

THE ZONING BY-LAW OF NORFOLK COUNTY 1-Z-2014

COUNTY APPROVED: JULY 14, 2014

O.M.B. ORDERS: 1) APRIL 10, 2015 – PL141006
 2) JULY 22, 2015 – PL141006

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Consolidation copy as of January 1, 2021



ZONING BY-LAW OF NORFOLK COUNTY



The Corporation of Norfolk County By-Law 1-Z-2014

Being a By-Law to regulate the use of lands, the frontage and depth of a parcel of land, the proportion of land occupied by a building or structure, the erection, use, height, bulk, size, floor area, spacing and location of building and structures, and the provision of parking facilities within Norfolk County.

WHEREAS Norfolk County Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, c.P.13*;

AND WHEREAS this By-Law conforms to the Norfolk County Official Plan;

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

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1.0 Administration, Interpretation and Zones

1.1 Title

This By-Law shall be known and may be cited as “The Zoning By-Law of Norfolk County”.

1.2 Scope of the By-Law

1.2.1 Defined Area

The provisions of this By-Law shall apply to all lands within the boundaries of Norfolk County.

1.2.2 Conformity with the By-Law

- a) No land, *building* or *structure* shall be used, *erected* or *altered* in whole or in part except in conformity with the provisions of this By-Law.
- b) No land, *building* or *structure* shall be used or occupied except for uses that are specifically identified in the By-Law as *permitted* uses by the relevant zoning category.

1.2.3 Non-Conforming and Non-Complying Due to Government Purchase of Land

- c) Notwithstanding anything to the contrary contained herein, where the *County*, the Province of Ontario, the government of Canada or any board or commission of the *County*, the Province of Ontario, the government of Canada acquires a portion of a *lot*, any reduction to the *lot area*, *lot frontage* or *yard* created by the acquisition, which results in the remaining parcel being *non-complying*, shall be deemed to comply to the provisions of this By-Law.
- d) Where an *existing non-conforming* or *non-complying* parcel of land is made further *non-conforming* or *non-complying* by the acquisition, the parcel shall be deemed to be *non-conforming* or *non-complying*, only to the extent of the non-conformity or non-compliance which existed prior to the acquisition.

1.2.4 Setbacks from Buildings and Uses in Adjacent Municipalities

Where any *setback* or separation distance is *required*, by this By-Law, to separate certain *buildings*, *structures* or uses from one another, such *setback* or separation distance shall also be *required* from similar *buildings*, *structures* or uses located in adjacent municipalities.

1.2.5 Licenses and Other By-Laws

Nothing in this By-Law shall relieve any *person* from the requirements of any other By-Laws of the municipality or any license permit requirements.

1.2.6 *Building* and Other Permits

- a) No *building* permit shall be issued where the proposed *building, structure* or use would be in violation of this By-Law, any *County* By-Law or the *Ontario Building Code*.
- b) Where *Ontario, Long Point Region Conservation Authority Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, Regulations* are in effect, a permit from the conservation authority having jurisdiction is *required* prior to a *building* permit being issued and any construction taking place.

1.3 **Interpretation**

1.3.1 Interpretation of Provisions

In the interpretation and application of the provisions of this By-Law, the provisions shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience, amenity and general welfare.

1.3.2 Interpretation of Words

For the purpose of this By-Law:

- a) words used in the present tense shall be deemed to include the future;
- b) words in the singular number shall be deemed to include the plural and words in the plural shall be deemed to include the singular;
- c) words in any gender shall be deemed to include all other genders;
- d) the words “use” or “used” shall be deemed to include the words “intended, arranged or designed for use” or “intended, arranged or designed to be used” or “intend, arrange or design for use”;
- e) the word “shall” is mandatory and not discretionary;
- f) the word “may” is permissive;
- g) words in italics are defined in Section 2.0.

1.3.3 Changes in Legislation

Where the provisions of this By-Law refer to specific legislation, such provisions shall be deemed to also refer to any legislation which amends such legislation or is a successor thereto.

1.3.4 Clarity and Accuracy

In the development of this By-Law, every effort is made to ensure clarity and accuracy. This By-Law is a complex and detailed document, and inadvertent inconsistencies and errors may have occurred in its development. Notwithstanding any other provisions of this By-Law, corrections to technical errors including typographical, grammatical, spelling, section numbering, metric conversion, transposition errors and minor mapping irregularities may be made to this By-Law without formal amendment under the *Ontario Planning Act* and will not require public notification.

1.4 **Zones**

1.4.1 Establishment of *Zones*

The following *Zones* are hereby established within the *County*. Such *Zones* are shown on Schedules A-1 to A-46 inclusive, attached hereto and forming part of this By-Law. The Schedules may be referred to as the “Zoning Maps” and each *Zone* may be known by and referred to by its name or symbol.

<u>Zone</u>	<u>Symbol</u>
<u>Residential Zones</u>	
Urban Residential Type 1 Zone	R1
Urban Residential Type 2 Zone	R2
Urban Residential Type 3 Zone	R3
Urban Residential Type 4 Zone	R4
Urban Residential Type 5 Zone	R5
Urban Residential Type 6 Zone	R6
Hamlet Residential Zone	RH
Resort Residential Zone	RR
<u>Commercial Zones</u>	
Central Business District Zone	CBD
Shopping Centre Commercial Zone	CSC
Service Commercial Zone	CS
Residential Commercial Business Zone	CRB
Neighbourhood Commercial Zone	CN
Hamlet Commercial Zone	CHA
Rural Commercial Zone	CR
Resort Area Commercial Zone	CRA
Marine Commercial Zone	CM
<u>Industrial Zones</u>	
General Industrial Zone	MG
Light Industrial Zone	ML
Disposal Industrial Zone	MD
Extractive Industrial Zone	MX
Rural Industrial Zone	MR
Marine Industrial Zone	MM
Special Industrial Zone	MS
<u>Institutional Zones</u>	
Community Institutional Zone	IC
Neighbourhood Institutional Zone	IN
Rural Institutional Zone	IR
<u>Open Space Zones</u>	
Open Space Zone	OS
Open Space (Tent and Trailer) Zone	OST
<u>Provincially Significant Wetland Zones</u>	
Provincially Significant Wetland Zone	PSW
<u>Hazard Land Zones</u>	
Hazard Land Zone	HL
<u>Agricultural Zones</u>	
Agricultural Zone	A
<u>Development Zones</u>	
Development Zone	D

1.4.2 Interpretation of *Zone* Boundaries

The following provisions shall apply in the interpretation of the location of *Zone* boundaries:

- a) a *Zone* boundary which is contiguous with a highway, *street* or *lane* shall be the centre-line of such highway, *street* or *lane*;
- b) a *Zone* boundary indicated as following a right-of-way of a railway shall be the centre-line of such right-of-way;
- c) a *Zone* boundary appearing to follow the *lot lines* of any lot shall be deemed to follow such *lot lines*;
- d) where the provisions of Subsection 1.4.2 a), b) or c) are not applicable in determining the location of a *Zone* boundary, its location shall be determined by measuring the distance from the nearest definable legal geographic reference point as indicated on the applicable Zoning Map;
- e) in the event that a *street* or *lane* or part thereof is closed, or an abandoned railway right-of-way is sold, the property formally within such *street*, *lane* or abandoned railway right-of-way shall be included within the *Zone* of the adjacent property to which it is adjoined. In the event that the closed *street*, *lane* or abandoned railway right-of-way was a *Zone* boundary between two (2) or more different *Zones*, the new *Zone* boundary shall be the boundary of the new property formed by the joining of the closed *street*, *lane* or abandoned railway right-of-way to adjacent properties. Where no joining takes place, the new *Zone* boundary shall be the former centre-line of the closed *street*, *lane* or abandoned railway right-of-way.

1.4.3 More Than One (1) *Zone* on a *Lot*

Where a *lot* is situated in more than one (1) *Zone*, all provisions in the pertinent *Zone* shall be satisfied on each portion of the *lot* so Zoned, except:

- a) where a portion of a *lot* is Zoned Hazard Land (HL) or Provincially Significant Wetland (PSW), such portion may be used in the calculation of any *required lot area*; or,
- b) where the main use is wholly situated in one (1) *Zone*, an *accessory structure* or use may be *permitted* in any other *Zone* than the Provincially Significant Wetland *Zone* (PSW) provided it meets all provisions of Section 3.0 except non-residential *accessory structures* shall not be *permitted* in residential *Zones*.

1.4.4 Establishment of Holding Zones

Pursuant to Section 36 of the *Ontario Planning Act*, holding Zones are hereby established by the use of the symbol “H” as a suffix to the Zone symbols in Subsection 1.4.1. Land subject to the symbol “H” shall not be used, nor any *building* or *structure* used, *altered* or *erected* except in accordance with the Zone applied thereon and until the “H” is removed by an amendment to this By-Law.

1.4.5 Special Provisions

The *County* may pass amendments to this By-Law which apply to certain lands or properties shown on Schedules A-1 to A-46. Where *permitted* uses or provisions on such lands differ from the provisions of this By-Law, a Special Provision shall be added to Section 14 of this By-Law. A numerical symbol shall be added to Schedules A-1 to A-46 identifying the subject lands and the Section number of the Special Provision. When necessary, a detailed Schedule showing the location of the lands affected or other requirements is or shall be contained at the end of Section 14 of this By-Law.

1.4.6 Prohibited Uses

With respect to any lands to which this By-Law applies, all uses are prohibited unless specifically *permitted* in this By-Law.

1.5 **Administration**

1.5.1 Enforcement

The provisions of this By-Law shall be enforced by the *County* or any agent acting with authority on behalf of the *County*.

1.5.2 Inspection

A *building* inspector or any officer or employee of the *County*, who has been assigned the responsibility of enforcing this By-Law by the Council of the *County*, is hereby authorized to enter and inspect, at all reasonable times and upon producing proper identification, any property or premises which he or she believes is in contravention of this By-Law. Such inspector, officer or employee shall follow proper *biosecurity protocols* in the Agricultural Zone (A). Such inspector, officer or employee shall not enter any room or *building* actually used as a *dwelling* without requesting and obtaining the consent of the occupant and without first informing the occupant that they may refuse the right of entry, in which case entry can be made only under the authority of a search warrant or as authorized by a court or other body having jurisdiction to make such an order for entry.

1.5.3 Violations and Penalties

- a) Every *person* who uses land, or *erects* or uses any *building* or *structure* in a manner contrary to any requirement of this By-Law, or who causes or permits such use or *erection*, or who violates any provision of this By-Law or causes or permits a violation, shall be guilty of an offence and upon conviction therefore shall pay a penalty within the provisions in the *Ontario Planning Act*, for each such offence, and every such penalty shall be recoverable under the *Ontario Municipal Act* and the *Ontario Provincial Offences Act*.
- b) Where a conviction referred to in Subsection 1.5.3 a) has been entered, in addition to any penalty, the court may also make an order prohibiting the continuation or repetition of the offence by the *person* convicted.

1.5.4 Restraint of a Contravention

In the event that any *building* or *structure* is *erected*, *altered*, reconstructed, extended or used, or any land is used, in contravention of this By-Law, such contravention may be restrained by legal action at the instance of any ratepayer of the *County* or the *County* pursuant to the provisions in the *Ontario Municipal Act* in that regard.

1.5.5 Validity

If any Section, clause or provision of this By-Law, or anything contained in any Schedule of this By-Law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the Section, clause or provisions so declared to be invalid. It is hereby declared that all the remaining Sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one (1) or more provisions of this By-Law shall have been declared to be invalid.

1.6 **Repeal of Existing By-Laws**

1.6.1 Repeal of By-Laws 1-NA 86, NW 1-2000, 1-1999 and 1-DE 80 and All Amendments

By-Laws 1-NA 86, NW 1-2000, 1-1999 and 1-DE 80 (The City of Nanticoke, The Town of Simcoe and the Township of Delhi Zoning By-Laws respectively) and all amendments thereto, passed pursuant to the *Ontario Planning Act* as amended, and which were approved by the Ontario Municipal Board, the Region of Haldimand-Norfolk or the City of Nanticoke, Town of Simcoe and the Township of Delhi, are hereby repealed.

1.6.2 Repeal of By-Law 1-NO 85 and All Amendments

By-Law 1-NO 85 (The Township of Norfolk Zoning By-Law) and all amendments thereto, passed pursuant to the Planning Act as amended, and which were approved by the Ontario Municipal Board, the Region of Haldimand-Norfolk or the Township of Norfolk, are hereby repealed.
[38-Z-2018]

1.6.3 Minor Variances

Notwithstanding Subsection 1.6.1 and Subsection 1.6.2, all minor variances granted to By-Laws 1-NA 86, NW 1-2000, 1-1999, 1-DE 80 and 1-NO 85 to any amendments thereto by the Committee of Adjustment for the *County* or its predecessors shall remain in full force and effect and shall be considered to be minor variances to this By-Law in accordance with the provisions in the *Ontario Planning Act*.

2.0

Definitions

Whenever used in this By-Law, the following words and phrases shall have the following meanings:

- 2.1 **“ACCESSORY BUILDING OR STRUCTURE”** shall mean a detached *building* or *structure* used for an *accessory use*, such as, without limitation, a detached garage or the storage or shelter of materials, equipment or other items, and may contain an *accessory residential dwelling unit*. [7-Z-2020].
- 2.2 **“ACCESSORY USE”** shall mean a use naturally and normally incidental to, subordinate to and exclusively devoted to a principal use and located on the same *lot* therewith.
- 2.3 **“ADULT LIVE ENTERTAINMENT FACILITY”** shall mean a lot and a building or structure, or portion thereof used for a trade, calling, business or occupation, providing a performance, exhibition, or activity designed to appeal to exotic or sexual appetites or inclinations and for the purposes of this definition:
 - 1) “performance, exhibition, or activity designed to appeal to exotic or sexual appetites or inclinations” shall mean a live performance, exhibition, or activity of which a principle feature or characteristic is the nudity or partial nudity of any person.
 - 2) “partial nudity” shall mean less than completely or opaquely covered:
 - i. human genitals or human pubic region;
 - ii. human buttocks; or
 - iii. the human female breast below the point immediately above the top of the areola.
 - 3) “providing” shall mean furnishing, performing, soliciting, giving or making available. [5-Z-2017]
- 2.4 **“AIR TREATMENT CONTROL”** shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person. [25-Z-2018]
- 2.5 **“ALTER”** shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a *building* or *structure* or any increase in the area or volume measurement of a *building* or *structure*. The raising of a *building* or *structure* by increasing the height of a foundation shall not be construed as altering a *building* or *structure* provided that the maximum *permitted* height is not exceeded and provided that an additional *storey* is not created.
- 2.6 **“ANGULAR PLANE”** shall mean a maximum *building height* measured as a vertical angle of 45 degrees beginning at the property line of an R1-A, R1-B or R2 *lot*.
- 2.7 **“ANIMAL HOSPITAL”** shall mean the premises of a veterinarian where animals are

treated or kept for treatment.

- 2.8 **"ANIMAL KENNEL"** shall mean a place where domestic pets are kept, raised, boarded or trained for remuneration.
- 2.9 **"ARCADE"** shall mean a *building* or part of a *building* containing three (3) or more mechanical, electronic, computer or similar devices intended for use as a game, entertainment or amusement by members of the public. The use of one (1) or two (2) such devices in an establishment may be considered a valid non-residential *accessory use*. The use of computers for email or web site access unrelated to gaming shall not be considered as establishing an *arcade*.
- 2.10 **"ATTACHED GARAGE"** shall mean an enclosed space designed or used for one or more *parking spaces* and attached to the principal *dwelling*. The enclosed space must include common walls, foundation and a roof, and the garage must be accessible via doorway into the principle *dwelling unit*. [8-Z-2020]
- 2.11 **"AUCTION CENTRE"** shall mean land and *buildings* on or within which goods, wares, merchandise, substances, articles and things are sold to the highest bidder.
- 2.12 **"AUTOMOBILE BODY SHOP"** shall mean a *building* or *structure* used for the painting or repairing of *vehicle* bodies or parts thereof but excludes an automobile wrecking yard or *salvage yard*.
- 2.13 **"AUTOMOBILE GAS STATION"** shall mean a *building* or place where fuels, lubricants and accessories for *vehicles* are kept for retail sale.
- 2.14 **"AUTOMOBILE SERVICE AND REPAIR STATION"** shall mean a *building* or *structure* wherein *vehicles* are oiled, greased or repaired. An *automobile service and repair station* shall not include an *automobile body shop* or an *industrial garage*.
- 2.15 **"AUTOMOBILE WASHING ESTABLISHMENT"** shall mean a *building* or place used for washing of *vehicles*.
- 2.16 **"BALCONY"** shall mean an outside platform projecting from the wall of a *dwelling* and located above the height of the floor of the *first storey*.
- 2.17 **"BAR OR NIGHT CLUB"** shall mean an establishment which supplies alcoholic drinks, food and/or entertainment and contains a walk-up bar or counter where patrons may order, obtain and pay for food and alcoholic drinks. A *bar or night club* may contain an *outdoor patio or cafe*. This definition includes business enterprises commonly known as a tavern, pub or drinking establishment.
- 2.18 **"BASEMENT"** shall mean a *storey* or *storeys* of a *building* located below the *first storey*.
- 2.19 **"BED & BREAKFAST"** shall mean a *single detached dwelling* containing, as an *accessory use*, one (1) or more rooms provided, for gain, with or without meals, for the travelling or vacationing public as temporary accommodation. Such rooms shall contain no cooking facilities. A *bed & breakfast* does not include a *restaurant, boarding or lodging house, rooming house, group home* or *hotel*.
- 2.20 **"BIOSECURITY PROTOCOL"** shall mean the practices and procedures which if implemented are likely to prevent or greatly reduce the likelihood of the movement of disease-causing agents.

