4.7.3.6 Highway Commercial Exception Six (CH-6)

By-Law 61-2006

(Part East Part Lot 6, Concession B)

Notwithstanding any other provision of By-Law 60-2004 to the contrary, on lands zoned Highway Commercial Exception Six (CH-6) the following uses shall apply.

- i) Business, professional and administrative offices
- ii) Manufacturing, processing, laboratory or assembly within an enclosed building

In all other respects, the provisions of this By-law shall apply.

4.8 BUSINESS PARK (BP) ZONE

No person shall within any Business Park (BP) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.8.1 Permitted Uses

- i) assembly hall
- ii) building supply and lumber outlet
- iii) bulk fuel depot
- iv) business, professional and administrative office
- v) clinic
- vi) convenience store
- vii) day nursery
- viii) equipment sales/rental establishment
- ix) farm implement sales outlet
- x) farm produce sales outlet
- xi) feed mill
- xii) gas bar
- xiii) hotel and motel
- xiv) manufacturing, processing, laboratory or assembly within an enclosed building
- xv) marine or small engine sales and service establishment
- xvi) motor vehicle dealership
- xvii) motor vehicle fuel bar or service station
- xviii) motor vehicle repair garage
- xix) place of worship
- xx) post office
- xxi) private club
- xxii) public storage facilities
- xxiii) recreational establishment
- xxiv) recreational vehicle sales and service operation
- xxv) restaurant or tavern
- xxvi) retail sales accessory to a permitted use not exceeding 35 per cent
- xxvii) service shop
- xxviii) veterinary clinic
- xxix) warehouse including self storage

4.8.2 Regulations for Permitted Uses

- | | | |
|------|-------------------------------|--------------|
| i) | Minimum Lot Area | 0.8 hectares |
| ii) | Minimum Lot Frontage | 60 m |
| iii) | Minimum Yard Requirements | |
| | a) Front Yard | 15 m |
| | b) Interior Side Yard | 6 m |
| | c) Exterior Side Yard | 15 m |
| | d) Rear Yard | 7.5 m |
| iv) | Maximum Lot Coverage | 25% |
| v) | Minimum Landscaped Open Space | 20% |
| vi) | Maximum Height | 10.5 m |

- vii) In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required.

4.8.3 Exceptions

4.8.3.1 Business Park Exception One (BP-1)
(Part Lots 7 and 8. Concession A)

Notwithstanding the provisions of the Business Park (BP) Zone, to the contrary, on lands zoned Business Park Exception One (BP-1) the following shall apply:

- a) The following additional uses shall be permitted:
 - i) banquet hall;
 - ii) dry cleaning or laundry outlet;
 - iii) egg grading establishment;
 - iv) parking garage, structure or lot;
 - v) assembly plant;
 - vi) truck or bus storage terminal;
 - vii) nursery greenhouse or garden center;
 - viii) open or enclosed storage of goods and materials accessory to a permitted use;
 - ix) boarding house;
 - x) publishing establishment;
 - xi) public garage;
 - xii) funeral home;
 - xiii) general store;
 - xiv) wholesale use accessory to a permitted use;
 - xv) commercial club;
 - xvi) fabricating establishment;
 - xvii) wholesaling;
 - xviii) sale, repair and servicing of agricultural equipment; and
 - xvix) public use.

- b) The following regulations shall apply:

i)	Minimum Lot Area	nil
ii)	Minimum lot frontage	nil
iii)	Minimum front yard	15 metres
iv)	Minimum Exterior Side Yard	15 metres
v)	Minimum Interior side yard abutting a residential use or zone shall be	7.5 metres
vi)	Minimum interior side yard not abutting a residential use or zone shall be	3 metres
vii)	Minimum rear yard abutting a residential use or zone shall be	15 metres
viii)	Minimum rear yard not abutting a residential zone or use shall be	7.5 metres
ix)	Maximum lot coverage shall be	30 percent
x)	Maximum building height	
xi)	Maximum height of accessory storage	5 metres

In all other respects, the provisions of this By-law shall apply.

4.8.3.2 Business Park Exception Two (BP-2) Zone
(West Part of Lot 7, Concession A)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Business Park Exception Two (BP-2), the parking of vehicles used in a trucking business shall be permitted, subject to the following additional provisions:

- i) Maximum width of parking area 61.0 m.
- ii) Maximum depth of parking area 107.0 m.

In all other respects, the provisions of this By-law shall apply.

4.9 RECREATIONAL (RE) ZONE

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

4.9.1 Permitted Uses

- i) golf course
- ii) outdoor recreation area
- iii) private recreational park
- iv) resource management activities
- v) an accessory detached dwelling

4.9.2 Regulations for Permitted Uses

- i) Minimum Lot Area 4.0 hectares
- ii) Minimum Lot Frontage 150 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 15 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 30 m
- iv) Maximum Lot Coverage 5%
- v) Minimum Landscaped Open Space 50%
- vi) Maximum Height 10.5 m
- vii) In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required.

4.9.3 Exceptions

4.9.3.1 Recreation Exception One (OS-1) Zone

(Part of the East Half of Lots 16 and 17, Concession 14)

Notwithstanding any other provision of this By-law, to the contrary, on lands zoned Recreation One (RE-1) a campground, having a maximum of 100 camp sites shall be permitted.

In all other respects, the provisions of this By-law shall apply.

4.10 INSTITUTIONAL (I) ZONE

4.10.1 Permitted Uses

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

- i) ambulance station
- ii) cemetery
- iii) community centre including a banquet hall
- iv) day nursery
- v) fire station
- vi) library
- vii) municipal office and public works yard
- viii) nursing home
- ix) place of worship
- x) school

4.10.2 Regulations for Permitted Uses

		private services	municipal services
i)	Minimum Lot Area	1.0 hectares	0.4 hectares
ii)	Minimum Lot Frontage	60 m.	30m
iii)	Minimum Yard Requirements		
	a) Front Yard	6 m.	6 m
	b) Interior Side Yard	3 m.	3 m
	d) Exterior Side Yard	6 m.	6 m
	d) Rear Yard	7.5 m.	6 m
iv)	Maximum Lot Coverage	25%	25%
v)	Minimum Landscaped Open Space	10%	10%
vi)	In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required.		

4.10.3 Exceptions

By-Law 20-2010

Institutional Exception One (I-1) Zone

Notwithstanding the provision of Section 4.10.2 Minimum Lot Frontage shall not apply to lands zoned Institutional Exception One (I-1)

In all other respects, the provisions of this by-law shall apply.

4.11 INDUSTRIAL (M1) ZONE

No person shall within any Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.11.1 Permitted Uses

- i) building supply and lumber outlet
- ii) business, professional and administrative office
- iii) bulk fuel depot
- iv) concrete batching plant and product manufacturing
- v) contractors yard
- vi) equipment sales and services
- vii) feed mill
- viii) manufacturing, processing, laboratory or assembly within an enclosed building
- ix) motor vehicle repair garage
- x) motor vehicle body shop
- xi) outside storage
- xii) retail sales accessory to a permitted use not exceeding 35 per cent of the total floor area
- xiii) telecommunications tower
- xiv) transmission towers and hydro-electric substations
- xv) transportation depot
- xvi) warehouse including self storage
- xvii) workshop

4.11.2 Regulations for Permitted Uses

- i) Minimum Lot Area 0.8 hectares
- ii) Minimum Lot Frontage 60 m
- iii) Minimum Yard Requirements
 - a) Front Yard 15 m
 - b) Interior Side Yard 6 m
 - c) Exterior Side Yard 15 m
 - d) Rear Yard 7.5 m
- iv) Maximum Lot Coverage 25%
- v) Minimum Landscaped Open Space 20%
- vi) Maximum Height 10.5 m
- vii) In any yard abutting a Residential Zone a planting strip of at least 3.0 metres shall be required.

4.11.3 Exceptions

4.11.3.1 Industrial Exception One (M1-1)
(Part of the West Half of Lot 19, Concession XIII)

Notwithstanding the provisions of the Industrial (M1) Zone, to the contrary, on lands zoned Industrial Exception One (M1-1), the following shall apply:

- i) Minimum Interior side yard 2 metres
- ii) Minimum rear yard 2 metres

In all other respects, the provisions of this By-law shall apply.

4.12 EXTRACTIVE INDUSTRIAL (MX) ZONE

No person shall within any Extractive Industrial (MX) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.12.1 Permitted Uses

- i) farm
- ii) pits
- iii) peat extraction
- iv) portable asphalt or concrete batching plant
- v) quarries
- vi) resource management activities
- vii) wayside pits and quarries

4.12.2 Regulations for Permitted Uses

- i) Minimum Lot Area 8.0 hectares
- ii) Minimum Lot Frontage 200 m
- iii) Minimum Yard Requirements (from limit of extraction) or buildings or structures
 - a) Front Yard 30 m
 - b) Interior Side Yard 15 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 15 m
- iv) Minimum Setback from a Residential Lot 120 m
- v) Maximum Lot Coverage (Buildings and Structures) 1%
- vi) Minimum Landscaped Open Space 10%
- vii) Maximum Height 12 m
- viii) In any yard abutting a Residential Zone a planting strip of at least 30.0 metres shall be required.

4.12.3 Exceptions

4.12.3.1 Extractive Industrial Exception One (MX-1) Zone

(Part of Lot 2, Concession 17 and Part of Lot 2, Concession 18, West Half of Lot 2, Concession 16)

Notwithstanding the provisions of this By-law to the contrary, on lands zoned Extractive Industrial Exception One (MX-1), to the contrary, the following provisions shall apply:

- i) Minimum setback for extraction of sand or gravel to any street line or any lot line abutting a Residential zone or use shall be 30 metres.