- 2.21 **"BOATHOUSE"** shall mean a *building* or *structure* used for the accommodation or shelter of marine craft provided the *building* or *structure* is located over a *boatslip* or immediately adjacent to a watercourse or a water body.
- 2.22 **"BODY RUB ESTABLISHMENT"** shall mean the kneading, manipulating, rubbing, massaging, by touching or stimulating, by any means, of a person's body or part thereof, and which is expressly performed for sexual purposes and to cater to a person's sexual appetite. This definition shall not include alternative health care uses. [5-Z-2017]
- 2.23 **"BOATSLIP"** shall mean a docking space or berth for the accommodation of marine craft immediately adjacent to a watercourse or a water body, and includes a docking space or berth within a *boathouse*.
- 2.24 **"BOUTIQUE"** shall mean a small scale *retail store* specializing in the sale of gifts, specialty foods or apparel primarily catering to the tourist trade.
- 2.25 **"BUILDING"** shall mean an enclosed *structure* consisting of any combination of walls, roof and floor or a structural system serving the same function, including all associated works, fixtures and service systems but excluding an attached *deck* or *unenclosed porch*.
- 2.26 **"BUILDING HEIGHT"** shall mean the vertical distance between the average *finished grade* of the ground at the front wall of a *building* and:
- a) in the case of a flat roof or a mansard roof, the highest point of the roof surface;
 - b) in the case of any other roof, the highest point of the ridge. [8-Z-2017]

Illustration of Building Definitions

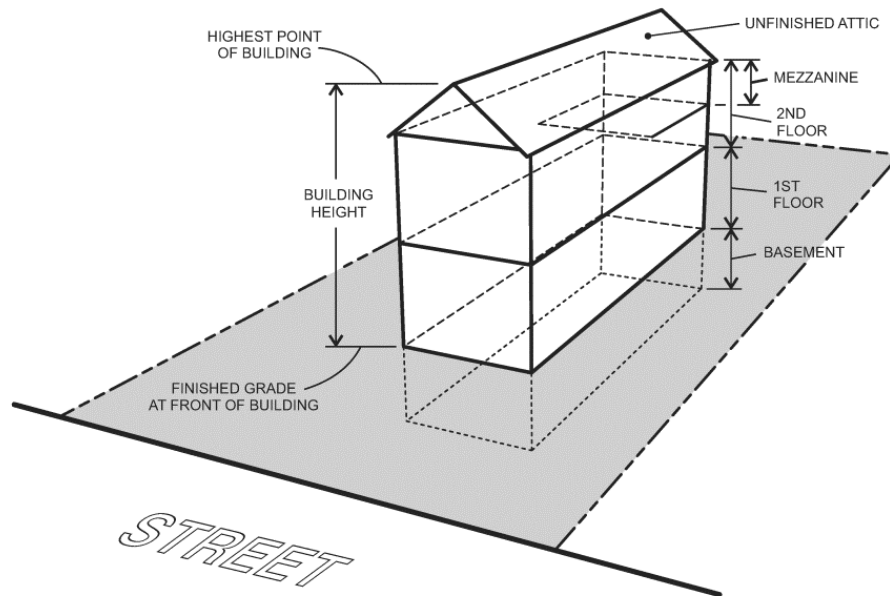
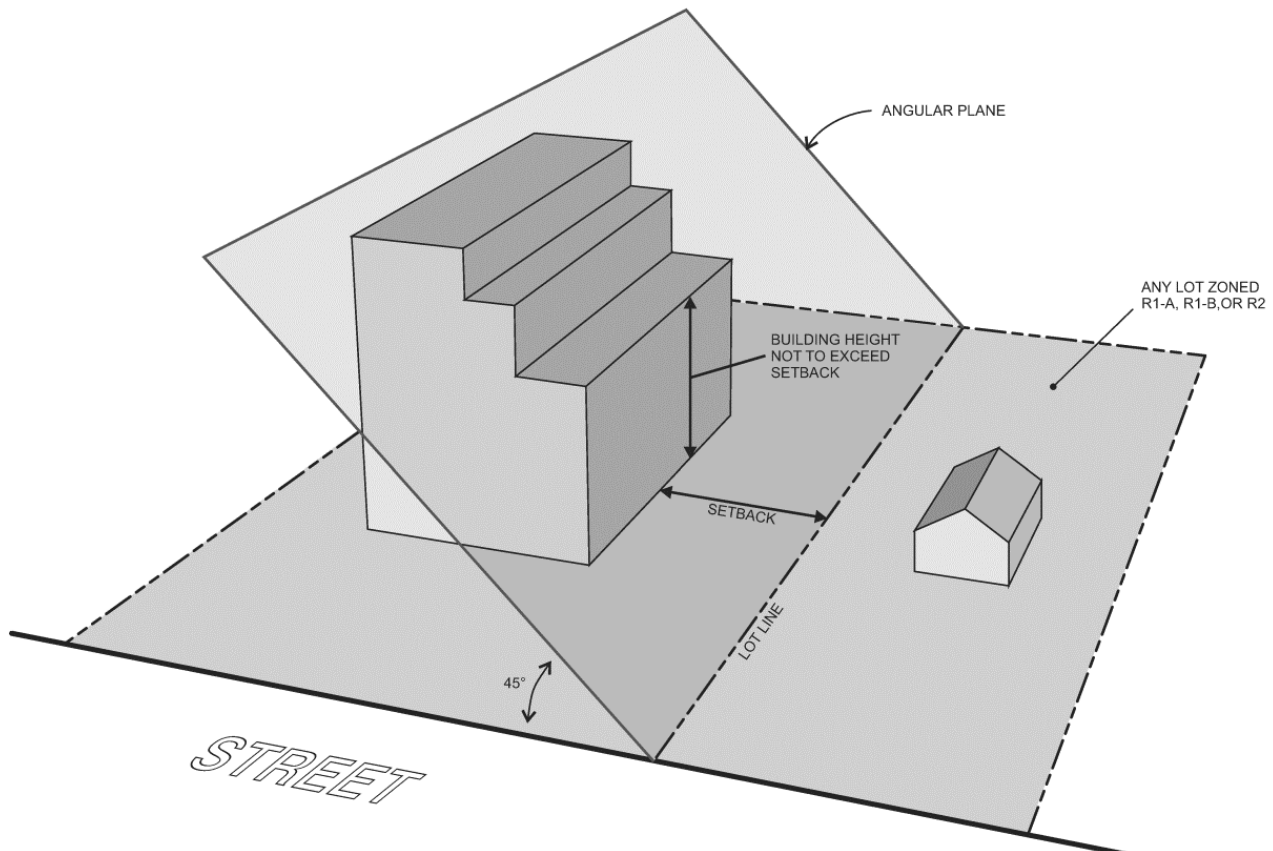


Illustration of Angular Plane



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

- 2.27 **"BUNK HOUSE"** shall mean a *building* or part of a *building* used for the temporary accommodation of seasonal *farm* workers provided such accommodation does not serve as the principal place of residence of an occupant and the *bunk house* is located on a *farm*. A *mobile home* may be used for the purposes of a *bunk house*. [5-Z-2018]
- 2.28 **"CAMPGROUND"** shall mean land and facilities owned and operated by a governmental agency, a community service club or charitable organization and used for the purpose of camping. A *campground* may include cabins, tents, dining halls and other *accessory buildings* and *structures* but excludes a *tent and trailer park*.
- 2.29 **"CANNABIS"** shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels). [25-Z-2018]
- 2.30 **"CANNABIS PRODUCTION AND PROCESSING"** shall mean lands, *buildings* or *structures* used for the production, processing, testing, destroying, packaging and/or shipping of *cannabis* authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act*, SC 1996, c 19, and the *Cannabis Act*, S.C. 2018, c. 16, as amended from time to time, or any successors thereto. [5-Z-2019]
- 2.31 **"CEMETERY"** shall mean land that is set aside or used as a place for the interment of the dead which may include a *building* or *structure* for one (1) or more of the following purposes:
- a) a columbarium, designed for the purpose of storing the ashes of human remains that have been cremated;
 - b) a mausoleum used as a place for the interment of the dead in sealed crypts or compartments.
- 2.32 **"CHIP WAGON"** shall mean a *vehicle*, trailer or cart equipped as an eating establishment and able to be made mobile, where food is prepared and sold for immediate consumption by the public.
- 2.33 **"CLINIC OR DOCTORS' OFFICES"** shall mean a *building* or part of a *building* that is used solely by physicians, dentists or physical and mental health practitioners and their staff for the purpose of consultation, diagnosis and treatment of out-patients. The *building* may include, as *accessory uses*, one (1) or more of an administrative office, waiting room, examination room, laboratory, operating room and dispensary.
- 2.34 **"COMMON WALL"** shall mean a wall separating two (2) *dwelling units*.
- 2.35 **"COMMUNAL SEWAGE TREATMENT SYSTEM"** shall mean a sewage network within the meaning of Section 1 of the Ontario Water Resources Act that services six (6) or more lots or private residences and is not owned by a municipality.
- 2.36 **"CONTRACTOR SHOP"** shall mean a *building* or part of a *building* used by a *building* trade, such as, without limitation, sheet metal, plumbing, heating, electrical, dry-wall, carpentry or masonry, for the assembly, fabrication, repair or storage of *building* components or for the repair or storage of machinery, equipment and materials used in the *building* trade.

- 2.37 **"CONTRACTOR SUPPLY AND SERVICE SHOP"** shall mean a *building* or part of a *building* used as both a *building* supply establishment and a *contractor shop* for a particular trade or group of trades.
- 2.38 **"CONTRACTOR'S YARD"** shall mean an outdoor area used by a contractor for the *outdoor storage* of *vehicles*, machinery, equipment or materials, and may include a *contractor shop*.
- 2.39 **"CONVENIENCE STORE"** shall mean a *building* or part of a *building* wherein groceries, beverages and packaged foodstuffs are offered for sale in combination with the sale of any of the following accessory items: specialty foods, prepared foods, tobacco, drugs, confections, periodicals, the sale or rental of videos and similar items which are intended to serve the day-to-day needs primarily of the residents of the immediate neighbourhood and in no case shall these accessory items in total occupy more than 50 percent of the *usable floor area* of the *convenience store*.
- 2.40 **"COUNTRY STORE"** shall mean a *building* or part of a *building* wherein groceries and items commonly sold in a *convenience store* are offered for sale to the general public in combination with the sale of any or all of the following accessory items: meats, clothing, general hardware, household goods, drugs, the sale or rental of videos and similar items.
- 2.41 **"COUNTY"** shall mean the Corporation of Norfolk *County*.
- 2.42 **"CUSTOM WORKSHOP"** shall mean a *building* or part of a *building* used by an individual or individuals qualified as a tradesman, trained in a craft or being a member of a guild, or other skilled labour, for the repair, custom fabrication, or custom assembly of articles, items or things. A *custom workshop* shall include, without limitation, a machine shop, a pattern shop, a sheet metal shop, a wood working shop, a cabinetwork shop or other similar operation.
- 2.43 **"DAY CARE NURSERY"** shall mean a *building* or part of a *building* that provides temporary care and supervision to more than five (5) children for a period not exceeding twenty-four hours at any one period of time and is licensed pursuant to the Day Nurseries Act.
- 2.44 **"DECK OR UNENCLOSED PORCH"** shall mean a *structure* at the front, side or rear of a *building* which may be attached or detached from the main *building* and which may be covered by a roof with or without supporting columns provided the *deck* or *porch* remains unenclosed by walls, windows or screening.
- 2.45 **"DEPARTMENT STORE"** shall mean a *building* or part of a *building* used for the retail sale of a wide variety of goods, wares, merchandise and services including, without limitation, family clothing and apparel, and furniture, appliances and home furnishings and may include, as *accessory uses*, offices, warehousing and outdoor sales and display area. Such merchandise is generally displayed or offered on a departmentalized basis. For greater clarity, this definition does not include an automotive/home improvement store.
- 2.46 **"DOCK"** shall mean a *structure* extending along shore or out from the shore into a body of water, to which boats and watercraft may be moored. [8-Z-2017]
- 2.47 **"DRINKING WATER THREAT"** means an activity or condition that adversely affects

or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat (Source: Clean Water Act) [37-Z-2017]

- 2.48 **“DRIVEWAY”** shall mean an internal roadway that is not a *street*, private road, internal road or *lane*, which provides vehicular access from a *street*, private road or private *lane*, to a *parking aisle*, *parking space* or *loading space*. [5-Z-2018]
- 2.49 **“DRY CLEANING DISTRIBUTION STATION”** shall mean a *building* or part of a *building* used for the purpose of receiving articles of clothing, goods or fabric to be dry cleaned, dyed or laundered elsewhere and for the pressing and distribution of any such articles of clothing, goods or fabric.
- 2.50 **“DRY CLEANING ESTABLISHMENT”** shall mean a *building* or part of a *building* where dry cleaning, dry dyeing, cleaning or pressing of articles of clothing, goods or fabric is carried on and may include a *dry cleaning distribution station*.
- 2.51 **“DWELLING”** shall mean a *building* containing one (1) or more *dwelling units*. A *dwelling* may include an attached *private garage*.
- 2.51.1 **“SINGLE DETACHED DWELLING”** shall mean a *dwelling* not attached to any other *dwelling* and containing only one (1) *dwelling unit*.
- 2.51.2 **“SEMI-DETACHED DWELLING”** shall mean a *building* divided into two (2) *dwelling units* by a vertical *common wall* with no internal access between *dwelling units* and each *dwelling* having frontage on a *street*.
- 2.51.3 **“DUPLEX DWELLING”** shall mean a *building* containing two (2) *dwelling units* with no internal access between *dwelling units*, but not including a *semi-detached dwelling*.
- 2.51.4 **“TRI-PLEX DWELLING”** shall mean a *building* containing three (3) *dwelling units* with no internal access between *dwelling units*, but not including a townhouse containing three (3) *dwelling units*.
- 2.51.5 **“FOUR-PLEX DWELLING”** shall mean a *building* containing four (4) *dwelling units* with no internal access between *dwelling units*, but not including a townhouse containing four (4) *dwelling units*.
- 2.51.6 **“BOARDING OR LODGING HOUSE”** shall mean a *single detached dwelling*, with or without meals, for lodging or sleeping accommodation and may provide communal but not individual cooking facilities. The *dwelling* shall be occupied by the proprietor and shall provide accommodation for no more than ten (10) individuals including the proprietor’s family. A *boarding or lodging house* does not include a *hotel* or *bed & breakfast*.
- 2.51.7 **“GROUP TOWNHOUSES”** shall mean a *dwelling* containing three (3) or more *dwelling units* with each *dwelling unit* being divided one from the other by a vertical *common wall*, with no internal access between *dwelling units*, and with each *dwelling unit* having direct access to a *yard*.
- 2.51.8 **“STACKED TOWNHOUSES”** shall mean a *dwelling* containing four (4) or more *dwelling units* with each *dwelling unit* being divided from the other by a

vertical *common wall* and/or horizontally by a floor with no internal access between *dwelling units*, and each *dwelling unit* having an independent entrance at the *finished grade* level.

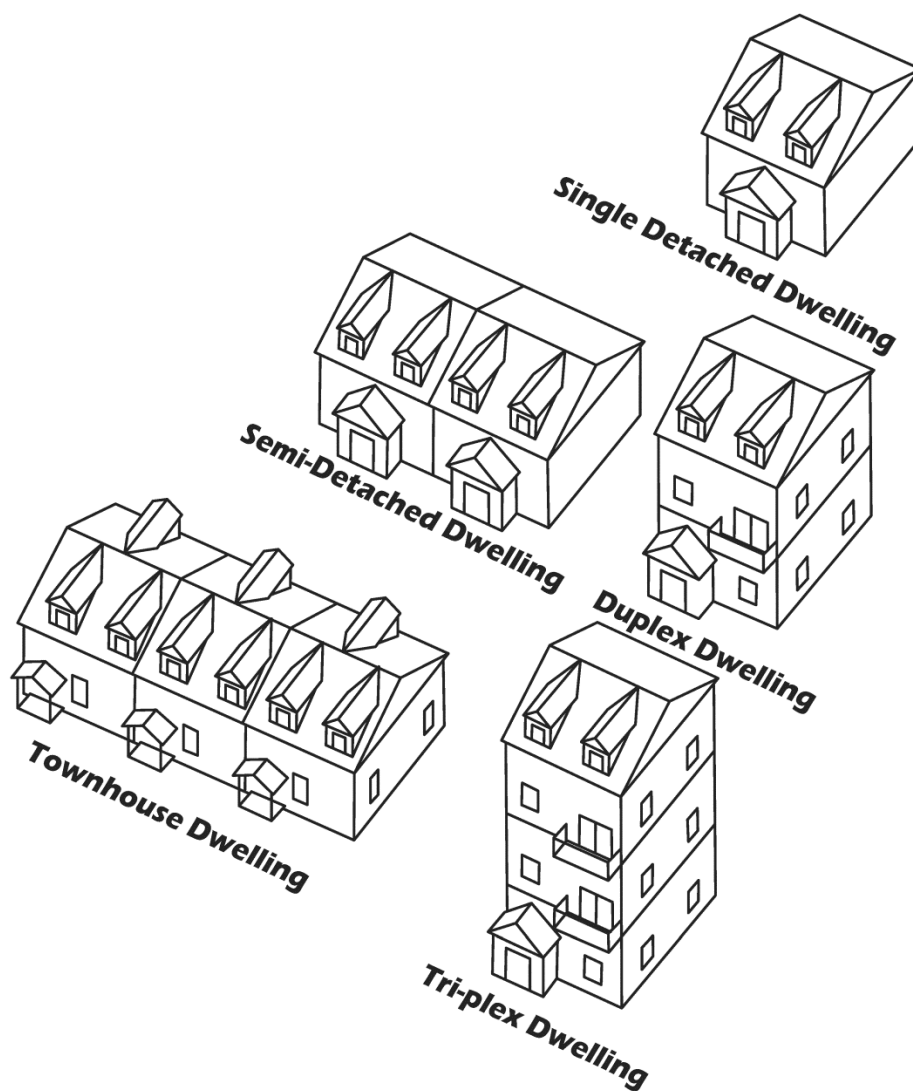
2.51.9 **"STREET TOWNHOUSES"** shall mean a *dwelling* containing three (3) or more *dwelling units* with each *dwelling unit* being divided one from the other by a vertical *common wall*, with no internal access between *dwelling units*, and with each *dwelling unit* fronting onto a *street*.

2.51.10 **"APARTMENT DWELLING"** shall mean a *dwelling* containing five (5) or more *dwelling units* with a shared or common entrance.

2.51.11 **"ROOMING HOUSE"** shall mean a *single detached dwelling* not exceeding 600 square metres in area containing individual rooms rented, with or without meals, for lodging or sleeping accommodation and may provide communal but not individual cooking facilities. A *rooming house* does not include a *hotel* or *bed & breakfast*.

2.51.12 **"VACATION HOME"** shall mean a *dwelling* comprising only one (1) *dwelling unit* and which shall only be used for vacations, recreation or seasonal purposes. Permanent year-round residency is not *permitted*.

Illustration of Typical Dwelling Types



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

- 2.52 **"DWELLING UNIT"** shall mean a suite of two (2) or more rooms used by one (1) or more individuals living together, in which cooking, eating, living, sleeping and sanitary facilities are provided, which has a private entrance directly from outside the *building*, from a common hallway or from a common stairway. A *dwelling unit* does not include a *bunk house*, *group home*, *mobile home* or *recreational vehicle*.
- 2.52.1 **"ACCESSORY RESIDENTIAL DWELLING UNIT"** shall mean a second unit and shall mean a self-contained residential *dwelling unit*, supplemental to the permitted primary residential *dwelling unit* of the property, which second unit has its own kitchen, bathroom. [7-Z-2020]
- 2.52.2 **"MODULAR HOME"** shall mean a prefabricated *building* constructed to Canadian Standards Association (CSA) standard A277, as amended from time to time, and which is designed to be used as a principal residence.
- 2.53 **"ERECT"** shall mean when used in this By-Law, the *building*, construction, reconstruction and relocation of a *building* or *structure*, and, without limiting the generality of the foregoing, also includes:
- a) any preliminary physical operation, such as excavating, filling or draining; or,
 - b) any work requiring a *building* permit.
- 2.54 **"ESTABLISHED BUILDING LINE"** shall mean the average distance from the *street line* to the main wall of *existing buildings* on one side of a *street* between *street* intersections where both the distance between the *street* intersections is 200 metres or less and more than one half of the *lots* fronting the *street* on the same side has been built upon.
- 2.55 **"EXISTING"** shall mean legally in existence from the date of the passing of this By-Law.
- 2.56 **"FARM"** shall mean the use of land, *building* or *structure* for agricultural purposes, such as, without limitation, the growing of crops, including nursery, biomass, and horticultural crops; raising of *livestock*; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry and maple syrup production, but does not include *Cannabis Production and Processing*. [25-Z-2018]
- 2.57 **"FARM BREWERY"** shall mean a *farm* on which *buildings* or *structures* are used for the making of beers from grains, hops, or fruit grown primarily on the *farm operation*. [34-Z-2019]
- 2.58 **"FARM DISTILLERY"** shall mean a *farm* on which *buildings* or *structures* are used for the making of spirits from crops grown primarily on the *farm operation*. [34-Z-2019]
- 2.59 **"FARM EXPERIENCE ACTIVITY"** shall mean an accessory activity that is directly associated with agriculture and an *existing farm operation* and which consists of adding a component of information, education, temporary accommodation or entertainment to an *existing farm operation*.
- 2.60 **"FARM IMPLEMENT SALES AND SERVICE ESTABLISHMENT"** shall mean an establishment having as its main use the storage and display of *farm* implements for sale and which may include facilities for the repair of or maintenance of *farm* equipment.

- 2.61 **"FARM OPERATION"** shall mean an agricultural activity carried on a *farm* by one (1) *person* in the expectation of gain and operating on one (1) or more properties, which shall be situated within the *County*.
- 2.62 **"FARM PROCESSING"** shall mean the grading, sorting, packing, drying or processing of crops and produce produced on properties which form part of the *farm operation* where the facility is located.
- 2.63 **"FARM PROCESSING - VALUE ADDED"** shall mean the processing and refining of crops and produce produced on properties which form part of the *farm operation* to a final retail product. The final retail product shall primarily consist of the crops and produce produced on the *farm operation*.
- 2.64 **"FARM PRODUCE OUTLET"** shall mean a use accessory to a *farm operation* which consists of the retail sale of agricultural products such as vegetables, fruits and other crops produced on properties which form part of the *farm operation* where the outlet is located and shall be operated by the owner of the *farm operation*.
- 2.65 **"FARM SUPPLY OUTLET"** shall mean a *building* or part of a *building* used for the retail sale or rental of minor equipment and implements, parts, tools, hardware, fertilizer, sprays, seed, feed and clothing for *farm* use.
- 2.66 **"FARM WINERY"** shall mean a *farm* on which *buildings* and *structures* are used for the making of wines from fruit grown primarily on the *farm operation*.
- 2.67 **"FARMERS MARKET"** shall mean the use of land, *buildings* or *structures* for the retail sale of food to the public during no more than two (2) days in one (1) week. This definition may include the retail sale of arts and crafts as a secondary use.
- 2.68 **"FINISHED GRADE"** shall mean the average elevation of the finished surface of the ground at the front of a *building* or *structure*, exclusive of any embankment in lieu of steps.
- 2.69 **"FLOOR AREA RATIO"** shall mean the ratio of the *usable floor area* to the *lot*, determined by the calculation of: $\text{floor area ratio} = \text{usable floor area} / \text{lot area}$.
- 2.70 **"GARAGE, INDUSTRIAL"** shall mean a *building*, *structure* or *lot* where commercial and industrial *vehicles* and equipment such as, without limitation, buses, trucks and construction and industrial *vehicles* and equipment are stored, repaired, maintained, leased and/or sold.
- 2.71 **"GARAGE, PRIVATE"** shall mean an *accessory building* or portion of a *dwelling* which is designed or used for one (1) or more *parking spaces* and shall include an open or partially enclosed shelter for motor *vehicles* commonly known as a carport.
- 2.72 **"GARDEN CENTRE"** shall mean a *building*, *structure* or *lot* used for the retail sale of agricultural products such as plants, trees and shrubs and ancillary sales of landscaping materials and products and shall not include *Cannabis Production and Processing*. [25-Z-2018]
- 2.73 **"GARDEN SUPPLY CENTRE"** shall mean a *building*, *structure* or *lot* used for the retail sale of gardening tools, materials and/or products.

- 2.74 **"GOLF COURSE"** shall mean an area of land used for the playing of golf and may include a driving range, practise putting, chipping and sand bunker areas, a club house with a pro shop, *restaurant* or lounge as *accessory uses*.
- 2.75 **"GROUP HOME"** shall mean a *building* that is licensed or funded for the accommodation of two (2) to ten (10) individuals, exclusive of staff, living with support and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing.
- 2.76 **"HABITABLE ROOM"** shall mean a room used or intended to be used for living, sleeping, cooking or eating purposes including, without limiting the generality of the foregoing, a bedroom, living room, recreation room, family room, den, library, kitchen, sewing room or enclosed sunroom but excluding a bathroom, change room, bathhouse, sauna, laundry room, furnace room, hallway, closet, storage room or garage. For a room located in a *basement* to be considered a *habitable room*, it shall meet the minimum ceiling height, window area and window size set out in the *Ontario Building Code*.
- 2.77 **"HEREIN"** shall mean "in this By-Law" and shall not be limited to any particular Section of this By-Law.
- 2.78 **"HOME INDUSTRY"** shall mean a craft, trade, guild, or service such as automobile service, merchandise service, *custom workshop*, or similar uses, carried on as a secondary use entirely within an *accessory building* on a *lot* provided the individual carrying out the craft, trade, guild or service resides within a *dwelling unit* located on the same lot. A home industry does not include an *automobile service and repair station*, an *automobile body shop*, or a *merchandise service shop*. [27-Z-2020]
- 2.79 **"HOME OCCUPATION"** shall mean an occupation, personal service, business, craft or profession, carried on as a secondary use entirely within a *dwelling unit* provided the individual carrying on the activity resides within such *dwelling unit*. A *home occupation* shall also include a day care for five (5) children or less, exclusive of the individual's children, which may include an outdoor accessory play area. A *home occupation* does not include a *bed & breakfast* establishment. [27-Z-2020]
- 2.80 **"HOTEL"** shall mean one (1) or more *buildings* providing temporary sleeping accommodation, within individual rental units, with or without cooking facilities, mainly for the travelling or vacationing public. A *hotel* may include as secondary uses *restaurants*, *bar or night clubs*, recreational facilities and conference and convention facilities. This definition includes a motel, traveller's motel and a motor hotel.
- 2.81 **"LANDSCAPE AREA"** shall mean an area of land comprised of trees, shrubs, flowers, grass or other horticultural elements. Landscaping may include pervious paths, patios, walkways, or elements designed to enhance the visual amenity of a property but does not include open storage display areas, parking or loading areas, or areas covered by *driveways*. [5-Z-2018]
- 2.82 **"LANE"** shall mean a public or private thoroughfare which affords only a secondary means of access for vehicular traffic to abutting *lots* and which is not intended for general traffic circulation.
- 2.83 **"LARGE ON-SITE SEPTIC SYSTEM AND/OR HOLDING TANK"** shall mean a system that stores and/or treats human waste on-site with a design flow of greater than 10,000 litres per day and regulated under the Ontario Water Resources Act. These

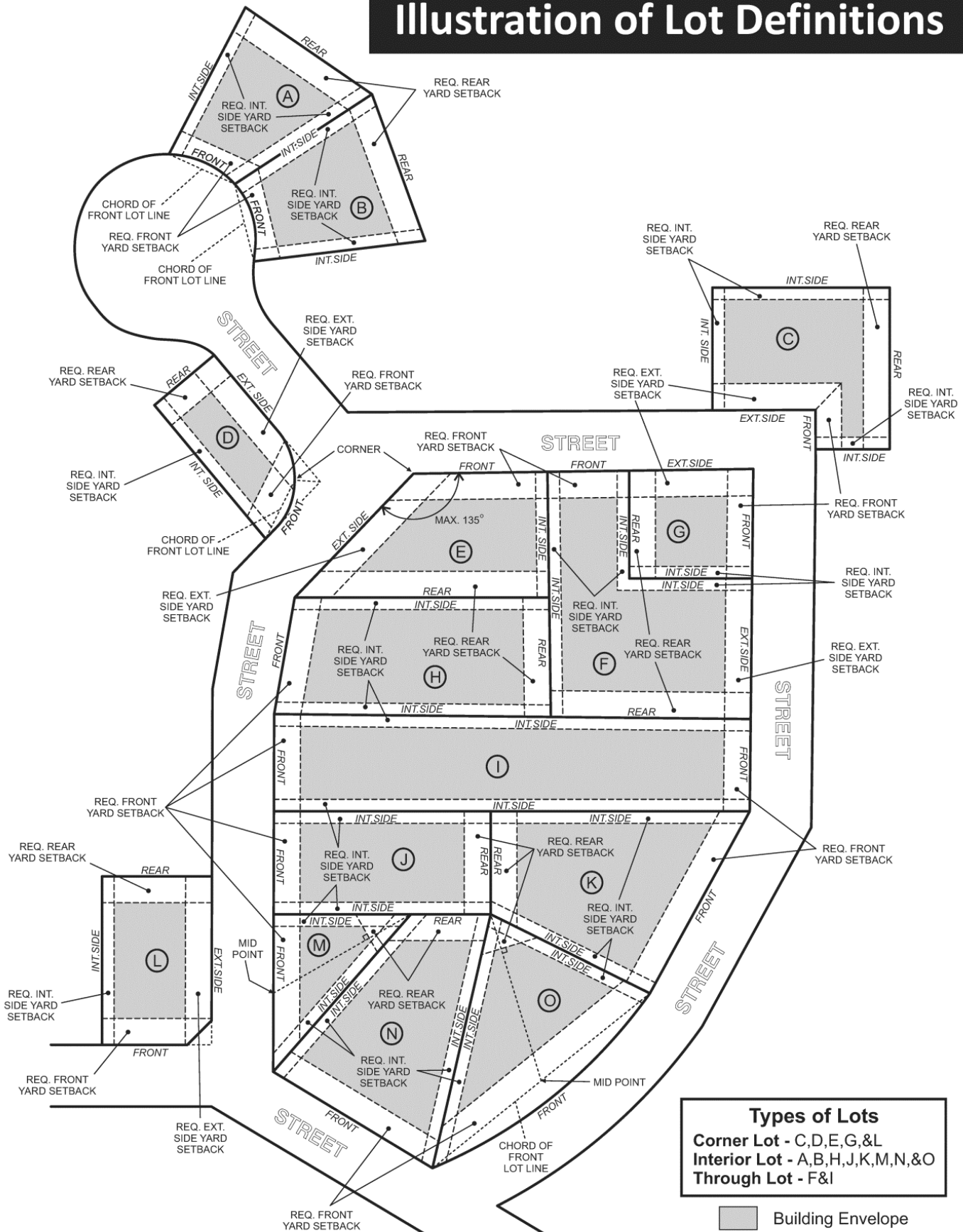
systems shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. [37-Z-2017]

- 2.84 **"LIVESTOCK"** shall mean and include bovine, swine, poultry, horses, goats, sheep, ratites, fur bearing animals, deer and elk, game animals, birds and other animals identified in the Ontario Ministry of Agriculture, Food and Rural Affairs, Minimum Distance Separation (MDS) Formulae Implementation Guidelines Factor Tables (Table 1) as amended.
- 2.85 **"LIVESTOCK FACILITY"** shall mean one (1) or more barns or permanent *structures* with *livestock* occupied portions, intended for keeping or housing *livestock*. A *livestock facility* also includes all manure or material storages and anaerobic digesters.
- 2.86 **"LOADING SPACE"** shall mean an off-*street* space or berth adequate for the temporary parking of a commercial *vehicle* while loading or unloading merchandise or materials and located upon the same *lot* as the principal use and in a location with convenient access to a *street* or *lane*.
- 2.87 **"LONG-TERM CARE FACILITY"** shall mean a *building* wherein lodging, meals and nursing care are provided in a supervised living environment for individuals. This definition does not include a *retirement home* or senior's apartments.
- 2.88 **"LOT"** shall mean a parcel of land which can be legally conveyed. Where two (2) adjoining *lots* are in common ownership and a main *building* straddles the *lots*, the two (2) *lots* are deemed to be one (1) *lot* for the purposes of establishing *interior side yards*.
- 2.88.1 **"CORNER LOT"** shall mean a *lot* situated:
- c) at the intersection of two (2) *streets*; or,
 - d) on the curve of a *street* where the angle of intersection is 135 degrees or less.
- The angle of intersection shall be measured from the inside of the curve and at the point where a projection of the front and *exterior side lot lines*, drawn from the extremities of the *interior lot lines*, intersect.
- 2.88.2 **"INTERIOR LOT"** shall mean a *lot* with only one (1) *lot line* being contiguous with a *street line*.
- 2.88.3 **"THROUGH LOT"** shall mean a *lot* with two (2) or more opposite *lot lines* being contiguous with the *street line*, other than a *corner lot*, unless three (3) or more *lot lines* of a *corner lot* are contiguous with a *street line*.
- 2.89 **"LOT AREA"** shall mean the total horizontal area within the *lot lines* of a *lot*, excluding:
- a) the horizontal area of such *lot* covered by a body of water or marsh or beyond the rim of the banks of a watercourse, but including a *boatslip*; or,
 - b) the area between the top and toe of a cliff or embankment having a slope of 22.5 degrees or more from the horizontal.

- 2.90 **"LOT COVERAGE"** shall mean the percentage of the *lot area* covered by the *first storey* of all *buildings*, including *accessory buildings*, *decks* or *unenclosed porches* on the *lot* and including all projections but exclusive of canopies and overhanging eaves.
- 2.91 **"LOT DEPTH"** shall mean:
- a) the horizontal distance between the *front* and *rear lot lines*; or,
 - b) if the *front* and *rear lot lines* are not parallel, "*lot depth*" means the length of a straight line joining the middle of the *front lot line* with the middle of the *rear lot line*; or,
 - c) if there is no *rear lot line*, "*lot depth*" means the length of a straight line joining the middle of the *front lot line* with the apex of the triangle formed by the *side lot lines*.
- 2.92 **"LOT FRONTAGE"** shall mean:
- a) where the *side lot lines* are parallel, the distance between the *side lot lines* measured at right angles; or,
 - b) where the *side lot lines* are not parallel, the length of a line drawn between the *side lot lines* parallel to the *front lot line* at the minimum required *front yard setback*; or,
 - c) where the *side lot lines* are not parallel and where the *front lot line* is curved, the length of a line drawn between the *side lot lines* back from and parallel to the chord of the *lot frontage* at the minimum required *front yard setback*. The chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* intersect the *front lot line*.
- 2.93 **"LOT LINE"** shall mean any boundary of a *lot* and the vertical projection thereof.
- 2.93.1 **"FRONT LOT LINE"** shall mean:
- a) in the case of an *interior lot*, the line dividing the *lot* from the *street*; or
 - b) in the case of a *corner lot*, the shorter *lot line* abutting a *street*; or
 - c) in the case of a *corner lot* whose exterior lot lines are the same length, the lot line opposite the main entrance of the main building; or
 - d) In the case of a through lot, the nearer street line to the main building.
- 2.93.2 **"REAR LOT LINE"** shall mean:
- a) in the case of a *lot* having four (4) lot lines, the *lot line* farthest from and opposite to the *front lot line*; or,
 - b) in the case of a *lot* having only three (3) *lot lines*, there shall be no *rear lot line*; or,
 - c) in the case of a *lot* having more than four (4) *lot lines*, the *lot line* farthest from and opposite to but not intersecting with the *front lot line*. [27-Z-2020]

- 2.93.2 **"SIDE LOT LINE"** shall mean a *lot line* other than a *front* or *rear lot line*.
- 2.93.3 **"EXTERIOR SIDE LOT LINE"** or **"EXTERIOR LOT LINE"** shall mean the *lot line* abutting a *street* other than the *front lot line* of a *corner lot* or the *rear lot line* of a *through lot*.
- 2.93.4 **"INTERIOR SIDE LOT LINE"** or **"INTERIOR LOT LINE"** shall mean any *lot line* other than a *lot line* contiguous with a *street line*.

Illustration of Lot Definitions



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

- 2.94 **"LUMBER YARD AND BUILDING SUPPLY ESTABLISHMENT"** shall mean a place, *building* or *structure* or part thereof used for the retail sale of lumber and/or *building* supplies including, without limitation, roofing, masonry, plumbing, heating, electrical, paint and similar items. The sale of tools and equipment used in the *building* trades may be *permitted* as accessory to the main retail use.
- 2.95 **"MARINA"** shall mean an establishment on a navigable waterway where marine craft, equipment and supplies are sold, leased, stored, docked or repaired and includes as accessory thereto the sale of marine related sports equipment, fuel and club facilities.
- 2.96 **"MERCHANDISE SERVICE SHOP"** shall mean an establishment where household or business articles or goods such as appliances, furniture, electronics or similar items are repaired, refurbished or serviced, but excludes any manufacturing operation.
- 2.97 **"MOBILE HOME"** shall mean a prefabricated *building* designed to be made mobile whether the running gear is removed or not and manufactured to provide cooking, eating, living, sleeping, and sanitary facilities, constructed to Canadian Standards Association (CSA) standard Z240, as amended from time to time, and which is designed to be used as a principal residence.
- 2.98 **"MOBILE HOME PARK"** shall mean a plan of subdivision approved and registered, and designed and intended for the location of *mobile homes* thereon.
- 2.99 **"MODEL HOME"** shall mean a *dwelling* which is not occupied for human habitation but is used for the purpose of display to the public and where a portion of this *dwelling* may be used as a sales office for the *dwelling units* to be constructed on *lots* within a plan of subdivision or condominium.
- 2.100 **"NON-COMPLYING"** shall mean an *existing lot, building* or *structure* that does not fulfil the requirements of either the specific *Zone* regulations or general provisions of this By-Law for the *Zone* in which the *lot, building* or *structure* is located and the general provisions, but which complied to the applicable regulations and general provisions when the *lot* was created or the *building* or *structure* was constructed.
- 2.101 **"NON-CONFORMING"** shall mean a use of any *lot, building, or structure*, or portion thereof, which does not conform with the list of *permitted* uses of this By-Law for the *Zone* in which such *existing lot, building* or *structure* is located.
- 2.102 **"OFFICE, BUSINESS ADMINISTRATION"** shall mean a *building* or part of a *building* used in administering, directing, managing or conducting the affairs of a business but not providing services directly to the public or produce or distribute any goods on the premises.
- 2.103 **"OFFICE, GOVERNMENT"** shall mean a *building* or part of a *building* used for the purposes of administration of a government or agency, or a department or office of a government or agency.
- 2.104 **"OFFICE, INDUSTRIAL"** shall mean a *building* or part of a *building* used by a manufacturing, industrial, warehousing or similar business to manage, administer, direct or conduct the affairs of the industrial operation for the business.
- 2.105 **"OFFICE, PERSONAL SERVICE"** shall mean a *building* or part of a *building* being used as an office for individuals providing a service directly to the public such as, without limitation, a real-estate office, travel agency and insurance brokerage and

including a *government office* directly serving the public such as, without limitation, a motor *vehicle* permit office, welfare office or employment office.

- 2.106 **"OFFICE, PROFESSIONAL"** shall mean a *building* or part of a *building* used for the practice of a profession including such offices, without limitation, as an accountant, architect, engineer, land surveyor, lawyer, land use planner or other generally recognized profession.
- 2.107 **"ON-FARM DIVERSIFIED USE"** shall mean use(s) that are secondary to the principal agricultural use of the property, and are limited in area. [34-Z-2019]
- 2.108 **"ONTARIO AGGREGATE RESOURCES ACT"** shall mean the *Aggregate Resources Act* and the regulations issued pursuant to the *Aggregate Resources Act*, R.S.O. 1990, Chapter A. 8, as amended.
- 2.109 **"ONTARIO BUILDING CODE ACT"** shall mean the *Building Code Act* and the regulations issued pursuant to the *Building Code Act*, S.O. 1992, Chapter 23, as amended.
- 2.110 **"ONTARIO CONSERVATION AUTHORITIES ACT"** shall mean the *Conservation Authorities Act* and the regulations issued pursuant to the *Conservation Authorities Act*, R.S.O. 1990, Chapter C. 27, as amended.
- 2.111 **"ONTARIO ENVIRONMENTAL PROTECTION ACT"** shall mean the *Environmental Protection Act* and the regulations issued pursuant to the *Environmental Protection Act*, R.S.O. 1990, Chapter E. 19, as amended.
- 2.112 **"ONTARIO HEALTH PROTECTION AND PROMOTION ACT"** shall mean the *Health Protection and Promotion Act* and the regulations issued pursuant to the *Health Protection and Promotion Act*, R.S.O. 1990, Chapter H. 7, as amended.
- 2.113 **"ONTARIO, LONG POINT REGION CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES"** shall mean the regulations issued pursuant to Ontario Regulation 178/06 issued under the *Conservation Authorities Act*, R.S.O. 1990, Chapter C. 27, as amended.
- 2.114 **"ONTARIO MUNICIPAL ACT"** shall mean the *Municipal Act* and the regulations issued pursuant to the *Municipal Act*, 2001, S.O. 1990, Chapter 25, as amended.
- 2.115 **"ONTARIO NUTRIENT MANAGEMENT ACT"** shall mean the *Nutrient Management Act* and the regulations issued pursuant to the *Nutrient Management Act*, 2002, R.S.O. 1990, Chapter 4, as amended.
- 2.116 **"ONTARIO PLANNING ACT"** shall mean the *Planning Act* and the regulations issued pursuant to the *Planning Act*, R.S.O. 1990, Chapter P. 13, as amended.
- 2.117 **"ONTARIO PROVINCIAL OFFENCES ACT"** shall mean the *Provincial Offences Act* and the regulations issued pursuant to the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33, as amended.
- 2.118 **"OUTDOOR EVENT SPACE"** shall mean the area identified for a short term organized gathering, festival or event, that may or may not be licenced, and includes any stage area, viewing area, eating area but excludes areas identified for parking. [5-Z-2018]

- 2.119 **"OUTDOOR PATIO OR CAFE"** shall mean an outdoor area enclosed by a fence, ropes, gates or other means of delineating such area wherein food and drinks are offered for sale or sold to the public for immediate consumption within the enclosed outdoor area.
- 2.120 **"OUTDOOR STORAGE"** shall mean the storage or display of equipment, materials or things not within an enclosed *building*. Enclosure of an area by a fence or a canopy or roofed *structure* shall not be construed as an enclosed *building*.
- 2.121 **"PARK"** shall mean an area of land owned and operated by a government agency, a community service club or charitable organization and used for open space, horticulture, outdoor recreation, or maintenance of a natural area but excludes a *tent and trailer park*.
- 2.122 **"PARK MODEL TRAILER"** shall mean a recreational unit that meets the following criteria:
- a) it is built on a single chassis mounted on wheels;
 - b) it is designed to facilitate relocation from time to time;
 - c) it is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and,
 - d) it has a gross floor area, including lofts, not exceeding 50 square metres when in the set-up mode and has a width greater than 2.6 metres in a transit mode.
- 2.123 **"PARKING AISLE"** shall mean the area used by motor *vehicles* for access to and from all off-street *parking spaces*, but does not include an access *driveway*.
- 2.124 **"PARKING LOT"** shall mean an area or *structure* provided for the parking of automotive *vehicles* and includes any related aisles, *parking spaces*, ingress and egress *lanes*, but shall not include any part of a *street*.
- 2.125 **"PARKING SPACE"** shall mean an area which is used for and is adequate for the temporary parking or storage of an automotive *vehicle*.
- 2.126 **"PIER"** shall mean a *structure* built on posts extending from land out over water, used as a landing place for boats and/or watercraft. [8-Z-2017]
- 2.127 **"PERMITTED"** shall mean *permitted* by this By-Law.
- 2.128 **"PERSON"** shall mean an individual, partnership, corporation, association, trust, unincorporated organization or any other entity or organization, including a government or agency or political subdivision thereof.
- 2.129 **"PERSONAL SERVICE SHOP"** shall mean an establishment where a personal service is performed, such as, without limitation, a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio, a music studio or similar use.
- 2.130 **"PIT OR QUARRY"** shall mean a place licensed to permit the excavation of aggregate resources under the *Ontario Aggregate Resources Act*.