- ii) Minimum setback for extraction of sand or gravel to any other lot line shall be 15 metres.
- iii) Minimum setback for processing plant from any street line shall be 30 metres.
- iv) Minimum setback for processing plant from any lot line abutting a Residential Zone or use shall be 90 metres.
- v) Minimum setback for processing plant from any other lot line shall be 30 metres.

In all other respects, the provisions of this By-law shall apply.

4.13 WASTE DISPOSAL INDUSTRIAL (MD) ZONE

No person shall within any Waste Disposal Industrial (MD) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.13.1 Permitted Uses

- i) recycling facility
- ii) solid waste disposal or management facility

4.13.2 Regulations for Permitted Uses

- i) Minimum Lot Area 4.0 hectares
- ii) Minimum Lot Frontage 100 m
- iii) Minimum Yard Requirements
 - a) Front Yard 60 m
 - b) Interior Side Yard 60 m
 - c) Exterior Side Yard 60 m
 - d) Rear Yard 60 m
- iv) Maximum Lot Coverage 75%
- v) Minimum Landscaped Open Space 20%
- vi) Maximum Height 12 m
- vii) In any yard abutting a Residential Zone a planting strip of at least 30.0 metres shall be required.

4.13.3 Exceptions

4.14 OPEN SPACE (OS) ZONE

No person shall within an Open Space (OS) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.14.1 Permitted Uses

- i) cemetery
- ii) public park and accessory structures
- iii) public recreation centre
- iv) resource management activities

4.14.2 Regulations for Permitted Uses

- i) Minimum Lot Area 0.2 hectares
- ii) Minimum Lot Frontage 30 m
- iii) Minimum Yard Requirements
 - a) Front Yard 30 m
 - b) Interior Side Yard 30 m
 - c) Exterior Side Yard 30 m
 - d) Rear Yard 30 m
- iv) Maximum Lot Coverage 1%
- v) Minimum Landscaped Open Space 50%
- vi) Maximum Height 10.5 m

4.14.3 Exceptions

4.15 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall, within any Environmental Protection (EP) Zone erect, alter or use any building or structure except in accordance with the following provisions:

4.15.1 Permitted Uses

- i) existing agricultural use
- ii) conservation
- iii) passive public recreation such as hiking and bird watching
- iv) resource management
- v) existing uses buildings and structures

4.15.2 Regulations for Permitted Uses

No buildings or structures including accessory buildings or structures with the exception of pumphouses and buildings and structures for flood and erosion are permitted in the Environmental Protection (EP) Zone.

4.15.3 Exceptions

4.15.3.1 Environmental Protection Exception One (EP-1) Zone

By-Law 28-2006 (Lot 86, Plan 7M-15, 46 Brookhaven Crescent)

Notwithstanding any other provision of this by-law to the contrary, on lands zoned Environmental Protection Exception One (EP-1) a residential dwelling with attached garage shall be permitted.

In all other respects, the provision of this By-Law shall apply.

4.15.3.2 Environmental Protection Exception Two (EP-2) Zone

By-Law 10-2008 (Part West Part Lot 20, Concession 12, Pcl. 5)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Environmental Protection Exception Two (EP-2), a detached garage shall be permitted with a height of 6.0 metres.

In all other respects, the provisions of this by-law shall apply.

4.15.3.3 Environmental Protection Exception Three (EP-3) Zone

By-Law 13-2009 (East Part Lot 1 and 2, Concession 19)

Notwithstanding any other provision of this By-Law to the contrary, on lands zoned Environmental Protection Exception Three (EP-3), a riding arena shall be permitted.

In all other respects, the provisions of this by-law shall apply.

SECTION 5 DEFINITIONS

5.1 ACCESSORY

A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure.

5.2 AGRICULTURE, SPECIALIZED

The use of lands buildings and structures for the propagation of special crops or for the practice of intensive livestock rearing including poultry and fur bearing animals within a building or a feed lot, where the number of livestock units according to Table 1 of Schedule C, exceeds 150 or 5 livestock units per hectare.

5.3 AGRICULTURAL BUILDING

Any building or structure customarily used in connection with a farm other than a residence.

5.4 AGRICULTURAL USE

Any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, horticultural nurseries and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the premises except specialized agricultural uses as defined herein.

5.5 AIRPORT

The use of lands, buildings or structures for the purposes of air transportation services.

5.6 ANIMAL SHELTER

Lands and buildings used for the keeping of animals, birds or other livestock and may include the premises of a veterinary surgeon.

5.7 ASSEMBLY HALL

A building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a bingo hall, a banquet hall, private club or fraternal organization.

5.8 ATTACHED

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

5.9 BANQUET HALL

A building or part thereof, used for the gathering of groups of people for a specific function including the consumption of food and drink and shall include full kitchen facilities

5.10 BASEMENT

That portion of a building below the first floor and which is partly underground as defined in the Building Code.

5.11 BED AND BREAKFAST

A commercial use within a single detached dwelling wherein not more than three rooms are rented and meals are served to overnight guests for commercial purposes.

5.12 BIOSOLID DISPOSAL

The spreading or placement of biological waste that has been partially treated in a sewage treatment facility or waste vegetable materials including food waste or by products of food production on lands in the Township.

5.13 BOARDING HOUSE

A dwelling in which the proprietor supplies for a fee sleeping accommodation with board for at least three persons and not more than ten persons exclusive of the proprietor, members of the proprietor's family and servants of the establishment but does not include a hostel.

5.14 BOARDING STABLE

Lands and buildings used for the boarding of horses for commercial purposes and may include the riding of horses but shall not include a commercial riding school or equestrian event facility.

5.15 BUILDING

A structure consisting of walls, roof and floor or a structural system serving the same purpose as defined in the Building Code and including carports and cloth, plastic or vinyl materials supported by structural frames but does not include awnings.

- 5.16 BUILDING SUPPLY AND LUMBER OUTLET**
- A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements.
- 5.17 BULK FUEL DEPOT**
- Lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales except key lock operations.
- 5.18 BUSINESS, PROFESSIONAL OFFICE OR ADMINISTRATIVE OFFICE**
- A building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization.
- 5.19 CAMPING ESTABLISHMENT**
- Lands used for the parking and temporary use for at least five (5) campsites occupied by tents, trailers, motor homes, truck campers and recreational vehicles and accessory uses and facilities such as administrative offices, sanitary facilities, recreational facilities and an accessory convenience store.
- 5.20 CAMP SITE**
- A parcel of land within a camping establishment that is maintained as a site for the location and temporary occupation of a tent, travel trailer, motor home, recreational vehicle or truck camper, but not a mobile home.
- 5.21 CELLAR**
- A portion of a building below the first storey floor which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling or to the underside of the floor joints of the first floor, the average finished grade level adjacent to the exterior walls of the building and having a floor to ceiling height of less than 1.8 m. (6.0 ft.) or as otherwise defined in the Building Code.
- 5.22 CEMETERY**
- The land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.
- 5.23 CHIEF BUILDING OFFICIAL**
- The official employed by the Township appointed under the Building By-law or pursuant to the provisions of The Building Code Act, S.O., 1992 c.23, as amended, and shall include any Inspector likewise employed and appointed.

- 5.24 CLINIC**
- An establishment used by two or more qualified health practitioners including physicians, dentists, chiropractors, physiotherapists and their staff for the purposes of consultation, diagnosis and office treatment.
- 5.25 COMMUNITY CENTRE**
- Any tract of land or building, or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof and may include an auditorium, swimming pool, arena and fitness centre.
- 5.26 COMMUNITY FACILITY**
- Any facility, place or building which is maintained and operated to provide services for residents of the community.
- 5.27 CONSERVATION**
- The wise use, protection and rehabilitation of natural resources according to principles that will assure their highest economic social and environmental benefits.
- 5.28 CONTRACTOR'S YARD**
- A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 5.28 CONVENIENCE STORE**
- A retail commercial establishment, not exceeding 200 square metres of gross floor area, supplying groceries and other daily household necessities to the surrounding area, whether or not such store is open for business seven (7) days a week or not.
- 5.30 CORPORATION**
- The Corporation of the Township of East Garafraxa.
- 5.31 COUNCIL**
- The Council of the Corporation of the Township of East Garafraxa
- 5.32 CRISIS CENTRE**
- Crisis residence shall mean a single housekeeping unit licensed or funded by the Province of Ontario for the short term (averaging 30 days or less) accommodation of three to nine persons, exclusive of staff, living under supervision and who, by reason of either emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

- 5.33 DAY NURSERIES**
- A day nursery operated for children within the meaning of the Day Nurseries Act, as amended.
- 5.34 DECK**
- Deck shall mean a structure above the ground cantilevered from a dwelling unit or supported by the ground and open to the sky, located 0.3 metres or more above finished grade.
- 5.35 DWELLING**
- A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently.
- 5.36 DWELLING, ACCESSORY**
- A use, separate building, or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.
- 5.37 DWELLING, APARTMENT**
- A separate building containing three or more dwelling units sharing a common corridor or stair well.
- 5.38 DWELLING, DUPLEX**
- The whole of a two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 5.39 DWELLING, SEMI-DETACHED**
- The whole of a building divided vertically into two separate dwelling units.
- 5.40 DWELLING, SINGLE DETACHED**
- A detached building containing one dwelling unit only.
- 5.41 DWELLING, TOWNHOUSE**
- A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

5.42 DWELLING, TRIPLEX

The whole of a building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

5.43 DWELLING UNIT

A combination of rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed in accordance with the Building Code and C.S.A. A-277 Regulations.