- 2.131 **"PLACE OF ASSEMBLY"** shall mean a *building* or part of a *building* used for meetings, banquets and assembly which may include an auditorium, assembly hall or banquet hall.
- 2.132 **"PLACE OF ENTERTAINMENT"** shall mean a *building* or part of a *building* wherein facilities are provided for entertainment or amusement which may include, without limitation, a pool hall, a bowling alley, an *arcade*, a theatre, a music or dance hall, or other cultural activity.
- 2.133 **"PLACE OF SPORTS AND RECREATION"** shall mean a place, *building* or part of a *building* where or wherein facilities are provided for sports and/or recreation which may include, without limitation, an arena, a curling rink, a skating rink, racquet sports, a gymnasium, a swimming pool, a tennis court, an indoor golf facility or a fitness facility.
- 2.134 **"PLACE OF WORSHIP"** shall mean a church, temple, mosque, synagogue or other *building* or part of a *building* used for public worship.
- 2.135 **"PRIVATE CLUB"** shall mean a place, *building* or part of a *building* where social functions are carried out solely by a private organization for its members and their guests.
- 2.136 **"PUBLIC UTILITY YARD"** shall mean land or *buildings* used for the storage, repair and maintenance of *vehicles*, equipment or material used in connection with supplying of public services, municipal works or utilities and may include as *accessory uses* administrative offices.
- 2.137 **"RECREATIONAL VEHICLE"** shall mean a *vehicle* designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven, towed, transported or relocated from time to time whether or not the *vehicle* is jacked up or its running gear is removed. A *recreational vehicle* shall not be used as the principal place of residence of the occupant. A *recreational vehicle* shall include a motor home, camper trailer, motorized home, motorized camper, truck camper, pick-up coach, chassis-mounted camper, slide-in camper, tent trailer, fifth-wheel trailer, *park model trailer* and similar mobile *vehicles*, watercraft, boats and marine craft, but excludes a *mobile home*.
- 2.138 **"REQUIRED"** shall mean as *required* by the provisions contained *herein*.
- 2.139 **"RESERVE, 0.30 METRE (ONE FOOT RESERVE)"** shall mean a narrow strip of land, traditionally one (1) foot in width and in metric measurement being generally 30 centimetres in width, reserved for the purpose of restricting access.
- 2.140 **"RESTAURANT"** shall mean a *building* or part of a *building* wherein food is offered for sale or sold to the public for immediate consumption either within the *building* or elsewhere. This definition includes a licensed dining room and a tea room. A *restaurant* may contain an *outdoor patio* or *cafe*.
- 2.141 **"RESTAURANT, FAST FOOD"** shall mean a *building* or part of a *building* wherein food is offered for sale or sold to the public for immediate consumption either within the *building* or elsewhere and where patrons order, obtain and pay for their food from a counter and/or a drive through window. This definition includes a cafeteria, a lunch counter and a coffee shop.

- 2.142 **"RESTAURANT, TAKE-OUT"** shall mean a *building* or part of a *building* wherein prepared food is offered for sale or sold to the public for immediate consumption in places other than in the *building* where the food is prepared. This definition includes a *chip wagon*.
- 2.143 **"RETAIL STORE"** shall mean a *building* or part of a *building* or an enclosed outdoor area which is used for the retail sale of goods, wares, merchandise, substances, articles and things. This definition does not include a *salvage yard* or a *department store* but does include comparison goods shopping.
- 2.144 **"RETIREMENT HOME"** shall mean a multiple *dwelling* where all *dwelling units* do not contain full kitchens but where the *building* provides communal facilities such as kitchen/ dining facilities, laundry facilities, lounges and where the residents are supervised in their daily living activities. A *retirement home* shall not be considered a *long-term care facility*, emergency shelter, lodging house or any other facility which is licensed, approved or regulated under any general or special Act.
- 2.145 **"SALVAGE YARD"** shall mean an establishment where used and disused goods, wares, merchandise, motor *vehicles*, articles or things are dismantled and stored for further use. This definition may include a junk yard, a scrap metal yard or an automobile wrecking yard and retail sales incidental to the foregoing main uses.
- 2.146 **"SECTION 59 NOTICE"** refers to the requirements under Section 59 of the Clean Water Act, which requires issuance of a notice from the County's Risk Management Official before permitting an activity that is considered a restricted land use as identified in the Long Point Region Source Protection Plan. [37-Z-2017]
- 2.147 **"SETBACK"** shall mean the least dimension between a property line and the nearest wall of any *building* or *structure* on the *lot*.
- 2.148 **"SHIPPING CONTAINER"** shall mean a container or standardized transportation box with strength suitable to withstand repeated use for shipment, storage, and handling via multiple modes of sea and ground transportation including freight, rail, road and water. [15-Z-2017]
- 2.149 **"SEPTIC SYSTEM AND/OR HOLDING TANK"** shall mean a system that stores and/or treats human waste on-site and shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. [37-Z-2017]
- 2.150 **"SIGHT TRIANGLE"** shall mean the triangular space formed by the *street lines* of a *corner lot* and a line drawn from a point on one of the said *street lines* to a point on the other said *street lines*, each said point being measured a specific distance from the point of intersection of the said *street lines*.
- 2.151 **"SIGN"** shall mean a name, identification, description device, display, or illustration which directs attention to an object, product, place, activity, *person*, institution, organization or business.
- 2.152 **"SIGNIFICANT DRINKING WATER THREAT"** means a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk (Source: Clean Water Act). [37-Z-2017]

- 2.153 **"SMALL ON-SITE SEPTIC SYSTEM AND/OR HOLDING TANK"** shall mean a system that stores and/or treats human waste on-site with a design flow of less than or equal to 10,000 litres per day and subject to approval under the Building Code Act or the Ontario Water Resources Act. These systems shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants. [37-Z-2017]
- 2.154 **"SPECIAL EVENT SALES"** shall mean the use of land, *buildings* or *structures* for the purpose of a show or event, the principle intent of which is the retail sale of goods, wares, merchandise, substances, articles or things to the public for a short term. Short term, for the purposes of this definition, shall mean not longer than seven (7) days of consecutive duration or fifteen (15) days total duration during any calendar year for any specific individual sale.
- 2.155 **"STOREY"** shall mean the portion of a *building* which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, the portion between the top of such floor and the ceiling above it.
- 2.156 **"STOREY, FIRST"** shall mean the *storey* with its floor closest to *finished grade* and having its ceiling more than 1.8 metres above *finished grade*.
- 2.157 **"STREET"** shall mean a public highway or public road or an open road allowance owned and maintained by the *County* or the Province of Ontario. A *street* allowance shall be considered a *street*, but this definition shall not include a public or private *lane* or private right-of-way.
- 2.158 **"STREET CENTRE-LINE"** shall mean a line drawn parallel to and equidistant from the limits of a road allowance as originally laid out prior to any subsequent road widening.
- 2.159 **"STREET, IMPROVED"** shall mean a *street* which has been constructed and is maintained in such a manner so as to facilitate its year round use by automotive traffic and is intended to provide automotive access to abutting *lots*.
- 2.160 **"STREET LINE"** shall mean the limit of the *street* allowance and is the dividing line between the *lot* and a *street*.
- 2.161 **"STRUCTURE"** shall mean anything constructed or *erected*, the use of which requires location on or in the ground, or attached to something having location on or in the ground but excluding an underground servicing facility.
- 2.162 **"SUPERMARKET"** shall mean a *building* or part of a *building* in which a diverse line of goods such as canned, bottled, packaged and frozen foods, fresh meat and poultry, fish, fresh fruits and vegetables, prepared food products, bakery products, dairy products, candy and confectionery and other food products are sold. In addition, newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers and plants, other non-food articles and services may be sold provided they are subordinate to the main use.
- 2.163 **"TENT AND TRAILER PARK"** shall mean an area of land used for camping or for the parking of *recreational vehicles* for vacationing or recreational purposes and shall include the storage of such *vehicles* over the winter months.

- 2.164 **"THERMAL DESTRUCTOR"** shall mean an incinerator or a furnace for the burning of refuse and industrial by-products or residues.
- 2.165 **"TOURIST CABIN"** shall mean a detached, furnished *building* providing temporary rental accommodation for one (1) or more individuals, in which cooking, eating, sleeping and sanitary facilities are provided, for use by the vacationing public.
- 2.166 **"TOURIST INFORMATION BUILDING"** shall mean a *building* or part of a *building* used to disseminate information regarding tourist accommodation, attractions and events.
- 2.167 **"TOURIST RETAIL ESTABLISHMENT"** shall mean a *building* or a part of a *building* that is used for the retail sale of merchandise relating to local tourism activities.
- 2.168 **"TRAINING AND REHABILITATION CENTRE"** shall mean a *building* or part of a *building* wherein facilities are provided and operated by social, public and private agencies for the rehabilitation and training of socially, physically or psychologically challenged individuals and may include living quarters for such individuals.
- 2.169 **"TRUCK TERMINAL"** shall mean a *building* or place where trucks or transports are rented, leased, kept for hire, stored, parked or dispatched for hire as common carriers.
- 2.170 **"USABLE FLOOR AREA"** shall mean the total area of all floors of a *building, outdoor patio or cafe, or dwelling unit* including:
- a) a hallway, aisle, stairway and corridor within a suite or unit;
 - b) an internal wall and partition within a suite or unit;
 - c) a storage room and storage area within a suite or unit;
 - d) a *boatslip* in the case of a *boathouse*;
 - e) a *habitable room* or area in the *basement* of a *dwelling*.

But excluding:

- a) an area occupied by a common area in a multi-tenant *building* including but not limited to a public stairwell, public or shared corridor and lobby;
- b) a mechanical shaft;
- c) an entry vestibule not within a *dwelling unit*;
- d) a garage attached to a *building*;
- e) an unfinished *basement* in a *dwelling* used for storage or laundry.

The *usable floor area* for a *dwelling* is measured from the outside face of exterior walls or to the centre-line of party or *common walls*.

The *usable floor area* for all other *buildings* shall be measured from the inside face of exterior walls, interior *common walls* and firewalls.

- 2.171 **"UTILITY SERVICE BUILDING"** shall mean a *building or structure* used in connection with the supplying of local utility services and may include, without limitation, a water or sewer pumping station, water storage reservoir, gas regulator *building*, hydro sub-station, telephone repeater or exchange *building*, sewage or water treatment plant.
- 2.172 **"VEHICLE"** shall mean an automobile or motorized transport or truck designed or used for carrying passengers or for transporting goods and may include: a *farm implement, mobile home, recreational vehicle, snowmobile or marine craft*.
- 2.173 **"VEHICLE SALES OR RENTAL ESTABLISHMENT"** shall mean an establishment having as its main use the storage and display of *vehicles* for sale, rent or lease. *Accessory uses* may include facilities for the repair or maintenance of *vehicles*. A *vehicle sales or rental establishment* shall not include an *industrial garage*.
- 2.174 **"VIDEO STORE"** shall mean a *building* or part of a *building* wherein videos are offered for sale or rent.
- 2.175 **"WHARF"** shall mean a *structure* built on the shore of or projecting into a lake, stream, river, etc., so that boats and/or watercraft may be moored alongside to load or unload or to lie at rest. [8-Z-2017]
- 2.176 **"WHOLESALE OUTLET"** shall mean an establishment in which goods, wares, merchandise, substances, articles or things are offered or kept for sale in large quantities for wholesale to retail business establishments and shall not include *Cannabis Production and Processing*. [25-Z-2018]
- 2.177 **"YARD"** shall mean the space between a *building or structure* on a *lot* and the *lot lines* of the *lot*. Any *yard* requirement *herein* is expressed as a horizontal linear distance perpendicular to a *lot line*. Where *yards* meet at a corner greater than 180 degrees, measured from the inside of the property, the *yards* shall extend to the point of intersection of the adjoining *yard*. A *required yard* shall be the distance from the *lot line* to the extent specified by this By-Law.
- 2.177.1 **"FRONT YARD"** shall mean a *yard* extending across the full width of the *lot* between the *front lot line* of the *lot* and the nearest part of any excavation or main *building* on the *lot*.
- 2.177.2 **"REAR YARD"** shall mean a *yard* extending across the width of the *lot*, exclusive of any *exterior side yard*, between the *rear lot line* and the nearest part of any excavation or main *building* on the *lot*. If a *lot* has only three (3) *lot lines* and there is no *rear lot line*, the *rear yard* shall be the area extending across the full width of the *lot*, between the apex formed by the *side lot line* and the nearest part of any excavation or main *building* on the *lot*.
- 2.177.3 **"INTERIOR SIDE YARD"** shall mean a *yard* extending from the *front yard* to the *rear yard* and from the *interior side lot line* to the nearest part of any excavation or main *building* on the *lot*. A *required interior side yard* shall extend from the *required front yard* to the *required rear yard*.
- 2.177.4 **"EXTERIOR SIDE YARD"** shall mean a *yard* abutting a *street*, and extending from the *front yard* to the *rear lot line* and from the *exterior side lot line* to the nearest part of any excavation or main *building* on the *lot*. A *required exterior side*

yard shall extend from the *required front yard* to the *rear lot line*.

2.178 **“ZONE”** shall mean a designated area of land shown on the Schedules to this By-Law.

3.0 General Provisions

3.1 Accessory Uses to Non-Residential Uses

No *building* or *structure*, excluding a *sign*, which is accessory to any non-residential use in any *Zone* shall:

- a) contravene any *Zone* provisions for the *Zone* in which the *building* or *structure* is located except;
 - i. a building or structure used as a gatehouse or kiosk for parking attendants or security personnel which may be erected in any required setback from a street provided such building or structure is located no nearer than 3 metres to any street line and provided it does not exceed 20 square metres in area;
- b) be established on any *lot* until or unless the main *building* or use to which it is accessory is established;
- c) occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 200 square metres *usable floor area* on a lot less than 2 hectares in the Agricultural *Zone* (A). [66-Z-2018]

3.2 Accessory Uses to Residential Uses

3.2.1 No *building* or *structure* which is accessory to any *permitted* residential use in any *Zone* shall:

- a) exceed a *building height* of 5 metres in an Urban Residential *Zone* (R1 to R6), 7 metres in the Resort Residential *Zone* (RR), 8 metres in the Agricultural *Zone* (A), and 6 metres in all other *Zones* [8-Z-2020];
- b) occupy any part of a *front yard*, except:
 - i. an *accessory building* or *structure* in an Agricultural *Zone* (A) which shall occupy no part of a *required front yard*;
- c) occupy any part of a *required exterior side yard*;
- d) be nearer than 1.2 metres of a *lot line* within an *interior side yard* or 1.2 metres of an *interior lot line* within a *front yard*;
- e) be nearer than 1.2 metres of an *interior lot line* within a *rear yard* except:
 - i. in the case of a mutual *private garage* in the *rear yard* on a common *interior side lot line*, no separation distance is *required*;
 - ii. in the case of a *rear lot line* adjoining a private or public *lane*, no *setback* is *required*;
- f) in the case of a *through lot*, be nearer than 6 metres from any *street line* or the average *setback* of the nearest *structures* whichever is less;

- g) occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 55 square metres *usable floor area* in an Urban Residential Zone (R1 to R6) and 100 square metres *usable floor area* in all other Zones, excluding Agricultural Zone (A) where a maximum size of 200 square metres of *usable floor area* is *permitted* to a maximum of 10 percent of the *lot area*. [7-Z-2018]
Swimming pools shall not constitute a *structure* for the purposes of this provision;
- h) be established on any *lot* until or unless the main *building* or use to which it is accessory is established.

3.2.2 *Boathouse*

Notwithstanding Subsection 3.2.1, a *boathouse* as an *accessory use* to a residential use shall comply with the provisions in the applicable *Zone* and with the following provisions:

- a) minimum *exterior side yard* – 6 metres;
- b) minimum *interior side yard* – 1.2 metres, except where a *boathouse*, is *erected* on a common *lot line* in which case no *interior side yard setback* is *required*;
- c) maximum *building height* – 5 metres;
- d) maximum total *usable floor area* – 56 square metres;
- e) maximum *lot coverage* – shall not occupy more than 10 percent of the *lot area*, for all *accessory buildings*;
- f) shall not contain a *dwelling unit*, *habitable room* or washroom facilities.

3.2.3 *Accessory Residential Dwelling Units*

Accessory residential dwelling unit shall be *permitted* in *single detached*, *semi-detached*, and *street townhouses* and located on the same *lot* as the primary *dwelling*, subject to the following provisions:

- a) *accessory residential dwelling units* shall be regulated by the applicable provisions pertaining to the primary use for each *lot* and by the provisions of Subsection 3.2 *Accessory Uses to Residential Uses* of this By-Law as applicable;
- b) Notwithstanding Subsection 3.2.3 a), and in lieu of the applicable provisions of Subsection 3.2, where an *accessory residential dwelling unit* is located in an *accessory building or structure* the following shall apply:
 - i. Be nearer than 3.3 metres of a *lot line* within an *interior side yard* or *rear yard* except:
 - a. in the case of a mutual *private garage* in the *rear yard* on a common *interior side lot line*, no separation distance is required;
 - b. in the case of a *rear lot line* adjoining a private or public *lane*, no *setback* is *required*;

- ii. be located a maximum of 30 metres from the *primary dwelling*;
- c) the *accessory residential dwelling unit* shall have its own exterior entrance separate from the exterior entrance to the *primary dwelling unit*, but shall not be *permitted* on an elevation, or façade of the *building* that faces a public street or private road; and shall have no means of internal access to the *primary dwelling unit*, except that access to a primary and second *dwelling* through a common vestibule entry is *permitted*;
- d) one (1) off-street *parking space* shall be provided for the *accessory residential dwelling unit* in addition to the minimum required *parking spaces* for the *primary dwelling*, and in accordance with provisions in the Off Street Parking Section of this By-Law;
- e) the maximum number of *residential dwelling units permitted per lot* shall be two (2), including the *accessory residential dwelling unit*;
- f) only one (1) *accessory residential dwelling unit* is permitted on a lot occupied by a *primary dwelling unit*. Where an *accessory residential dwelling unit* is located on a lot, none of a garden suite, a boarding or lodging house, or rooming house are permitted on that lot. If a garden suite a boarding or lodging house, or rooming house already exists on a lot, an *accessory residential dwelling unit* is not permitted;
- g) an *accessory residential dwelling unit* shall not be *permitted* in a *vacation home* or any other *dwelling* intended for vacations, recreation, seasonal or short-term accommodation purposes;
- h) all *accessory residential dwelling units* shall be required to meet all legislation, regulation and By-Law standards and requirements and all appropriate permits must be issued prior to the establishment of the *accessory residential dwelling unit*;
- i) the *accessory residential dwelling unit* shall not be larger than 45 percent of the *usable floor area* of the *dwelling unit* [27-Z-2020];
- j) *accessory residential dwelling units* are only *permitted* in *dwelling units* connected to municipal or private water services and sanitary sewer system or private septic systems;
- k) *accessory residential dwelling units* are not *permitted* in *buildings or structures* with a legal *non-conforming* use unless relief from the Zoning By-Law has been approved through a Zoning By-Law Amendment or Minor Variance in order to establish such *accessory residential dwelling unit*;
- l) a minimum of 50 percent of the *front yard* shall be maintained as landscaped open space. [7-Z-2020]

3.3 **Auction Centre**

Any *auction centre* shall be subject to the following provisions:

- a) there shall be no *outdoor storage* of goods, wares, merchandise, substances, articles or things except as *permitted* by (b) below;

- b) notwithstanding (a) above, the *outdoor storage* of goods, wares, merchandise, substances, articles or things shall be *permitted* on the day of an auction and no more than twenty-four (24) hours in advance or twenty-four (24) hours after the sale provided that only those goods, wares, merchandise, substances, articles or things intended for sale by auction are stored or displayed;
- c) no land shall be used for *auction centre* purposes until or unless a *building* intended for *auction centre* use has been established on the *lot*.

3.4 **Bed & Breakfast**

Any *bed & breakfast* shall be subject to the following provisions:

- a) the operator shall live in the *dwelling unit*;
- b) up to three (3) bedrooms may be made available for guests; [66-Z-2018]
- c) no parking for guests shall be *permitted* within the *front yard*.