5.44 DWELLING UNIT, ACCESSORY

A separate dwelling unit which is contained in a building which was originally designed as a single family dwelling and continues to be occupied by the owner or a separate building located on lands where a dwelling unit is accessory to the principle use.

5.45 ERECT

To build, construct, reconstruct, alter or relocate including any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

5.46 ESTABLISHED BUILDING LINE

The average distance from the road line to existing buildings measured not more than 100 metres on either side of the lot on the same size of the street where the frontage has been built upon, as of the date of passing of this By-law.

5.47 EXISTING

Legally existing, being a reality or an actuality as of the date of passing of this By-law.

5.48 FARM

Any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chickens, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; riding stables; the raising of sheep or goats; the raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture not including a specialized farm as defined. "Farm" includes a single-family dwelling house, and such principle or main buildings and structure as a barn or silo, as well as accessory buildings and structures which are incidental to the operation of the farm.

5.49 FARM IMPLEMENT SALES OUTLET

The use of land, buildings or structures for the commercial sale, storage or repair of equipment and machinery directly associated with the farming operations and activities.

5.50 FARM PRODUCE SALES OUTLET

A building not exceeding 20 sq m or structures and lands accessory to an agricultural use on the same lot where agricultural goods, produce and products grown or produced on lands used for agricultural purposes by the owner of the produce stand are made available for sale to the public.

5.51 FINISHED GRADE

The average elevation of the finished surface of the ground at the natural ground level measured on any side of an existing building or structure.

5.52 FIRST STOREY

The storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade or as defined in the Building Code.

5.53 FLOOR AREA, GROSS

The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

5.54 FLOOR AREA, GROUND

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a single detached dwelling, any private garage, carport, porch, verandah or sunroom (unless such sunroom is habitable at all seasons of the year).

5.55 GARAGE, PRIVATE

A detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

5.56 GARDEN SUITE

A one unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

5.57 GAS BAR

Lands and buildings used for the purpose of providing fuel and automotive fluids for sale to the public but excluding automotive service or sales.

5.58 GAZEBO

A freestanding roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

5.59 GOLF COURSE

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

5.60 GREENHOUSE

A building for the growing of flowers, plants, shrubs, trees and similar vegetation which may be transplanted or grown outdoors on the same lot containing such greenhouse, and may be sold directly from such lot at wholesale or retail but shall not include selling any accessory items.

5.61 GROUP HOME

A single housekeeping unit in a residential dwelling in which 3 to 6 unrelated residents excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents and includes a home licensed or approved under the Provincial statute as a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, Children's Residence, Accommodation Services for the Developmentally Handicapped, Satellite Residences for Seniors and Homes for Physically Disabled Seniors, in compliance with municipal by-laws.

5.62 HEAVY EQUIPMENT SALES AND RENTAL

A building or part of a building or structure in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.63 HEIGHT OF BUILDINGS

The vertical distance, measured between the average natural or finished grade at the front of the building, whichever is the lesser, and:

- a) In the case of a flat roof, the highest point of the roof surface;

- b) In the case of a mansard roof, the deck roof line; and
- c) In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

5.64 HIGH WATER MARK

The mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

5.65 HOME INDUSTRY

Any occupation conducted entirely within a building or part of a building accessory to a single detached dwelling house, a part of a dwelling unit that includes processing, assembly, manufacturing or a workshop within an area not to exceed 140 square metres in gross floor area and shall not include outdoor storage.

5.66 HOME OCCUPATION

An occupation or profession related to the provision of services, carried on primarily by the occupant of a dwelling within his/her dwelling as an accessory use in connection with which there is no display, no stock in trade nor commodity sold upon the premises, which is not produced on the premises, and no outdoor storage.

5.67 HOTEL

A building or part of a building that contains a general kitchen and dining room and other public rooms, the remaining rooms of which contain no provision for cooking, and are usually hired by transients as places of abode; and includes a hostel for men or women.

5.68 IMPROVED PUBLIC ROAD

A road or highway under the jurisdiction of the Province of Ontario, County of Dufferin or the Township or a private road within a registered Plan of Condominium which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a municipal road is a road which has been constructed to municipal standards.

5.69 KENNEL

An establishment for the keeping, breeding and raising of domesticated animals for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and or recovery necessary to veterinary treatment.

5.70 LANDSCAPED OPEN SPACE

The open space from ground to sky at grade on a lot accessible by walking and which is suitable for the growth and maintenance of grass, flowers, trees, bushes, natural vegetation and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

5.71 LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

5.72 LOADING SPACE

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

5.73 LOT

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

- a) Which is a whole lot within a Registered Plan of Subdivision, or lot within a Registered Plan of Condominium other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50(4) of The Planning Act R.S.O. 1990 as amended; or
- b) Which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity or redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or
- c) The description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 53 of The Planning Act, R.S.O. 1990, as amended.
- d) Which is the whole remnant remaining to an owner or owners after a conveyance is made with final consent pursuant to Section 53 of The Planning Act, R.S.O. 1990, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or

acquired by the Township of East Garafraxa, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada; or,

5.74 LOT AREA

The total horizontal area within the lot lines of a lot excluding the area of land covered with water.