3.5 **Building Separation from Railways**

The pertinent *side yard* and *rear yard* provisions contained *herein* shall not apply where an *interior lot line* is in common with a railway right-of-way boundary in which case the minimum separation distance between any *building* or *structure* and the railway right-of-way boundary shall be as follows:

- a) for any *dwelling unit*, institutional use, *hotel*, motel, motor hotel, hospital, school – 15 metres;
- b) for any industrial, commercial or agricultural *building* requiring direct rail loading facilities, or for any *building* or *structure* accessory to any *permitted* use – 0 metres;
- c) all other *buildings* – 6 metres.

3.6 **Decks and Porches**

No *deck* or *unenclosed porch* shall:

- a) be nearer than 1.2 metres from an *interior side lot line*;
- b) have a floor higher than the height, above *finished grade*, of the floor of the *first storey* of the main *dwelling* on the lot, if so, it is referred to as a *balcony* [27-Z-2020];
- c) be closer than 3 metres from the *rear lot line*; [8-Z-2020]
- d) project more than 1.5 metres into the *required front yard* or *required exterior side yard*;
- e) on a sloping *rear yard*, be closer than 3 metres from an *interior lot line* and 6 metres from the *rear lot line*, at the point where the *deck* floor reaches a height of 2 metres above the finished surface of the ground.

3.7 Established Building Line

Notwithstanding the *front yard* or *exterior side yard* requirements of this By-Law, any *building* in a residential or commercial *Zone* may be located closer to the *street line* than *required*, provided it is in accordance with the *established building line*, and is not located closer to the *street centre-line* than half the planned road width set out in Subsection 3.28.2.

3.8 Exemptions from Height Provisions

The height provisions of this By-Law shall not apply to the following uses:

- a) belfry, steeple, spire, clock or bell tower, dome, cupola, or flag pole;
- b) chimney or stack;
- c) radio, television or telecommunication antennae;
- d) aids to navigation;
- e) electrical transmission tower or pylon;
- f) water storage *structure*;
- g) barn, silo, drying elevator or tower, fire training tower, kiln, windmill, grain elevator;
- h) elevator enclosure or mechanical penthouse occupying not more than 10 percent of the area of the roof of a *building* on which it is located;
- i) machinery for the moving of industrial and extractive materials and housing frames and *structures* for such machinery;
- j) hospital.

3.9 Minimum Services

3.9.1 No land shall be used and no *building* or *structure* shall be *erected*, used or occupied, including alteration or change of use of a *building* or *structure* in any urban *Zone* unless:

- a) servicing capacity is confirmed as being available for all watermains and sanitary systems;
- b) watermains, storm sewers, sanitary systems and hydro service are constructed and operational and all regulatory approvals have been received to the satisfaction of the *County* or appropriate approval authority;
- c) stormwater management facilities, if required, are constructed and operational;
- d) adequate water supply is available for fire protection; and
- e) roadways and/or lanes are constructed to the satisfaction of the *County* and provide safe and adequate access to all *buildings* or *structures*.

3.9.2 No land shall be used and no *building* or *structure* shall be used or occupied, including alteration or change of use of a *building* or *structure* in any rural *Zone* unless an approved waste disposal system, water supply and hydro service are constructed and operational and all regulatory approvals have been received to the satisfaction of the *County* or any jurisdiction having authority;

- a) Stormwater management facilities, if required, are constructed and operational;
- b) adequate water supply is available for fire protection; and
- c) roadways and/or lanes are constructed to the satisfaction of the *County* and provide safe and adequate access to all *buildings* or *structures*.

3.9.3 Notwithstanding Subsections 3.9.1 and 3.9.2 above, nothing herein shall prevent the construction of model homes in accordance with Subsection 3.23 of By-Law 1-Z-2014.

3.9.4 Notwithstanding Subsections 3.9.1 and 3.9.2 above, nothing herein shall prevent the issuance of a conditional building permit if it is in accordance with the *Ontario Building Code Act* and deemed appropriate by the Chief Building Official.

3.9.5 That the General Manager of the Public Works and Environmental Services Department has the discretion to waive the requirement for minimum services where a municipal water supply or municipal sanitary sewer system is not available or require that the municipal water supply or municipal sanitary sewer system be extended to service the property. [8-Z-2017]

3.10 **Exemptions from Yard Provisions**

Except as otherwise provided *herein*, every part of any *required yard* shall be open and unobstructed by any *building*, *structure*, fuel-storage tanks, heating or air conditioner units, and generators except:

- a) sills, belt courses, cornices, chimneys, bay windows, pilasters, hydro meters or gas meters may project into any *required yard* or *setback* area a distance of not more than 0.65 metres;
- b) eaves or gutters may project into any *required yard* or *setback* area a distance of not more than 0.65 metres;
- c) canopies or awnings may project into any *required rear yard*, *required front yard* or *required exterior side yard* area a distance of not more than 1.5 metres;
- d) *balconies* may project into any *required rear yard*, *required front yard* or *required exterior side yard* area a distance of not more than 1.5 metres provided they are no closer than 3 metres from an *interior lot line* and 6 metres from a *rear lot line*;
- e) barrier-free access ramps may project into any *required rear yard*, *required front yard* or *required exterior side yard* area a distance of 3 metres;
- f) steps may project into any *required rear yard*, *required front yard* or *required exterior side yard* area a distance of not more than 1.5 metres; and steps may project into any *required interior side yard* area a distance of 1 metre.

- g) Public utilities may project into any *required rear yard, required front yard, required interior side yard* area or *required exterior side yard* area. [66-Z-2018]
- h) Air conditioner units, provided the encroachment is no closer than 0.6 metres to the *side lot line*. [27-Z-2020]

3.11 **Frontage on a Street**

- 3.11.1 No *building* or *structure* shall be *erected, altered* or enlarged on any land which does not have the minimum *required lot frontage* on an open, constructed and year-round, *improved street*.
- 3.11.2 For the purposes of this Subsection, a private condominium road servicing a condominium development shall be deemed to be an open, constructed and year-round *improved street*.

3.12 **Gasoline Pump Islands**

Notwithstanding anything to the contrary contained *herein*, a gasoline pump island including any kiosk or canopy associated therewith, may be located in any *front* or *exterior side yard* provided:

- a) no portion of the gasoline island or kiosk is located nearer than 5 metres to any *lot line* or 3 metres to any *sight triangle*;
- b) the outer edge of any canopy is located no nearer than 1 metre to any *lot line* and provided the support columns of any canopy are located no nearer than 5 metres to any *lot line* or within a *sight triangle*.

3.13 **Home Industry**

Any *home industry* shall be subject to the following provisions:

- a) there shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, offered or exposed for sale or rent on the premises;
- b) there shall be no change to the exterior appearance of the *building* used to accommodate the *home industry*;
- c) two (2) employees in addition to the proprietor shall be *permitted* (does not include *farm* workers on a registered *farm*);
- d) no *home industry* shall occupy more than 100 square metres of the *usable floor area* of the *building* in which it is located; in cases where there is more than one (1) *home industry*, the cumulative total *usable floor area* of the *building* occupied by the *home industries* shall not exceed 100 square metres;
- e) no *home industry* shall occupy any portion of a *dwelling*;
- f) no *outdoor storage* accessory to the *home industry* shall be *permitted*;
- g) no *home industry* shall be located in a *building* which is closer than 10 metres from an *interior lot line*.

3.14 **Home Occupation**

Any *home occupation* shall be subject to the following provisions:

- a) there shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, offered or exposed for sale or rent on the premises;
- b) there shall be no change to the exterior appearance of the *dwelling* to accommodate the *home occupation*;
- c) two (2) employees in addition to the proprietor shall be *permitted*;
- d) no *home occupation* shall occupy more than 25 percent to a maximum of 60 square metres of the *usable floor area* of the *dwelling unit* in which it is located; in cases where there is more than one (1) *home occupation*, the cumulative total *usable floor area* of the *dwelling unit* occupied by the *home occupations* shall not exceed 25 percent to a maximum of 60 square metres;
- e) no *home occupation* shall occupy any portion of an *accessory building*.

3.15 Lakeshore, Erosion Prone Area Provisions

3.15.1 Any *building* or *structure* shall be located a minimum distance inland from the nearest top of bank along the Lake Erie shore in accordance with the following:

<u>Location</u>	<u>Minimum Distance</u>
a) within Concession South Lake Road and North Lake Road, geographic township of Houghton:	
West ½ of Lot 1	300 metres
East ½ of Lot 1	400 metres
West ½ of Lot 2	350 metres
East ½ of Lot 2	250 metres
West ½ of Lot 3	250 metres
East ½ of Lot 3	350 metres
Lot 4	400 metres
West ½ of Lot 5	400 metres
East ½ of Lot 5	300 metres
Lot 6	200 metres
West ½ of Lot 7	250 metres
East ½ of Lot 7	200 metres
Lot 8	200 metres
Lot 9	200 metres
Lot 10	180 metres
West ½ of Lot 11	150 metres
East ½ of Lot 11	90 metres
West ½ of Lot 12	150 metres
East ½ of Lot 12	220 metres
Lot 13	250 metres
West ½ of Lot 14	250 metres
East ½ of Lot 14	220 metres
West ½ of Lot 15	220 metres
East ½ of Lot 15	200 metres
Lot 16	160 metres
Lot 17	170 metres
West ½ of Lot 18	200 metres
East ½ of Lot 18	250 metres
West ½ of Lot 19	280 metres
East ½ of Lot 19	240 metres
Lot 20	200 metres
Lot 21	150 metres
West ½ of Lot 22	130 metres
East ½ of Lot 22	150 metres
Lot 23	150 metres
b) within geographic township of South Walsingham:	
Lot A – Gore	130 metres
Lot 1, Concession B	110 metres
West ½ of Lot 2, Concession B	110 metres

3.15.2 Notwithstanding Subsection 3.15.1 *existing dwellings* and additions and *accessory buildings* and *structures* thereto and *farm buildings* shall be *permitted* subject to the provisions of the Agricultural Zone (A).

3.16 **Lighting Facilities**

Where private lighting facilities, whether internal or external to any *building* or *structure*, are provided in any *Zone* to illuminate *buildings*, *structures* or uses, they shall be designed to be energy efficient, be directed downwards, and located or arranged to deflect glare away from adjacent residential uses, *streets* and the night sky and to avoid causing nuisance to adjacent property owners, or any confusion with traffic signals. [5-Z-2019]

3.17 **Livestock, Minimum Parcel Size**

No *livestock* shall be *permitted* to be kept in any *Zone* with the exception of the Agricultural Zone (A) on parcels with a minimum *lot area* of two (2) hectares. A *livestock facility* shall comply with the requirements of the *Ontario Nutrient Management Act* and Minimum Distance Separation (MDS) formulae and guidelines developed by the province, as amended from time to time.

3.18 **Location of a Dwelling**

3.18.1 No *dwelling* shall be *erected* or located on a separate *lot* unless it complies with the requirements of the *Ontario Nutrient Management Act* and Minimum Distance Separation (MDS I) formulae and guidelines developed by the province, as amended from time to time.

3.18.2 No *dwelling* shall be *erected* or located on a separate *lot* within 90 metres of an abattoir.

3.18.3 No *dwelling* shall be *erected* or located on a separate *lot* within 30 metres of a disposal industrial use, extractive industrial use, rural industrial use or a *farm processing* facility.

3.18.4 Subsections 3.18.1, 3.18.2 and 3.18.3 above shall not apply to additions or alterations to any legally established *dwelling*.

3.18.5 Subsections 3.18.1, 3.18.2, 3.18.3 and 3.18.4 above shall not apply to any *existing lot* provided that the *dwelling* is located at the furthest point possible from the *livestock facility*, manure storage area, abattoir, industrial use or *farm processing* facility and provided such *dwelling* does not contravene any *yard* provisions.

3.19 **Location of Group Home**

A *group home* is *permitted* in any *Zone* that permits a *dwelling unit* provided that:

- a) the *group home* shall comply with the applicable *Zone* regulations and provisions for the type of *dwelling* which the *group home* occupies.

3.20 **Lots Abutting a "0.30 Metre Reserve (One Foot Reserve)"**

3.20.1 Where in any *Zone* a *0.30 metre reserve* separates a *side yard* from a *street*, the *exterior side yard* requirement shall be provided and measured as though the

reserve is non-existent.

3.20.2 Where in any Zone a 0.30 metre reserve separates a portion of a front yard from a street, the lot frontage shall be measured as though the reserve is non-existent.

3.21 **Cannabis Production and Processing**

Notwithstanding any other provision of this By-law, any Cannabis Production and Processing shall be subject to the following provisions:

- a) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres.
- b) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Agricultural Zone (A) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 150 metres.
- c) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any dwelling on a separate lot, public school, private school, place of worship, campground, group home, hotel, long-term care facility, mobile home park, park, place of assembly, place of entertainment, place of sports and recreation, tent and trailer park, tourist cabin, hospital, or day care nursery than 150 metres. [5-Z-2019]
- d) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Agricultural Zone (A) may be located closer to any dwelling on a separate lot, public school, private school, place of worship, campground, group home, hotel, long-term care facility, mobile home park, park, place of assembly, place of entertainment, place of sports and recreation, tent and trailer park, tourist cabin, hospital, or day care nursery than 150 metres. [5-Z-2019]
- e) No lands, building or structure or portion thereof used for Cannabis Production and Processing purposes that is not equipped with air treatment control situated in the Agricultural Zone (A), General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any dwelling on a separate lot, public school, private school, place of worship, campground, group home, hotel, long-term care facility, mobile home park, park, place of assembly, place of entertainment, place of sports and recreation, tent and trailer park, tourist cabin, hospital, or day care nursery than 300 metres. [5-Z-2019]
- f) A building or structure used for security purposes for Cannabis Production and Processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard, and rear yard

setbacks.

- g) *Outdoor storage* is prohibited on the property in which the *Cannabis Production and Processing* is located.
- h) *Cannabis Production and Processing* shall only be permitted within the zones as explicitly indicated in this Zoning By-law.
- i) All development in relation to the establishment of or expansion to a *Cannabis Production and Processing* shall be subject to Site Plan Control. [25-Z-2018]
- j) Notwithstanding Subsections 3.21 c), d) and e), within the Agricultural Zone (A), an *on-farm diversified use* shall be permitted on the same *lot* as *Cannabis Production and Processing* subject to the requirements of Subsection 12.3. [5-Z-2019]
- k) Illumination of *Cannabis Production and Processing* operations shall be subject to the requirements of Subsection 3.16. [5-Z-2019]

3.22 **Minimum Building Elevation**

The minimum elevation of the top of foundation of any *building* and any addition to a *building* shall be 176.5 metres above sea level, Geodetic Survey of Canada datum, with the following exceptions:

- a) *accessory buildings* and attached private garages;
- b) *boathouses*;
- c) *buildings* or parts of *buildings* used for boat building, maintenance, repair, display or storage;
- d) additions, not exceeding 14 square metres in aggregate area, to *existing buildings* used for all other purposes. When a *building* is raised, Subsection 3.22 shall apply notwithstanding the definition of *alter* contained *herein*.

3.23 **Model Homes**

Notwithstanding any other provision of this By-Law, where a subdivision or condominium agreement or preservicing agreement has been executed by the owner regarding the development of a site, more than one (1) *single detached dwelling*, *semi-detached dwelling* or *townhouse dwelling* may be constructed on a *lot* as a *model home* in accordance with a conditional *building* permit prior to the registration of the plan of subdivision or condominium plan subject to the following provisions:

- a) the type of *dwelling* shall be *permitted* in the *Zone* in which the *dwelling* is to be located while the holding (H) provision is in effect;
- b) each *dwelling unit* shall be used for the purpose of a *model home* and/or sales office only and shall not be occupied as a *dwelling unit* prior to the date of the registration of the subdivision plan and the removal of the holding (H) provision if applicable;

- c) a *dwelling* used for the purpose of a *model home* shall not be connected to public water or sanitary sewer services;
- d) the maximum number of *model homes* for any proposed plan of subdivision or proposed condominium plan shall not exceed 10 percent of the total number of *dwelling units* within the plan of subdivision proposed for registration, to a maximum of twenty (20) *dwelling units*;
- e) every *model home* shall comply with all other provisions of this By-Law, as though the *dwellings* and/or units were constructed on the *lot* within the future registered plan of subdivision or condominium plan; and,
- f) every *model home* shall comply with all applicable terms and conditions of the said subdivision or condominium agreement.

3.24 **Non-Conforming Uses**

- 3.24.1 Nothing in this By-Law shall apply to prevent the use of any land, *building* or *structure* for any purpose prohibited by this By-Law if such land, *building* or *structure* was lawfully established and used for such purpose on the date of the passing of this By-Law, and provided that it continues to be used for that purpose.
- 3.24.2 Nothing in this By-Law shall prevent the strengthening or restoration of a *non-conforming building* or *structure* to a safe condition so long as the strengthening or restoration does not *alter* the height, area, size or volume of the *building* or *structure* or changes its use to other than a conforming use.
- 3.24.3 Nothing in this By-Law shall prevent a *non-conforming building* or *structure*, which is partially or fully damaged or destroyed from being restored or reconstructed provided *yard* depths, height, area, size or volume of the *building* or *structure* as it existed at the time prior to the damage or destruction are maintained or compliance with regulations of the *Zone* in which the *building* or *structure* is located is not further reduced.

3.25 **Non-Complying**

Nothing in this By-Law shall prevent a *non-complying building* or *structure* from being enlarged, extended, reconstructed, repaired, renovated or used provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of the *building* or *structure* with any provision of this By-Law.

3.26 **Number of Dwellings Per Lot**

Where this By-Law allows a *dwelling* to be located on a *lot*, not more than one (1) *dwelling* shall be *permitted*, except within Urban Residential Zones, Hamlet Zone (RH) and Agricultural Zone (A) in which an *accessory residential dwelling unit* is *permitted*.
[7-Z-2020]

3.27 **Obnoxious Uses**

No land shall be used and no *building* or *structure* shall be *erected, altered, enlarged* or used for any purpose which:

- a) is obnoxious, beyond that which normally could be expected in the operation of a *permitted* use in the *Zone* in which it is located;
- b) could create a health hazard or which would cause the proposed *building* or *structure* to be affected by a health hazard as defined and regulated under the *Ontario Health Protection and Promotion Act*; or,
- c) would cause an adverse effect on a sensitive land use or which would cause it to be affected by an adverse effect as defined and regulated by the *Ontario Environmental Protection Act*.

3.28 **Planned Road Allowance Width**

3.28.1 No *building* or *structure* or part thereof shall be *erected* or enlarged nearer:

- a) to the *street line* than the *required front yard setback*; or,
- b) on those *streets* listed in Subsection 3.28.2, to the *street centre-line*, than half the planned road allowance width plus the *required front yard setback*; or,
- c) on those *streets* listed in Subsection 3.28.2, to either (a) or (b) whichever is greater.

3.28.2 The planned road allowance width shall be:

- a) Evergreen Hill Road from Oak Street to Hillcrest Road – 26 metres;
- b) Ireland Road from Lynn Valley Road to St. John’s Road – 30 metres;
- c) Highway 59, Highway 6, St. John’s Road, Cockshutt Road, Queensway – 30 metres;
- d) all other roads – 20 metres.

3.28.3 In the case of a *street* under the jurisdiction of the Province of Ontario, in accordance with any applicable By-Law or regulation.

3.29 **Removal of Soil and Aggregates**

Notwithstanding the definition of *pit* or *quarry*, nothing contained *herein* shall prevent the Province of Ontario or the *County*, or any agent of the foregoing from carrying out any excavation of sand, gravel, stone, clay, earth or fill for the purpose of any public works.

3.30 **Setback from Municipal Drains**

No new *building* or *structure* or part thereof shall be *erected* or enlarged nearer to any municipal drain, than specified as follows:

- a) in any Agricultural (A), Industrial, Rural Commercial (CR), Rural Institutional (IR) and Open Space (OS), Open Space (Tent and Trailer) (OST) *Zones*, 9 metres from top of bank to an open drain and where the top of bank is not definable, 9 metres from the centre-line of the drain. In the case of an enclosed drain, 4.5 metres from the centre-line of the drain;

- b) in any residential, urban or hamlet commercial and urban or hamlet institutional *Zones*, 4.5 metres from the top of bank of an open drain and where the top of bank is not definable, 4.5 metres from the centre-line;
- c) Subsections 3.30 a) and b) shall not apply to *existing buildings or structures*;
- d) notwithstanding Subsections 3.30 a) and b), if the working area described in a municipal drainage By-Law is greater than in Subsections 3.30 a) or b), the working area *setback* shall apply.