5.75 LOT, CORNER

A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets.

5.76 LOT COVERAGE

The percent of the lot area covered by buildings or structures excluding parking areas, driveways, decks and walkways but including structures and buildings constructed appertaining to the lot.

5.77 LOT FRONTAGE

The continuous horizontal distance of the front lot line between the side lot lines measures at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a line that is 7.5 metres back from and parallel to a continuous straight line, joining the two points where the side lot lines intersect with the front lot line.

5.78 LOT, INTERIOR

A lot other than a corner lot.

5.79 LOT LINE

Any boundary of a lot. For the purpose of this By-law, any combination of lines that meet at an interior angle of not greater than 135 degrees shall be deemed to be one line.

5.80 LOT LINE, EXTERIOR

The side lot line which abuts the road on a corner lot.

5.81 LOT LINE, FRONT

- a) Where a lot abuts a municipally maintained road the lot line abutting the municipal road shall be deemed the front lot line.
- b) In the case of a corner lot or through lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a road or shall be deemed an exterior side lot line, but,
- c) In the case of a corner lot or through lot with two lot lines of equal length abutting roads, the lot line that abuts the wider street shall be

deemed to be the front lot line, but where the roads are of equal width, the lot line which abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both roads being under the same jurisdiction and of the same width, the owner of the lot may designate which road line shall be the front lot line.

- d) In the case where a lot abuts only a road cul-de-sac, all of the frontage on the road cul-de-sac shall be deemed to be the front lot line.

5.82 LOT LINE, REAR

The lot line farthest from or opposite to the front lot line

5.83 LOT LINE, SIDE

A lot line other than a front or rear lot line.

5.84 LOT, THROUGH

A lot bounded on opposite sides by streets.

5.85 MANUFACTURING, LIGHT

The assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4500 litres per day, chemical by-products or utilize and area for outdoor storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.

5.86 MANUFACTURING, PROCESSING AND ASSEMBLY

The assembly, finishing preparation, repair, treating or fabrication of goods and materials including storage and packaging.

5.87 MOBILE HOME

Any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with CSA Z240 or Z241 but does not include a park model home, travel trailer or tent trailer or trailer otherwise designed.

5.88 MODULAR HOME

Any dwelling that is designed in more than one unit and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor vehicle as defined herein. A modular home shall meet C.S.A. A-277 standards.

5.89 MOTEL

A structure containing a series of living or sleeping units with individual interior sanitary conveniences, including motor courts or tourist courts. All required parking is at grade and direct access is available from the parking area to the individual units.

5.90 MOTOR VEHICLE

An automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act, as amended.

5.91 MOTOR VEHICLE, COMMERCIAL

Any commercial motor vehicle within the meaning of The Highway Traffic Act, as amended.

5.92 MOTOR VEHICLE BODY SHOP

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

5.93 MOTOR VEHICLE DEALERSHIP

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

5.94 MOTOR VEHICLE FUEL BAR

One or more pump islands, each consisting of one or more motor vehicle fuel pumps, and a shelter, which shall include the sale of oils, antifreeze, gasoline additives, propane, natural gas and small accessories required for the operation of motor vehicles, boats and snowmobiles and shall not be used for repairs, oil changes or greasing.

5.95 MOTOR VEHICLE REPAIR GARAGE

A building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle

service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

5.96 MOTOR VEHICLE SERVICE STATION

A building or structure where gasoline, propane, natural gas, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such shall require public washrooms.

5.97 MUNICIPAL, DISTRICT OR PROVINCIAL MAINTENANCE AND/OR PUBLIC WORKS YARD

Any land, building and/or structure owned by the Corporation of the Township of East Garafraxa, Public Utilities provider or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

5.98 NON-COMPLYING

A lot, building or structure that does not fulfill the requirements of the zone provisions for the zone in which the lot, building, structure is located.

5.99 NON-CONFORMING

An existing use or activity on premises maintained and operated for persons requiring nursing care, and which is licensed under The Nursing Homes Act, as amended.

5.100 NUTRIENT MANAGEMENT PLAN

A plan prepared for the disposal of manure and other waste products of a farming operation that has been approved by the appropriate authority having jurisdiction.

5.101 OUTDOOR RECREATION AREA

Lands and buildings used for the purposes of downhill skiing, cross country skiing, bicycling, hiking, and other sports activities that rely on the natural landscape but shall not include the racing of animals, motor vehicles, motor cycles or snowmobiles.

5.102 OUTSIDE STORAGE

Any accessory storage outside of a principle or main building or structure on the lot.

5.103 PARK, PRIVATE RECREATIONAL

An open space or recreational area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a) Areas for walking, riding, and cross-country skiing, but does not include the racing of animals, or riding motorized vehicles;
- b) Accessory recreational or playground areas such as picnic areas, tennis courts, lawnbowling greens, outdoor skating rinks, athletic fields;
- c) An accessory club house or storage building of a maximum of 75 sq. m.; and,
- d) Parking lots accessory to the foregoing.

5.104 PARK, PUBLIC

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, or similar uses.

5.105 PARKING AREA

An area or areas of land or a building or part thereof which is provided and maintained upon the same lot or lots upon which the principle use is located for the purpose of storing motor vehicles.

5.106 PARKING LOT

A parking area forming the principle use of a lot.

5.107 PARKING SPACE

An area having a minimum width of 3 metres and a minimum area of 18.5 square metres, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles.

5.108 PATIO

A platform or surfaced area without a roof, the surface of which is not more than 0.3 metres above finished grade, which is designed and intended for use as an accessory to a dwelling or a commercial use.

- 5.109 PERSON**
- Any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a person to whom the context can apply according to law.
- 5.110 PIT**
- Any lands where unconsolidated gravel, stone, sand, earth, clay, fill, peat or other earthen material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 5.111 PLACE OF WORSHIP**
- Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses. recognized in the Province of Ontario
- 5.112 PLACE OF AMUSEMENT**
- Any premises or separate part of a premises wherein for profit or gain, two or more amusement machines are provided for use by the public.
- 5.113 PLANTING STRIP**
- An open space free of buildings or structures which is used for no other purpose than planting a continuous, unpierced hedgerow of trees, evergreens or shrubs, or other natural vegetation having a minimum height of 1.5 metres.
- 5.114 PORTABLE PROCESSING PLANT**
- Any equipment for the crushing, screening or washing of sand and gravel aggregate materials, but not including a concrete batching plant or an asphalt plant, which equipment is capable of being readily drawn or readily propelled by a motor vehicle and which equipment is not considered permanently affixed to the site.
- 5.115 PRINCIPLE OR MAIN BUILDING**
- Any building which is carried on the principle purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.
- 5.116 PRIVATE CLUB**
- A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.
- 5.117 PRIVATE ROAD**
- A private right-of-way over private or public property which affords access to abutting lots and is not maintained by a public body.
- 5.118 PROVINCIAL HIGHWAY**

A public improved road under the jurisdiction of the Ministry of Transportation.

5.119 PUBLIC AUTHORITY

Any Federal, Provincial, District or Municipal agencies, and includes any commission, board, authority or department established by such agency and shall include Ontario Hydro, and Bell Canada or their successors.

5.120 QUARRY

Any lands where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

5.121 RECREATIONAL ESTABLISHMENT

Premises where entertainment is offered for gain or profit such as a motion picture or other theatre, public hall, billiard or pool rooms, an establishment offering three or more electronic games for public use, bowling alley, ice or roller skating rink, miniature golf course and all other similar places of amusement.

5.122 RESOURCE MANAGEMENT

The preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's use, both in the present and the future. Resource Management Uses also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

5.123 RESTAURANT

A building or part of a building where food is offered for sale or sold to the public primarily for immediate consumption.

5.124 RETAIL STORE

A building or part of a building where goods, wares, merchandise, substances or articles, are offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, or articles sufficient only to service such stores but does not include any retail outlet otherwise classified or defined in this By-law.

- 5.125 RIDING SCHOOL OR BOARDING STABLE**
- An area of land and buildings which are used as an educational or recreational centre for horse training, handling, care, or for the lodging of horses.
- 5.126 SALVAGE OR WRECKING YARD**
- A place where motor vehicles are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and a place where used lumber and used building materials are collected, stored for sale or resale.
- 5.127 SAWMILL**
- A building, structure or areas where timber is cut or sawed to finished lumber.
- 5.128 SCHOOL**
- A public school, a separate school, a university, a community college or a private school authorized by the Province of Ontario.
- 5.129 SERVICE SHOP**
- A building or part of a building, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for accessory retail sales.
- 5.130 SERVICE SHOP, PERSONAL**
- A building or part of a building in which persons are employed in furnishing services and otherwise administering to individual and personal needs of patrons such as barber shops, beauty parlours, dry cleaning outlets, hair dressing shops, photograph studio and shoe repair shops.
- 5.131 SETBACK**
- The horizontal distance from the centre line of the street right-of-way, or defined physical feature measured at right angles to such centre line, to the nearest part of any building or structure on the lot.
- 5.132 SEWAGE**
- The waste water and matter from any use.
- 5.133 SEWAGE SERVICES OR FACILITY**
- Any works by a public authority for the collection, transmission, storage, treatment and disposal of sewage.