3.31 **Sight Triangles**

- 3.31.1 Any *building, structure* or use which would obstruct or impair the vision of a motor *vehicle* operator, or any fence or vegetation exceeding 1 metre in height above *finished grade* shall be prohibited within any *sight triangle*. This provision shall not apply to field crops. [8-Z-2017]
- 3.31.2 A sight triangle shall be measured back from an intersection a distance of 9 metres along the street lines.
- 3.31.3 No sight triangle shall apply for an intersection in the Central Business District Zone (CBD).

3.32 **Swimming Pools**

Notwithstanding any *yard* and *setback* provisions of this By-Law, any swimming pool accessory to a main use on a *lot* or any *building or structure*, such as a pump house, change room or storage shed, used in conjunction with any swimming pool shall:

- a) not occupy any part of a *front yard*, or *required exterior side yard* except in an Agricultural Zone (A) where it shall not occupy any part of a *required front yard* or *required exterior side yard*;
- b) not be nearer than 1.2 metres of a *lot line* within an *interior side yard* or 1.2 metres of an *interior lot line* within a *front yard*;
- c) not be nearer than 1.2 metres of an *interior lot line* within a *rear yard*;
- d) in the case of any patio or walk situated at ground level around a swimming pool, be *permitted* to extend to any *interior lot line*.

3.33 **Uses Permitted in All Zones**

The following uses may be *permitted* in any *Zone* and shall be subject only to the specified provisions of this Subsection:

- a) aids to navigation;
- b) any *building or structure* accessory to exploration, drilling or pumping of petroleum or natural gas, but only until the work is completed or abandoned. For the purpose of this Subsection, failure to proceed expeditiously with any work shall constitute abandonment of such work;
- c) *buildings, structures* and uses accessory to any *permitted* use subject to the

provisions in the applicable *Zone* and Subsections 3.1 and 3.2;

- d) Canada Post mail boxes and super boxes;
- e) community festivals and events including related parking and activities directly related to such events. For the purpose of this Subsection community festivals and events shall be defined as periodic short term events lasting not more than four (4) days hosted, organized or managed by a non-profit community organization and is licenced by the *County*. Examples, without limitation, of such community festivals and events include Friday the 13th in Port Dover, Bayfest in Port Rowan, Pumpkinfest in Waterford and Harvestfest in Delhi;
- f) construction camp, work camp, tool shed, scaffold or other *buildings* and *structures* accessory to and necessary for construction work on a premise, but only until such construction work is completed or abandoned. For the purpose of this Subsection, failure to proceed expeditiously with the construction work shall constitute abandonment of such work;
- g) facilities essential to the operation of any public utility such as sewers and watermains and including any accessory *utility service building* or *structure*;
- h) gas, oil or water pipelines, power lines, telephone lines, cable television lines or any similar utility service lines including any substation, transformer or similar *utility service building* or *structure* associated therewith, excluding any *public utility yard*;
- i) a park;
- j) public washrooms;
- k) public water or public sewage treatment plants including any accessory *public utility yard*;
- l) railway lines excluding any accessory station, depot or *yard*;
- m) *signs* and billboards subject to any applicable other By-Law;
- n) *special event sales* ancillary to a *place of worship* or public service club or retail sales accessory to *permitted* uses within *buildings* owned or controlled by the *County* or the Province of Ontario or agencies thereof;
- o) storm water management and drainage facilities;
- p) *street*, traffic signs and traffic signals;
- q) swimming pool accessory to any *permitted* use subject to the provisions of Subsection 3.32;
- r) temporary one (1) day auction or temporary up to three (3) day *garage* or yard sale provided such sale is conducted no more than once a calendar year;
- s) temporary sales and rental office for the sale, rental or promotion of land and development in the immediate surrounding area.

Notwithstanding the *permitted* uses in (a) to (s) above, no *building* or *structure* shall be *permitted* in a Hazard Land Zone (HL) or a Provincially Significant Wetland Zone (PSW).

3.34 **Uses Prohibited in All Zones**

The following uses shall not be *permitted* in any *Zone*:

- a) acid works;
- b) ammonia manufacture;
- c) commercial manufacturing of fertilizers from dead animals or from human waste;
- d) commercial manufacturing of gas;
- e) glue factories;
- f) industrial liquid waste disposal well;
- g) industrial waste lagoon;
- h) industrial waste landfill site;
- i) manufacture or detonation of explosives;
- j) manufacturing of a hazardous substance;
- k) ore refineries and smelters;
- l) paint and/or varnish manufacturing;
- m) refining coal, oil or petroleum products;
- n) research laboratories which generate obnoxious emissions or which may pose a health hazard as defined by the *Ontario Health Protection and Promotion Act* and as determined by the Medical Officer of Health;
- o) residential uses within a truck, bus, coach, railway car, recreational equipment or other *vehicle* whether or not the same is mounted on wheels or other forms of mounting or foundations, except for a *mobile home* where specifically *permitted* in this By-Law;
- p) solidification process plant for industrial waste;
- q) tanneries, slaughterhouses and stock yards;
- r) tar works;
- s) the racing or any other similar competition involving *vehicles* whether sanctioned or unsanctioned unless authorized as a special event by a license issued pursuant to the *Ontario Municipal Act*, as amended;
- t) thermal destructor;

- u) uses which are obnoxious or generate obnoxious emissions and/or which are deemed to be contrary to the regulations of the *Ontario Environmental Protection Act* or the *Ontario Health Protection and Promotion Act*.

3.35 **Wellhead Protection**

3.35.1 Identification of Vulnerable Areas

- a) Vulnerable Areas shown on Schedule B represent Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) and the associated level of vulnerability for municipal water sources serving the *County* as well as Tillsonburg in Oxford County. Issue Contributing Areas (ICAs) have also been identified for some of the *County's* wellheads and are included in the Vulnerable Areas shown on Schedule B.
- b) A WHPA illustrates three time-related capture zones including a 100- metre radius surrounding the well (WHPA-A), 2 year travel time for water to enter the well (WHPA-8), and 5 year travel time for water to enter the well (WHPA-C).
- c) Water Quantity Wellhead Protection Areas (WHPA-Q1/Q2) are characterized as significant, moderate, or low, and reflect the susceptibility of the aquifer to water use and a reduction in recharge. [24-Z-2020]
- d) An Intake Protection Zone (IPZ) illustrates the area established around municipal intakes within which a spill or leak into a surface water source may enter a municipal water intake too quickly.
- e) An Issue Contributing Area (ICA) is an area within a WHPA where the existing or trending concentration of a parameter (e.g. trichloroethylene (TCE), chloride, nitrate, or sodium) or pathogen at a municipal well would result in the deterioration of the quality of the water for use as a source of drinking water. The ICAs shown in Schedule B-5 are for nitrate.
- f) The degree of vulnerability of a WHPA or IPZ is represented in Schedule B by a vulnerability score. The vulnerability score can have a value of up to 10, with 10 being the most vulnerable. ICAs are not assigned a vulnerability score as they represent an area in which certain activities would pose a significant drinking water threat regardless of the vulnerability of the underlying area.

3.35.2 Use Prohibition and Regulations within Vulnerable Areas

- a) Notwithstanding the land uses permitted by the underlying zone category in this By-law, any land use, except a solely residential land use, that involves one of the following significant drinking water threats activities shall be prohibited within the vulnerable areas identified on Schedule B until a Section 59 Notice has been issued by the *County's* Risk Management Official in accordance with the Clean Water Act, 2006, or the Risk Management Official is satisfied that a significant drinking water threat activity will not be engaged in. Amendments to this By-law are not required for a permitted use in the underlying zone category if a Section 59 Notice has been issued by the *County's* Risk Management Official in accordance with the Clean Water Act, 2006, or if the Risk Management Official has been satisfied that a significant drinking water

threat will not be engaged in.

- i. Waste disposal sites within the meaning of Part V of the Environmental Protection Act.
- ii. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
- iii. The application of agricultural source material to land.
- iv. The storage of agricultural source material.
- v. The management of agricultural source material.
- vi. The application of non-agricultural source material to land.
- vii. The handling and storage of non-agricultural source material.
- viii. The application of commercial fertilizer to land.
- ix. The handling and storage of commercial fertilizer.
- x. The application of pesticide to land.
- xi. The handling and storage of pesticide.
- xii. The application of road salt.
- xiii. The handling and storage of road salt.
- xiv. The storage of snow.
- xv. The handling and storage of fuel.
- xvi. The handling and storage of a dense non-aqueous phase liquid.
- xvii. The handling and storage of an organic solvent.
- xviii. The management of runoff that contains chemicals used in the de-icing of aircraft.
- xix. An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
- xx. An activity that reduces the recharge of an aquifer.
- xxi. The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

3.35.3 Septic Systems and Holding Tanks within Vulnerable Areas

- a) Notwithstanding any other provision of this By-law to the contrary, the following shall apply to WHPAs with a vulnerability score of 10 and/or a nitrate ICA as identified on Schedule B:

- i. A new or replacement *small on-site septic system and/or holding tank* shall be located on the same property but where possible sited outside the limits of the WHPA with a vulnerability score of 10 and/or a nitrate ICA as identified on Schedule B.
- ii. New development relying on a *large on-site septic system and/or holding tank* shall be prohibited where the *large on-site septic system and/or holding tank* would be a significant drinking water threat. [37-Z-2017]

3.36 **Surplus Farm Dwelling Severance Properties**

In addition to other provisions set out in this By-Law, where the Committee of Adjustment has approved the severance of a surplus farm dwelling lot (the “severed lot”) from an agricultural property (the “retained lands”) as a result of farm consolidation, the following provisions shall apply:

- a) Notwithstanding the *permitted* uses in the Agricultural Zone (A), a *single detached dwelling and home occupation* shall not be *permitted* on the retained lands;
- b) Any *existing accessory buildings and structures* existing on the severed lot at the time of severance, shall be deemed to be granted relief from the applicable *building height and accessory building or structure lot coverage* regulations existing at the time of severance and relief from the *usable floor area regulation* to a maximum of 200 square metres;
- c) Any *existing residential dwelling* on the severed lot shall be deemed to be granted relief from the *front yard setback, interior side yard or exterior side yard setback* provisions where a *non-conformity* exists at the time of severance;
- d) Any new zoning deficiencies created by the severance of the severed lot, excluding those matters set out in paragraphs (b) and (c) above, shall require zoning relief through the approval of a planning application;
- e) For any lands that are subject to the provisions of this Subsection, a Special Provision of 14.898 shall be added to the appropriate Zoning By-Law map schedule to reference this General Provision and its applicability. These amendments may be permitted from time to time without further notice being required. [1-Z-2016]

3.37 **Adult Live Entertainment Facility and/or Body Rub Establishments**

Where an *Adult Live Entertainment Facility* and/or *Body Rub Establishment* is permitted, the lot on which it is located must not be:

- a) within 500 metres of a residential use *building, day care, place of worship, school, library, community centre, community health and resource centre or park, or any residential, institutional, open zone*; or
- b) within 1000 metres of a lot occupied by another *adult live entertainment facility*. [5-Z-2017]

3.38 **Site Plan Control**

3.38.1 Pursuant to Section 41 of the Planning Act, as amended, the following *Zones* are

declared as site plan control areas via By-Law 2014-97 and are subject to the provisions of Section 41 of the Planning Act: R3; R4; R5; R6; CBD; CSC; CS; CRB; CN; CHA; CR; CRA; CM; MG; ML; MD; MX; MR; MM; MS; IC; IN; IR; OS; OST; *On-Farm Diversified Use; Cannabis Production and Processing* and all development larger than the maximum permitted area under Subsection 12.2 Value Added Agriculture. [25-Z-2018] [34-Z-2019]

3.38.2 Notwithstanding the above, any property subject to Site Plan Control via site-specific By-Law.

3.38.3 Notwithstanding the above, no site plan shall be required for:

- a) development of farm *buildings* and the residence of the farm operator;
- b) development in the form of residential freehold *street townhouse* units approved as part of a registered plan of subdivision;
- c) development in the form of *single detached, semi-detached, or duplex dwellings*, except in cases where specifically required. [8-Z-2017]

3.39 Shipping Containers

Any *shipping container* shall be subject to the following provisions:

- a) a *shipping container* shall be *permitted* in all Industrial and Institutional Zones, as well as the Central Business District Zone (CBD), Shopping Centre Commercial Zone (CSC), Service Commercial Zone (CS), Hamlet Commercial Zone (CHA), Rural Commercial Zone (CR), Marine Commercial Zone (CM) and Agricultural Zone (A) Zones as accessory to a *permitted* use; [66-Z-2018]
- b) a *shipping container* placed on a property, shall be considered a *structure* and except within the Agricultural (A) Zone, shall be subject to Site Plan Control;
- c) notwithstanding the above, a *shipping container* may be *permitted* on a temporary basis on a property in any Zone, as a temporary storage unit for moving or renovation purposes, subject to the following provisions:
 - i. temporary use in a residential Zone for a maximum time frame of one month;
 - ii. temporary use in a commercial Zone for a maximum time frame of four months within a calendar year.

A *shipping container* shall not contravene any Zone provisions for the Zone in which the *shipping container* is located. [15-Z-2017]

4.0 Off Street Parking

4.1 Parking Area Regulations

4.1.1 Access to a Street

Each *parking space* shall have direct access to a *street, aisle, lane* or private drive, except for any *single detached dwelling, semi-detached dwelling, duplex dwelling, tri-plex dwelling, four-plex dwelling, street townhouse, stacked townhouse* or *group townhouse*, in which case only one (1) *parking space* per *dwelling unit* shall be required to have direct access.

4.1.2 Prepared Surface

Any *required parking space* or a *parking lot* shall be a suitably level and graded hard surface.

4.1.3 *Parking Space* Dimensions

Every *parking space* shall comply with the following requirements and be in accordance with Schedule C to this By-Law:

- a) width of *parking space*:
 - for *vehicles* parked side by side 3 metres
 - for *vehicles* parked with wall or fence adjacent 3.3 metres
- b) depth of *parking space*:
 - for 30 degree parking 4.8 metres
 - for 45 degree parking 5.6 metres
 - for 55 degree parking 6 metres
 - for 60 degree parking 6.1 metres
 - for 65 degree parking 6.2 metres
 - for 70 degree parking 6.2 metres
 - for 90 degree parking 5.8 metres
 - for parallel parking 7 metres
 - for tandem parking 6 metres

For parking at an angle other than those listed above, the depth of the *parking space* shall meet the requirements of the angle of parking being provided.

4.1.4 Parking Aisle Requirements

The perpendicular width of every *parking aisle* shall comply with the following requirements and be in accordance with Schedule C to this By-Law:

- | | | |
|----|-----------------------|------------------------------|
| a) | one-way traffic: | |
| | for 30 degree parking | 3.6 metres |
| | for 45 degree parking | 4.3 metres |
| | for 55 degree parking | 4.9 metres |
| | for 60 degree parking | 5.2 metres |
| | for 65 degree parking | 5.5 metres |
| | for 70 degree parking | 5.9 metres |
| | for 90 degree parking | 7.3 metres |
| b) | two-way traffic: | 7.3 metres [66-Z-2018] |
| c) | for parallel parking | 3 metres for one way traffic |
| | | 6 metres for two way traffic |

For parking at an angle other than those listed above, the *aisle* width shall not be less than the requirement for the angle of parking which is next greater than the angle of parking being provided.

4.2 Location of Parking on a Lot

4.2.1 All *parking spaces* shall be wholly provided on the *lot* occupied by the *building, structure* or use for which the *parking spaces* are *required* except where a *lot* has both residential and non-residential *Zones* in which case any *parking spaces* for non-residential use shall not be *permitted* on any portion of the *lot Zoned* residential.

4.2.2 No parking area shall be located in any *sight triangle*.

4.2.3 Residential Parking Area

For Urban Residential Type 1 to 4 *Zones* (R1 to R4), the following shall apply:

- a) within a *front yard* or *exterior side yard*, motor *vehicles* shall only be parked on a *driveway*, in a *parking space* or private garage [7-Z-2018];
- b) not more than one (1) *required parking space* may be located within the *required front yard* or *required exterior side yard* [7-Z-2018];
- c) *vehicles* shall not be parked within any *landscape area* [7-Z-2018];

4.2.4 Other Provisions

- a) For tri-plex dwellings, duplex dwellings, four-plex dwellings, street townhouses, stacked townhouses, and boarding or lodging houses, required parking spaces shall be prohibited within the required front yard or required exterior side yard; except where a dwelling unit has a private garage in which case the driveway leading to the private garage may be used as a parking space subject to the size requirements herein;
- b) for *group townhouses* and *apartment dwellings*, no *parking lot* shall be located

closer than 3 metres from any *dwelling* on the *lot* or of any *interior lot line* abutting another residential *Zone*;

- c) for *group townhouses* and *apartment dwellings*, no *parking lot* or *parking space* shall be located between a *dwelling* and the *street line*, except for individual or tandem *parking spaces* leading directly to each *townhouse dwelling unit*;
- d) for commercial or industrial properties, no *parking lot* shall be located closer than 4.5 metres from any *interior lot line* abutting a residential *Zone*;
- e) for *accessory residential dwelling units*, notwithstanding the foregoing, one (1) *parking space* dedicated for the use of the *accessory residential dwelling unit*, may be *permitted* in the *front yard* provided a minimum of 50 percent of the *required front yard* shall be maintained as landscaped open space notwithstanding such dedicated *parking space*.

4.2.5 Parking and Landscape Area [7-Z-2018]

Within Urban Residential Type 1 to 4 *Zones* (R1 to R4), the following shall apply:

- a) A minimum of 50 percent of the *front yard* shall be maintained as *landscape area*.
- b) In the case of a *corner lot*, a minimum of 50 percent of each of the *front yard* and *exterior side yard* shall be maintained as *landscape area*.

4.2.6 Notwithstanding the provisions in Subsection 4.2.3 or any other *yard* provisions of this By-Law, no *setback* from a property line shall be *required* for underground parking and underground parking *structures*.

4.3 **Accessible Parking**

4.3.1 Types of Accessible *Parking Spaces*

The following two types of accessible *parking spaces* shall be provided in accordance with the provisions of this Subsection for the use of persons with disabilities:

- a) type A, a wider accessible *parking space* which has a minimum width of 3.4 metres with signage that clearly identifies the space as “van accessible” plus an access aisle in accordance with Subsection 4.3.2;
- b) type B, a standard accessible *parking space* which has a minimum width of 2.4 metres plus an access aisle in accordance with Subsection 4.3.2.

4.3.2 Access Aisles

Access aisle shall mean an additional space beside *parking spaces* that allows persons with disabilities to get in and out of their *vehicles*.

Access aisles must be provided for all accessible *parking spaces* but may be shared by two adjacent *parking spaces* for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

- a) a minimum width of 1.5 metre extending the full length of the *parking space*; and,
- b) be marked with high tonal contrast diagonal lines, which prohibits parking in them, where the surface is asphalt, concrete or some other hard surface.

4.3.3 Minimum Number and Type of Accessible *Parking Spaces*

Number of <i>Parking Spaces</i>	Type A Accessible Space (Van)	Type B Accessible Space
1-25	1	0
26-50	1	1
51-75	1	2*
76-100	2	2
101-133	2	3*
134-166	3	3
167-250	3	4*
251-300	4	4
301-350	4	5*
351-400	5	5
401-450	5	6*
451-500	6	6
501-550	6	7*
551-600	7	7
601-650	7	8*
651-700	8	8
701-750	8	9*
751-800	9	9
801-850	9	10*
851-900	10	10
901-950	10	11*
951-1000	11	11
1001 and over	11+1 percent of the total number of spaces (rounded up to the next whole number), divided equally between types A and B. If an odd number of spaces is <i>required</i> , the extra space may be type B	

*Where an uneven number of accessible *parking spaces* are *required*, the extra type B space may be changed to a type A space.

- 4.3.4 Any *existing* accessible *parking spaces* established in accordance with standards of a previous Zoning By-Law shall be deemed to conform with the provisions of this By-Law.

4.4 **Use of Non-Residential Parking Areas and Spaces**

All *required* parking areas or *parking spaces* shall only be used for display or storage purpose or for the short-term parking of any *vehicle* or for the location of any *sign* or light standard.

4.5 **Parking of Vehicles in Residential Zones**

The parking of *vehicles* in residential *Zones* shall be subject to the following:

- a) not more than one (1) *vehicle* per *dwelling unit* shall be a *vehicle* used for commercial purposes;
- b) such commercial *vehicles* shall not exceed a height of 2.2 metres or a length of 6.7 metres;
- c) *recreational vehicles*, trailers, and *vehicles* that do not have a current licence plate, shall be prohibited from parking continuously in any *required front yard* or *required exterior side yard*.

4.6 **Parking for Multiple Uses**

When a *building*, *structure* or *lot* accommodates more than one (1) type of use, the *parking space* requirement for such *building*, *structure* or *lot* shall be the sum of the requirements for the separate uses thereof.