- 5.134 SITE TRIANGLE**
- The triangular space formed by the street lines on a corner lot and drawn from the point of one street line to the other street line at a specified distance from the intersection of the street lines.
- 5.135 STORAGE FACILITY, PUBLIC**
- Lands and buildings used, rented or leased to persons for the storage of household and personal items, including recreational vehicles and automobiles, within in separate units forming part of a wholly enclosed building.
- 5.136 STOREY**
- A storey is that part of a building between the surface of one floor and the ceiling above. However, a cellar does not count as a storey.
- 5.137 STREET LINE**
- The limit of the street or road allowance and is the dividing line between a lot and street or road.
- 5.138 STRUCTURE**
- Anything man-made that is fastened to or into the earth or another structure or rests on the earth by its own mass.
- 5.139 TAVERN**
- A tavern or public house as defined by The Liquor License Act, but does not include a hotel or restaurant.
- 5.140 TENT**
- Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.
- 5.141 TOP OF BANK**
- A point of line which is the beginning of a significant change in the land surface, thence from which the land surface slopes downward towards an abandoned or existing watercourse. Where two or more slopes are located together, the slope that is highest and furthest away from the watercourse shall be the slope considered the top of bank.
- 5.142 TOWNSHIP**
- The Corporation of the Township of East Garafraxa
- 5.143 TRAILER**
- A vehicle that is at any time drawn upon a highway by a motor vehicle, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate

vehicle and not part of the motor vehicle by which it is drawn and, for the purposes of this By-law, does not include a mobile home or a park model home.

5.144 TRAILER, TRAVEL OR TENT

Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment permanently attached and a current license and is not permanently affixed to the ground.

5.145 TRANSPORTATION DEPOT

Any building or land where buses, trucks or tractor-trailers are rented, leased, kept for hire, stored or parked for commercial purposes.

5.146 USE

- a) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

5.147 UTILITY PROVIDER

Any agency, which under public or private ownership, provides the public with electricity, gas, heat, rail transportation, water, sewage, collection or other public service.

5.148 VEHICLE

A motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric or steam railways running only upon rails.

5.149 VEHICLE, RECREATIONAL

A vehicle designed to provide temporary living accommodation but does not include a mobile home, travel trailer or other vehicle defined herein.

5.150 VETERINARY HOSPITAL

The premises of a veterinary surgeon where animals are treated or kept.

5.151 WAREHOUSE

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 per cent of the gross floor area, but shall not include a truck or transport terminal or yard.

5.152 WASTE DISPOSAL AREA

A land fill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped.

5.153 WATERCOURSE

The natural or man-made bed and shore of a river, lake, stream or creek where the primary focus is the conveyance or containment of water whether the flow is continuous or not.

5.154 WATER TAKING, COMMERCIAL

The extraction on water from ground or surface water sources in excess of 50,000 litres per day for resale.

5.155 WAYSIDE PIT OR QUARRY

A temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

5.156 WORKSHOP

A building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a plumbing and electrical contractor's or a heating /air conditioning contractor's shop, a commercial welder's shop, or similar uses.

5.157 YARD

Any open unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line.

5.158 YARD, FRONT

A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required, or the nearest open storage use on the lot, or the edge or rim of an excavation.

5.159 YARD, REAR

A yard extending across the full width of the lot between the rear lot line and the nearest wall of any building, or the nearest open storage use on the lot, or the edge or rim of an excavation on the lot for which the yard is required.

5.160 YARD, REQUIRED

The minimum yard required by the provisions of the By-law.

5.161 YARD, SIDE

A yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building on the lot for which the yard is required.

5.162 YARD, SIDE EXTERIOR

A side yard immediately adjoining a public street.

5.163 YARD, SIDE INTERIOR

A side yard other than an exterior side yard.

5.164 ZONE

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

5.165 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zone provisions are set out within the By-law for the respective Zones.

**SECTION 6
ENACTMENT**

6.1 FORCE AND EFFECT

This By-law shall come into force and effect on the date it is passed by the Council of the Corporation of the Township of East Garafraxa subject to the applicable provisions of The Planning Act, R.S.O. 1990, c. P. 13, as amended.

6.2 READINGS BY COUNCIL

THIS BY-LAW READ A FIRST TIME ON THE 14th day of DECEMBER 2004.

THIS BY-LAW READ A SECOND TIME ON THE 14th day of DECEMBER 2004

THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED ON THE 14th day of DECEMBER 2004

MAYOR: J. Earl Lennox

(MUNICIPAL SEAL)

CLERK: Susan M. Stone

6.3 CERTIFICATION

I hereby that the foregoing is a true copy of Zoning By-law No. _____ as enacted by the Council of the Corporation of the Township of East Garafraxa, on the _____ day of _____, 2004.

CLERK: _____

SCHEDULE “B” – MDS 1

SCHEDULE C – MDS II