4.7 **Requirements for Loading Spaces**

Where loading docks are provided on a *lot*, a *loading space* for each loading dock shall have a minimum width of 3 metres and a depth of 10 metres, and sufficient space shall be provided on the same *lot* for the manoeuvring of *vehicles* using the loading docks. Such manoeuvring space shall not utilize any *required parking space*.

4.8 **Requirements for Stacking Spaces**

Where a *restaurant* incorporates a drive-through or pick up window, a sufficient number of stacking spaces shall be provided for *vehicles* waiting to be served from the drive-through or pick up window.

4.9 **Number of Parking Spaces**

Any *building*, *structure* or use shall have *parking spaces* provided and maintained in accordance with the following:

	<u>Type of Use</u>	<u>Minimum Requirement</u>
	<u>Residential</u>	
a)	<i>single detached, semi-detached, duplex, tri-plex, four-plex, townhouse dwellings and vacation home [8-Z-2017]</i>	<i>2 parking spaces for each dwelling unit</i>
b)	<i>apartment dwelling[8-Z-2017]</i>	<i>1.5 parking spaces for each dwelling unit</i>
c)	<i>dwelling unit in a non-residential building</i>	<i>1 parking space for each dwelling unit</i>
d)	<i>boarding or lodging house</i>	<i>2 parking spaces for each dwelling unit plus 1 parking space for each room for boarders</i>
e)	<i>accessory residential dwelling unit</i>	<i>1 parking space in addition to those required for the primary residential dwelling unit use</i>

	<u>Type of Use</u>	<u>Minimum Requirement</u>
	<u>Visitor Parking [8-Z-2017]</u>	
f)	All apartment dwellings; and duplex dwellings, tri-plex dwellings, four-plex dwellings, townhouse dwellings or single-detached or semi-detached dwellings as part of a condominium development or when they abut a private road [27-Z-2020].	1 visitor space for every 3 dwelling units
	<u>Non-residential</u>	
g)	animal hospital or animal kennel	1 parking space for every 25 square metres of usable floor area
h)	arena, auditorium, gymnasium, assembly hall	1 parking space for every 8 fixed seats or stadium, skating rink, or for every 10 square metres of usable floor area where there are no fixed seats
i)	auction centre	1 parking space for every 10 square metres of usable floor area
j)	bar or night club	1 parking space for every 5 square metres of usable floor area
k)	bed & breakfast	1 parking space per room for guests
l)	billiard or pool room	1 parking space for every 10 square metres of usable floor area
m)	bowling alley	2 parking spaces for each bowling lane
n)	college, university or technical institutions	1 parking space for every student enrolled full-time for day courses
o)	curling rink	10 parking spaces per curling sheet
p)	dance hall or banquet hall	1 parking space for every 10 square metres of usable floor area
q)	dry cleaning distribution station	2 parking spaces
r)	farm produce outlet	1 parking space for every 10 square metres of usable floor area
s)	financial institution	1 parking space for every 15 square metres of usable floor area
t)	funeral home	1 parking space for every 10 square metres of public assembly area
u)	group home, retirement home [7-Z-2018]	3 parking spaces per bed
v)	golf course	2 parking spaces per hole plus 1 parking space for every 10 square metres of a club house restaurant and lounge floor area
w)	home occupation and home industry excluding an office of a health service practitioner	1 parking space plus 1 additional parking space for each employee
x)	hospital	1 parking space for each bed at rated capacity
y)	hotel	1 parking space for each hotel room plus the applicable requirement contained herein for other hotel uses
z)	industrial establishment	1 parking space for every 90 square metres of

<u>Type of Use</u>	<u>Minimum Requirement</u>
including <i>Cannabis Production</i> <i>and Processing</i> [25-Z-2018]	<i>usable floor area</i>

aa)	laundromat	1 <i>parking space</i> for every 4 washing and drying machines
bb)	liquor or beer store	12 <i>parking spaces</i>
cc)	<i>long-term care facility</i>	1 <i>parking space</i> for every 4 patient beds
dd)	medical or dental <i>clinic</i> , and office of a health service practitioner as a <i>home occupation</i>	1 <i>parking space</i> for every 15 square metres of <i>usable floor area</i> [66-Z-2018]
ee)	movie and other theatres	1 <i>parking space</i> for every 6 seats
ff)	office	1 <i>parking space</i> for every 30 square metres of <i>usable floor area</i>
gg)	<i>Personal service shop</i>	1 <i>parking space</i> for every 20 square metres of <i>usable floor area</i>
hh)	<i>place of worship</i>	1 <i>parking space</i> for every 8 seats or 5 metres of pew space or every 10 square metres of <i>usable floor area</i> where there are no seats or pews
ii)	<i>private club</i>	1 <i>parking space</i> for every 10 square metres of <i>usable floor area</i> , or where applicable in accordance with the requirements for a <i>bar or night club</i> , whichever is greater
jj)	<i>restaurant</i>	1 <i>parking space</i> for every 10 square metres of <i>usable floor area</i>
kk)	<i>restaurant, fast food with drive-through</i>	1 <i>parking space</i> for every 10 square metres of <i>usable floor area</i>
ll)	<i>restaurant, fast food without drive through</i>	1 <i>parking space</i> for every 8 square metres of <i>usable floor area</i>
mm)	<i>restaurant, outdoor patio</i>	1 <i>parking space</i> per every 4 seats
nn)	<i>restaurant, take-out</i>	2 <i>parking spaces</i>
oo)	<i>retail store or merchandise service shop</i>	1 <i>parking space</i> for every 30 square metres of <i>usable floor area</i>
pp)	school, elementary	1.5 <i>parking spaces</i> per classroom including laboratories, libraries and workshops
qq)	school, secondary	5 <i>parking spaces</i> per classroom including laboratories, libraries and workshops
rr)	school, trade adult education	1 <i>parking space</i> for every student enrolled full-time for day courses
ss)	shopping plaza with three (3) or more units	1 <i>parking space</i> for every 20 square metres of <i>usable floor area</i>
tt)	warehouse or wholesale establishment	1 <i>parking space</i> for every 180 square metres of <i>usable floor area</i>
uu)	other non-residential uses	1 <i>parking space</i> for every 35 square metres of <i>usable floor area</i>

Where the calculation for the purposes of meeting this provision results in a partial *parking space*, a full *parking space* shall be provided for the partial space.

4.10 **Parking Credit System**

4.10.1 Change of Use in a Commercial Zone

Where a change in the use is proposed for any *building* or *structure* located in a commercial *Zone*, the parking requirement shall be the lesser of the following:

- a) the requirement of Subsection 4.9; or,
- b) the sum of the *parking spaces* located on the lot immediately prior to the change of use together with the net difference of the requirements between the previous and proposed uses calculated in accordance with the standards set out in Subsection 4.9.

4.10.2 Extension or Additions to a *Building* or *Structure*

The parking requirement for a *building* or *structure* proposed to be extended or added to, which prior to the extension or addition was deficient to the parking standards provided in Subsection 4.9 of this By-Law, but the use of which is in conformity with the *permitted* uses specified by this By-Law for the *Zone* in which the *building* or *structure* is situated, shall be:

- a) the number of spaces on the *lot* immediately prior to the extension or addition; and,
- b) the number of additional *parking spaces, required* as a result of the extension or addition calculated in accordance with the standards set out in Subsection 4.9.

4.11 **Parking in a Central Business District (CBD) Zone**

4.11.1 Notwithstanding Subsection 4.9, no *parking spaces* are *required* for any lands identified in the Central Business District *Zone* (CBD).

4.11.2 Parking is prohibited in the *front yard*.

5.0 Residential Zones

5.1 Urban Residential Type 1 Zone (R1)

5.1.1 *Permitted Uses*

In an R1 Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *dwelling, single detached*
- b) *bed & breakfast*, subject to Subsection 3.4
- c) *home occupation*
- d) *accessory residential dwelling unit*, subject to Subsection 3.2.3.

5.1.2 *Zone Provisions*

In an R1-A and R1-B Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following Zones:

Provision	R1-A	R1-B
a) minimum lot area:		
i) interior lot	450 square metres	360 square metres
ii) corner lot	560 square metres	450 square metres
b) minimum lot frontage:		
i) interior lot	15 metres	12 metres
ii) corner lot	18 metres	15 metres
c) minimum front yard:	6 metres	6 metres
i) detached garage with rear lane	3 metres	3 metres
d) minimum exterior side yard:	6 metres	6 metres
e) minimum interior side yard:		
i) detached garage	3 metres&1.2 metres	3 metres&1.2 metres
ii) detached garage with a rear lane; attached garage	1.2 metres each side	1.2 metres each side
f) minimum rear yard:	7.5 metres	7.5 metres
g) maximum building height:	11 metres [8-Z-2017]	11 metres [8-Z-2017]

5.1.3 *Projection of an Attached Garage*

The wall of an attached garage facing the *street* in an R1-B Zone shall project no more than 3.5 metres from the main front wall of the *dwelling*. This projection shall be measured from the wall of the garage facing the *front lot line* to the nearest structural element of the front wall of the *dwelling* facing the *front lot line*, including any covered porch which extends along the entire front wall of the *dwelling*, but excluding eaves, stairs or gutters.

This provision shall not apply where:

- a) the front wall of the *dwelling* and the wall of the attached garage containing the opening for vehicular access do not face the same *lot line*; or,
- b) the width of the attached garage is less than 60 percent of the width of the *dwelling*.

5.2 Urban Residential Type 2 Zone (R2)

5.2.1 *Permitted Uses*

In an R2 Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) *dwelling, single detached*
- b) *dwelling, semi-detached*
- c) *dwelling, duplex*
- d) *bed & breakfast, subject to Subsection 3.4*
- e) *day care nursery*
- f) *home occupation*
- g) *accessory residential dwelling unit, subject to Subsection 3.2.3.*

5.2.2 *Zone Provisions for Semi-Detached and Duplex Dwellings*

In an R2 Zone, no building or structure shall be erected or altered except in accordance with the provisions for each of the following uses:

Provision	<i>Semi-detached (per unit)</i>	<i>Duplex Dwelling</i>
a) <i>minimum lot area:</i>		
i) <i>interior lot</i>	255 square metres	450 square metres
ii) <i>corner lot</i>	345 square metres	540 square metres
b) <i>minimum lot frontage:</i>		
i) <i>interior lot</i>	8.5 metres	15 metres
ii) <i>corner lot</i>	11.5 metres for the corner unit	18 metres
c) <i>minimum front yard:</i>	6 metres	6 metres
i) <i>except where a detached private garage or parking space is accessed via a rear lane</i>	3 metres	3 metres
d) <i>minimum exterior side yard:</i>	6 metres	6 metres
e) <i>minimum interior side yard:</i>		
i) <i>detached private garage or parking space accessed via front yard</i>	3 metres	3 metres&1.2 metres
ii) <i>detached private garage or parking space accessed via a rear lane</i>	1.2 metres	1.2 metres each side
iii) <i>attached private garage</i>	1.2 metres	1.2 metres each side
f) <i>minimum rear yard:</i>	7.5 metres	7.5 metres
g) <i>maximum building height:</i>	11 metres [8-Z-2017]	11 metres [8-Z-2017]

5.2.3 *Zone Provisions for all Other Permitted Uses*

The provisions in the R1-B Zone shall apply to all other uses except a *home occupation* which shall be permitted in any *dwelling* within the R2 Zone.

5.2.4 Mutual *Side Lot Line* for *Semi-Detached Dwelling*

On the mutual *side lot line* separating two (2) attached *semi-detached dwelling units*, no *interior side yard* is *required* where the walls are joined; where the walls are not joined, a 1.2 metre *side yard* shall be *required*.

5.2.5 Projection of an Attached Garage

The wall of an attached garage facing the *street* in an R2 *Zone* shall project no more than 3.5 metres from the front wall of the *dwelling*. This projection shall be measured from the wall of the garage facing the *front lot line* to the nearest structural element of the front wall of the *dwelling* facing the *front lot line*, including any covered porch which extends along the entire front wall of the *dwelling*, but excluding eaves, stairs or gutters.

This provision shall not apply where:

- a) the front wall of the *dwelling* and the wall of the attached garage containing the opening for vehicular access do not face the same *lot line*;
- b) the width of the attached garage is less than 60 percent of the width of the *dwelling*; or,
- c) a *duplex* or *single detached dwelling* is located on a *lot* with a *lot frontage* of 15 metres or greater.

5.3 Urban Residential Type 3 Zone (R3)

5.3.1 Permitted Uses

In an R3 Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) *dwelling, single detached*
- b) *dwelling, semi-detached*
- c) *dwelling, duplex*
- d) *dwelling, tri-plex*
- e) *dwelling, four-plex*
- f) *boarding or lodging house*
- g) *bed & breakfast, subject to Subsection 3.4*
- h) *day care nursery*
- i) *home occupation*
- j) *accessory residential dwelling unit, subject to Subsection 3.2.3.*

5.3.2 Zone Provisions for Tri-plex, Four-plex, Boarding or Lodging House

In an R3 Zone, no building or structure shall be erected or altered except in accordance with the provisions for each of the following *dwelling* types:

Provision	Tri-plex	Four-plex	Boarding or Lodging House
a) minimum lot area:			
i) interior lot	510 sq. m.	660 sq. m.	450 sq. m.
ii) corner lot	600 sq. m.	765 sq. m.	540 sq. m.
b) minimum lot frontage:			
i) interior lot	17 metres	19.5 metres	15 metres
ii) corner lot	20 metres	22.5 metres	18 metres
c) minimum front yard:	6 metres	6 metres	6 metres
d) minimum exterior side yard:	6 metres	6 metres	6 metres
e) minimum interior side yard:	3 metres& 1.2 metres	3 metres	
i) attached garage			1.2 metres each side
ii) detached garage			3 metres& 1.2 metres
f) minimum rear yard:	12 metres	12 metres	12 metres
g) minimum usable floor area: for a boarding room			8 sq. m. and an additional 6 sq. m. for each additional occupant
h) maximum building height:	11 metres [8-Z-2017]	11 metres [8-Z-2017]	11 metres [8-Z-2017]

5.3.3 Zone Provisions for all Other *Permitted* Uses

The provisions for the Urban Residential Type 2 (R2) *Zone* shall apply to all other uses except a *home occupation* which shall be *permitted* in any *dwelling* within the R3 *Zone*.

5.3.4 Yard Exemption for a *Boarding or Lodging House*

Any *existing single detached dwelling* having any *yard* less than that *required* by this By-Law may be used as a *boarding or lodging house* provided any extension or addition to the *dwelling* house complies with the *yard* requirements.

5.4 Urban Residential Type 4 Zone (R4)

5.4.1 *Permitted Uses*

In an R4 Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) *group townhouse*
- b) *stacked townhouse*
- c) *street townhouse*
- d) *semi-detached, duplex, tri-plex and four-plex dwellings* provided they are located on the same lot with, and in accordance with the Zone provisions of, *group townhouse*
- e) *home occupation*
- f) *accessory residential dwelling unit*, subject to Subsection 3.2.3.[7-Z-2020]

5.4.2 *Zone Provisions*

In an R4 Zone, no building or structure shall be erected or altered except in accordance with the provisions for each of the following *dwelling types*:

Provision	<i>Street Townhouse</i> (per unit)	<i>Group Townhouse</i> <i>Stacked Townhouse</i>
a) <i>minimum lot area:</i>		
i) <i>attached garage</i>	156 square metres	195 square metres
ii) <i>corner lot</i>	264 square metres	195 square metres
iii) <i>detached garage</i>	162 square metres (access via a rear lane)	215 square metres
b) <i>minimum lot frontage:</i>		
i) <i>interior lot</i>	6.5 metres	30 metres
ii) <i>corner lot</i>	11 metres	30 metres
iii) <i>corner lot</i> accessed by a rear lane	6.5 metres	
c) <i>minimum front yard:</i>		
i) <i>attached garage</i>	6 metres	6 metres
ii) <i>detached garage or rear yard parking</i>	1.5 metres (accessed by a rear lane)	1.5 metres
d) <i>minimum exterior side yard:</i>		
i) <i>with a 6 metre front yard</i>	6 metres	6 metres
ii) <i>with a 1.5 metre front yard</i>	1.5 metres	1.5 metres
e) <i>minimum interior side yard:</i>	1.2 metres	3 metres
f) <i>minimum rear yard:</i>		
i) <i>attached garage</i>	7.5 metres	7.5 metres
ii) <i>detached garage</i>	13 metres (access via a rear lane including half of the lane)	7.5 metres
g) <i>minimum separation: between townhouse dwellings</i>	2 metres	2 metres
h) <i>maximum building height:</i>	11 metres [8-Z-2017]	11 metres [8-Z-2017]

5.4.3 Setback from Mutual Side Lot Line

Notwithstanding the *required side yard*, on a mutual *side lot line* separating two (2) attached *townhouse* units, no *interior side yard* is *required* where the walls are joined, where the walls are not joined, a 1.2 metre *side yard* shall be *required*.

5.4.4 Maximum Units in a *Townhouse Dwelling*

No more than eight (8) *dwelling units* shall be located in a *townhouse dwelling*.

5.5 Urban Residential Type 5 Zone (R5)

5.5.1 *Permitted Uses*

In an R5 Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *dwelling, apartment*
- b) *home occupation*
- c) *retirement home.*

5.5.2 *Zone Provisions*

In an R5 Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot frontage*: 30 metres
- b) minimum *front yard*: 3 metres
- c) minimum *exterior side yard*: 3 metres
- d) minimum *interior side yard*: 3 metres
- e) minimum *rear yard*: 9 metres
- f) maximum *building height*: five (5) *storeys* [6-Z-2018]
- g) maximum *floor area ratio*:
 - i) four (4) *storey building* 0.72 [6-Z-2018]
 - ii) five (5) *storey building* 0.79 [6-Z-2018]

5.6 Urban Residential Type 6 Zone (R6)

5.6.1 *Permitted Uses*

In an R6 Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *dwelling, apartment*
- b) *home occupation*
- c) *retirement home.*

5.6.2 *Zone Provisions*

In an R6 Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot frontage*: 30 metres
- b) minimum *front yard*: 3 metres
- c) minimum *exterior side yard*: 3 metres
- d) minimum *interior side yard*: 5 metres
- e) minimum *rear yard*: 9 metres
- f) maximum *building height*: eight (8) *storeys*
- g) maximum *floor area ratio*:
 - i) four (4) *storey building* 0.72
 - ii) five (5) *storey building* 0.79
 - iii) six (6) *storey building* 0.86
 - iv) seven (7) *storey building* 0.93
 - v) eight (8) *storey building* 1

5.6.3 *Step Back of Upper Floors*

The exterior wall of each floor of a *building* facing a *street* and located above four (4) *storeys* shall be stepped back 2 metres from the exterior wall of the 4th *storey* and each floor above six (6) *storeys* shall be *setback* an additional 2 metres from the exterior wall facing a *street*.

5.6.4 *Angular Plane*

Where an R6 Zone abuts an Urban Residential Zone (R1-A, R1-B or R2), no portion of an *apartment dwelling* shall exceed the height of a 45 degree *angular plane* originating at the *lot line* of the nearest R1-A, R1-B or R2 Zone.

5.6.5 *Zone Provisions for Apartment Dwellings Three (3) Storeys or Less*

Notwithstanding the provisions in Subsection 5.6.2, *apartment dwellings* three (3) *storeys* or less shall use the Urban Residential Type 5 Zone (R5) provisions.

5.7 Hamlet Residential Zone (RH)

5.7.1 *Permitted Uses*

In an RH Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *dwelling, single detached*
- b) *bed & breakfast*, subject to Subsection 3.4
- c) *day care nursery*
- d) *home industry*
- e) *home occupation*
- f) *accessory residential dwelling unit*, subject to Subsection 3.2.3 [7-Z-2020]

5.7.2 *Zone Provisions*

In an RH Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 0.4 hectares
- b) minimum *lot frontage*:
 - i) *interior lot* 30 metres
 - ii) *corner lot* 30 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*:
 - i) attached garage 1.2 metres each side
 - ii) detached garage 3 metres and 1.2 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: 11 metres [8-Z-2017]

5.8 **Resort Residential Zone (RR)**

5.8.1 *Permitted Uses*

In an RR Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *vacation home*
- b) *legally existing single detached dwelling* used for permanent occupancy.

5.8.2 *Zone Provisions*

In an RR Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 0.4 hectares
- b) minimum *lot frontage*:
 - i) *interior lot* 15 metres
 - ii) *corner lot* 18 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*:
 - i) attached garage 1.2 metres each side
 - ii) detached garage 3 metres and 1.2 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: 9.1 metres [50-Z-2017]
- h) maximum *lot coverage*: 15% plus an additional 10% maximum lot coverage for all accessory buildings and structures (including boat houses)

5.8.3 *Accessory Building or Structure*

No accessory building or structure shall contain a habitable room or washroom facilities.

5.8.4 *Accessory Building or Structure*

Refer to Section 3.2 – Accessory Uses to Residential Uses for clarification purposes.

Ontario Municipal Board Decision October 14, 2015

6.0 Commercial Zones

6.1 Central Business District Zone (CBD)

6.1.1 *Permitted Uses*

In a CBD Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) adult education and training facility
- b) ambulance service
- c) *animal hospital*, provided the entire operation is carried on within an enclosed *building*
- d) antique shop
- e) art gallery
- f) *auction centre*
- g) *automobile gas station*
- h) *automobile service and repair station*
- i) *automobile washing establishment*
- j) automotive parts shop
- k) *bar or night club*
- l) *boutique*
- m) brew-your-own
- n) bus or taxi terminal
- o) *clinic or doctors' offices*
- p) college or trade school
- q) community centre
- r) *contractor supply and service shop*
- s) *convenience store*
- t) craft, souvenir and gift shop
- u) *day care nursery*
- v) delicatessen and specialty food shops
- w) *department store*
- x) *dry cleaning distribution station*
- y) *dry cleaning establishment*
- z) *dwelling, apartment* subject to the requirements of Subsection 6.1.4
- aa) *dwelling units* in any *permitted commercial building* subject to the requirements of Subsection 6.1.4
- bb) equipment rental establishment
- cc) *farmers market*
- dd) financial institution
- ee) fire hall
- ff) florist shop
- gg) fruit and vegetable outlet
- hh) funeral home
- ii) *garden supply centre*
- jj) hardware store
- kk) *home occupation*
- ll) *hotel*

mm) laundromat
 nn) library
 oo) *long-term care facility*
 pp) *lumber yard and building supply establishment*
 qq) *merchandise service shop*
 rr) museum
 ss) office, all types
 tt) *parking lot*
 uu) *personal service shop*
 vv) pharmacy
 ww) photographic studio or shop
 xx) *place of assembly*
 yy) *place of entertainment*
 zz) *place of sports and recreation*
 aaa) *place of worship*
 bbb) police station
 ccc) printing and publishing establishment
 ddd) *private club*
 eee) radio, television and cable television studio
 fff) *restaurant*
 ggg) *restaurant, fast-food*
 hhh) *restaurant, take-out*
 iii) *retail store*
 jjj) *retirement home*
 kkk) school
 ll) *supermarket*
 mmm) *training and rehabilitation centre*
 nnn) *vehicle sales or rental establishment*
 ooo) *video store*
 ppp) *wholesale outlet.*

6.1.2 Zone Provisions

In a CBD Zone, no building or structure shall be erected or altered except in accordance with the following provisions:

- | | | |
|----|-------------------------------------|---|
| a) | minimum <i>front yard</i> : | 0 metres |
| b) | minimum <i>exterior side yard</i> : | 0 metres |
| c) | minimum <i>interior side yard</i> : | 0 metres except abutting any residential Zone in which case the minimum <i>interior side yard</i> shall be 1.2 metres |
| d) | minimum <i>rear yard</i> : | 0 metres except abutting any residential Zone in which case the minimum <i>rear yard</i> shall be 6 metres |
| e) | maximum <i>building height</i> : | six (6) <i>storeys</i> |
| f) | maximum <i>front yard setback</i> : | 3 metres but does not permit parking |
| g) | maximum <i>lot coverage</i> : | 80 percent |

6.1.3 Zone Provisions for Dwellings

Notwithstanding the provisions in Subsection 6.1.2, all *single detached, semi-detached, duplex, tri-plex or four-plex dwellings* shall conform to the Urban Residential Type 3 (R3) Zone provisions in Subsection 5.3.

6.1.4 Location and Use of First Storey

Any *dwelling units* in the CBD Zone shall not occupy more than 50 percent of the *usable floor area* of the *first storey*, and the frontages of the *first storey* shall be dedicated to retail, office or service uses. [66-Z-2018]

6.1.5 Step Back of Upper Floors

The front wall of each floor located above four (4) *storeys* shall be stepped back 2 metres from the front wall of the fourth *storey*.

6.1.6 Angular Plane

Where an *apartment dwelling* in a CBD Zone abuts an Urban Residential Type 1 Zone (R1-A), (R1-B) or Urban Residential Type 2 Zone (R2), no portion of an *apartment dwelling* shall exceed the height of a 45 degree *angular plane* originating at the *lot line* of the nearest Urban Residential Type 1 Zone (R1-A), (R1-B) or Urban Residential Type 2 Zone (R2).

6.1.7 Zone Provision for Convenience Store

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.1.8 Zone Provision for a Drive Through

A Drive Through shall not be *permitted* within the Central Business District Zone (CBD). [6-Z-2018]

6.2 Shopping Centre Commercial Zone (CSC)

6.2.1 *Permitted Uses*

In a CSC Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) adult education and training facility
- b) *animal hospital*, provided the entire operation is contained within an enclosed *building*
- c) *automobile gas station*
- d) automobile parts shop
- e) *automobile service and repair station*
- f) *automobile washing establishment*
- g) *bar or night club*
- h) bus or taxi terminal
- i) *clinic or doctors' offices*
- j) college or trade school
- k) community centre
- l) *convenience store*
- m) *day care nursery*
- n) delicatessen and specialty food stores
- o) *dry cleaning distribution station*
- p) financial institution
- q) florist shop
- r) fruit and vegetable outlet
- s) *garden supply centre*
- t) *hotel*
- u) laundromat
- v) *lumber yard and building supply establishment*
- w) *merchandise service shop*
- x) office accessory to a shopping centre operation
- y) *office, personal service*
- z) outdoor sales area accessory to the main use
- aa) *parking lot*
- bb) *personal service shop*
- cc) photographic studio or shop
- dd) *place of assembly*
- ee) *place of entertainment*
- ff) *place of sports and recreation*
- gg) printing and publishing establishment
- hh) *restaurant*
- ii) *restaurant, fast-food*
- jj) *restaurant, take-out*
- kk) *video store.*

6.2.2 Zone Provisions

In a CSC Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot frontage*: 30 metres
- b) minimum *front yard*: 13 metres
- c) minimum *exterior side yard*: 6 metres
- d) minimum *interior side yard*: 3 metres
- e) minimum *rear yard*: 9 metres
- f) maximum *building height*: 11 metres
- g) maximum *lot coverage*: 30 percent

6.2.3 Landscaped Strip

All *buildings*, *parking lots* and *parking spaces* and display areas shall be *setback* 3 metres from the *front lot line*. This area shall be landscaped which may include patio pavers.

6.3 Service Commercial Zone (CS)

6.3.1 *Permitted Uses*

In a CS Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) ambulance service
- b) *animal hospital*, provided the entire operation is carried on within an enclosed *building*
- c) any non-residential use *permitted* in the Neighbourhood Institutional Zone (IN), subject to the provisions of that Zone
- d) *auction centre*
- e) *automobile gas station*
- f) *automobile service and repair station*
- g) *automobile washing establishment*
- h) *automotive parts shop*
- i) *bar or night club*
- j) *clinic or doctors' offices*
- k) commercial greenhouse, tree and plant nursery
- l) *community centre*
- m) *contractor shop*
- n) *contractor supply and service shop*
- o) *convenience store*
- p) *day care nursery*
- q) *dry cleaning distribution station*
- r) *dry cleaning establishment*
- s) *dwelling, single detached or dwelling unit* in a non-residential building - maximum one (1) [8-Z-2020]
- t) *equipment rental establishment*
- u) *farm implement sales and service establishment*
- v) *financial institution*
- w) *fire hall*
- x) *florist shop*
- y) *fruit and vegetable outlet*
- z) *funeral home*
- aa) *garden supply centre*
- bb) *home occupation*
- cc) *hotel*
- dd) *laundromat*
- ee) *lumber yard and building supply establishment*
- ff) *manufacturing and retail sale of monuments*
- gg) *merchandise service shop*
- hh) *miniature golf, golf driving range and baseball pitch*
- ii) *outdoor storage accessory to permitted uses*
- jj) *parking lot or structure*
- kk) *personal service shop*
- ll) *place of assembly*

- mm) *place of sports and recreation*
- nn) *place of worship*
- oo) *police station*
- pp) *private club*
- qq) *restaurant*
- rr) *restaurant, fast-food*
- ss) *restaurant, take-out*
- tt) *sheet metal, plumbing, heating, electrical or woodworking shop or any similar activity*
- uu) *swimming pool sales and service establishment*
- vv) *training and rehabilitation centre*
- ww) *vehicle sales or rental establishment*
- xx) *video store*
- yy) *wholesale outlets.*

6.3.2 Zone Provisions for Non-Residential Uses or Non-Residential Uses in Combination with Residential Uses

In a CS Zone, no building or structure shall be erected or altered except in accordance with the following provisions:

- a) *minimum lot area:*
 - i) *interior lot* 450 square metres
 - ii) *corner lot* 495 square metres
- b) *minimum lot frontage:*
 - i) *interior lot* 15 metres
 - ii) *corner lot* 16.5 metres
- c) *minimum front yard:* 3 metres
- d) *minimum exterior side yard:* 3 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum usable floor area:* 40 square metres
for a dwelling unit in a non-residential building
- h) *maximum building height:* 11 metres
- i) *maximum lot coverage:* 35 percent
- j) *maximum usable floor area:* 200 square metres
of a fruit and vegetable outlet
- k) *outdoor storage:* prohibited in a *front yard* and within 3 metres of any *lot line* adjoining a residential Zone

6.3.3 Outdoor Display of Goods

Outdoor display of *vehicles* on paved areas shall be *permitted* in the *front yard* subject to Subsection 6.3.5. Outdoor display of other non-vehicular items shall be *permitted* within a *front yard* provided such display is located on a grassed or landscaped area without surrounding fences and subject to Subsection 6.3.5.

6.3.4 Landscaped Strip

All *buildings, parking lots and parking spaces* and display areas shall be *setback* 3 metres from the *front lot line*. This area shall be landscaped which may include patio pavers.

6.3.5 Zone Provision for Convenience Store

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.3.6 Zone Provisions for Dwellings

Notwithstanding the provisions in Subsection 6.3.2, all *single detached dwellings* shall conform to the Urban Residential Type 3 (R3) Zone provisions in Subsection 5.3. [8-Z-2020] [27-Z-2020]

6.4 **Residential Commercial Business Zone (CRB)**

6.4.1 *Permitted Uses*

In a CRB Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) adult education and training facility
- b) art gallery
- c) *bed & breakfast*
- d) *boarding or lodging house*
- e) *clinic or doctors' offices*
- f) college or trade school
- g) community centre
- h) *convenience store*
- i) *day care nursery*
- j) delicatessen and specialty food shops
- k) *dry cleaning distribution station*
- l) *dwelling, single detached*
- m) *dwelling, semi-detached*
- n) *dwelling, duplex*
- o) *dwelling, tri-plex*
- p) *dwelling, four-plex*
- q) *dwelling units in any permitted commercial or institutional building – maximum four (4)*
- r) financial institution
- s) fire hall
- t) funeral home
- u) *home occupation*
- v) laundromat
- w) library
- x) *long-term care facility*
- y) museum
- z) *office, all types*
- aa) *personal service shop*
- bb) photographic studio or shop
- cc) *place of assembly*
- dd) *place of sports and recreation*
- ee) *place of worship*
- ff) police station
- gg) *private club*
- hh) *retirement home.*

6.4.2 *Zone Provisions for any Sole Residential Use*

Notwithstanding the provisions in Subsection 6.4.3 any sole residential use shall conform to the provisions in the Urban Residential Type 3 Zone (R3).

6.4.3 Zone Provisions for Non-Residential Uses or Non-Residential Uses in Combination with Residential Uses

Any non-residential use *permitted* in this *Zone* or a combination of non-residential uses and residential uses in the same *building* or converted *dwelling* shall conform to the following provisions:

- a) minimum *front yard*: 6 metres
- b) minimum *exterior side yard*: 6 metres
- c) minimum *interior side yard*: 3 metres and 1.2 metres
- d) minimum *rear yard*: 7.5 metres
- e) minimum *usable floor area*: 40 square metres
for a *dwelling unit* in a non-residential *building*
- f) maximum *building height*: 11 metres
- g) maximum *lot coverage*: 60 percent

6.4.4 Parking in the *Front Yard*

Notwithstanding the provisions of Subsection 4.2 and Subsection 6.4.2, parking of *vehicles* in the *front yard* shall be limited to two (2) *parking spaces*.

6.4.5 Conversion of an *Existing Dwelling* to a Commercial *Building* or a Mixed Commercial – Residential *Building*

Any *existing dwelling* having any *yard* less than that *required* by this By-Law may be used for a non-residential use *permitted* by this *Zone* or used for a combination of non-residential and residential uses *permitted* by this *Zone* provided:

- a) the parking requirements of this By-Law are complied with;
- b) each *dwelling unit* has a minimum of 40 square metres of *usable floor area*; and,
- c) any extension or addition complies to the *yard* and *setback* requirements of this By-Law.

6.4.6 Zone Provision for *Convenience Store*

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.5 Neighbourhood Commercial Zone (CN)

6.5.1 *Permitted Uses*

In a CN Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *clinic or doctors' offices*
- b) *community centre*
- c) *convenience store*
- d) *day care nursery*
- e) *dry cleaning distribution station*
- f) *dwelling, single detached*
- g) *dwelling, semi-detached*
- h) *dwelling, duplex*
- i) *dwelling units in any permitted building* – maximum two (2)
- j) *financial institution*
- k) *fruit and vegetable outlet*
- l) *home occupation*
- m) *laundromat*
- n) *personal service shop*
- o) *restaurant, take-out, provided it has no drive through window*
- p) *video store.*

6.5.2 *Zone Provisions for any Sole Residential Use*

Notwithstanding the provisions in Subsection 6.5.3 any sole residential use and *home occupations* shall conform to the provisions in the Urban Residential Type 2 Zone (R2).

6.5.3 Zone Provisions for Non-Residential Uses or Non-Residential Uses in Combination with Residential Uses

Any non-residential use *permitted* in this *Zone* or a combination of non-residential uses and residential uses in the same *building* or converted *dwelling* shall conform to the following provisions:

- a) minimum *lot area*:
 - i) *interior lot* 450 square metres
 - ii) *corner lot* 495 square metres
- b) minimum *lot frontage*:
 - i) *interior lot* 15 metres
 - ii) *corner lot* 16.5 metres
- c) minimum *front yard*: 3 metres
- d) minimum *exterior side yard*: 3 metres
- e) minimum *interior side yard*: 3 metres
- f) minimum *rear yard*: 9 metres
- g) minimum *usable floor area*: 40 square metres
for a *dwelling unit* in a non-residential *building*
- h) maximum *building height*: 11 metres
- i) maximum *lot coverage*: 35 percent
- j) maximum *usable floor area*: 200 square metres
of a fruit and vegetable outlet
- k) *outdoor storage*: prohibited in a *front yard* and within 3 metres of any *lot line* adjoining a residential *Zone*

6.5.4 Zone Provision for Convenience Store

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.6 Hamlet Commercial Zone (CHA)

6.6.1 *Permitted Uses*

In a CHA Zone no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) ambulance service
- b) *animal hospital*
- c) antique shop
- d) art gallery
- e) *automobile gas station*
- f) *automobile service and repair station*
- g) *automobile washing establishment*
- h) bake shop
- i) *bed & breakfast*
- j) *clinic or doctors' offices*
- k) *contractor shop*
- l) *contractor supply and service shop*
- m) commercial greenhouse, tree and plant nursery and may include open storage thereto
- n) community centre
- o) *convenience store*
- p) *country store*
- q) *custom workshop*
- r) *day care nursery*
- s) *dry cleaning distribution station*
- t) *dwelling, single detached or dwelling unit in a non-residential building – maximum one (1)*
- u) *farm implement sales and service establishment*
- v) financial institution
- w) fire hall
- x) fruit and vegetable outlet
- y) funeral home
- z) *garden supply centre, tree and plant nursery*
- aa) hardware store
- bb) *home occupation*
- cc) laundromat
- dd) library
- ee) *merchandise service shop*
- ff) museum
- gg) *office, all types*
- hh) *outdoor storage accessory to permitted uses*
- ii) *parking lot*
- jj) *personal service shop*
- kk) *place of assembly*
- ll) *place of sports and recreation*
- mm) police station

- nn) *private club*
- oo) *restaurant*
- pp) *restaurant, fast-food*
- qq) *restaurant, take-out* provided there is no drive through
- rr) *training and rehabilitation centre*
- ss) *vehicle sales or rental establishment.*

6.6.2 Zone Provisions

In a CHA Zone, no building or structure shall be erected or altered except in accordance with the following provisions:

- a) minimum lot area: 1,860 square metres
- b) minimum lot frontage: 30 metres
- c) minimum front yard: 6 metres
- d) minimum exterior side yard: 6 metres
- e) minimum interior side yard: 3 metres
- f) minimum rear yard: 9 metres
- g) maximum building height: 11 metres
- h) maximum usable floor area: 280 square metres
of a fruit and vegetable outlet
- i) outdoor storage: prohibited in a front yard and within 3 metres of any lot line adjoining a residential Zone

6.6.3 Outdoor Display of Goods

Outdoor display of products normally sold in an outdoor environment including *vehicles, farm implements, trees, shrubs and plants, fruit and vegetables and other similar items*, but excluding items sold in bulk, shall be permitted in the front yard. Outdoor display of other items shall be permitted within a front yard and is located on a grassed or landscaped area without surrounding fences.

6.6.4 Zone Provision for Convenience Store and Country Store

The usable floor area of a convenience store or a country store shall not exceed 280 square metres.

6.7 Rural Commercial Zone (CR)

6.7.1 Permitted Uses

In a CR Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) *animal hospital*
- b) *automobile body shop*
- c) *automobile gas station*
- d) *automobile service and repair station*
- e) *bed & breakfast*
- f) *commercial greenhouse, tree and plant nursery and may include open storage accessory thereto*
- g) *contractor shop [6-Z-2018]*
- h) *contractor supply and service shop [6-Z-2018]*
- i) *convenience store*
- j) *country store*
- k) *dry cleaning distribution station*
- l) *dwelling, single detached or dwelling unit in a non-residential building – maximum one (1)*
- m) *farm implement sales and service establishment*
- n) *farm machinery and equipment repair shop [6-Z-2018]*
- o) *farm supply outlet*
- p) *fruit and vegetable outlet*
- q) *garden supply centre, tree and plant nursery*
- r) *home occupation*
- s) *machine shop related to farm machinery and equipment [6-Z-2018]*
- t) *outdoor storage accessory to permitted uses*
- u) *place of assembly*
- v) *restaurant*
- w) *restaurant, take-out.*

6.7.2 Zone Provisions

In a CR Zone, no building or structure shall be erected or altered except in accordance with the following provisions:

- a) *minimum lot area:* 1,860 square metres
- b) *minimum lot frontage:* 30 metres
- c) *minimum front yard:* 13 metres
- d) *minimum exterior side yard:* 13 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum usable floor area:*
 - i) *for a dwelling unit in a non-residential building* 40 square metres
 - ii) *for a single detached dwelling* 92 square metres
- h) *maximum building height:* 11 metres
- i) *maximum usable floor area:* 300 square metres
of a fruit and vegetable outlet

6.7.3 Zone Provision for *Convenience Store* and *Country Store*

The *usable floor area* of a *convenience store* or a *country store* shall not exceed 280 square metres.

6.8 Resort Area Commercial Zone (CRA)

6.8.1 *Permitted Uses*

In a CRA Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *convenience store*
- b) *personal service shop*
- c) *place of entertainment*
- d) *restaurant*
- e) *restaurant, takeout*
- f) *tourist information building*
- g) *tourist retail establishment*
- h) *dwelling unit accessory to a permitted commercial use within a permitted commercial building at a maximum size of 65 square metres.*

6.8.2 *Zone Provisions*

In a CRA Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 0.4 hectares
- b) minimum *lot frontage*:
 - i) *interior lot* 30 metres
 - ii) *corner lot* 18 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*: 3 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: 7.5 metres
- h) maximum *lot coverage*: 15% plus an additional 10% lot coverage for all accessory buildings and structures

6.8.3 *Zone Provision for Convenience Store*

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.8.4 *Boathouses*

Boathouses are not permitted.

Ontario Municipal Board Decision, October 14, 2015

6.9 Marine Commercial Zone (CM)

6.9.1 *Permitted Uses*

In a CM Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) boat club or sailing club
- b) *boathouse*
- c) *convenience store*
- d) dock, pier or wharf
- e) dry dock facilities, boat repair shop and other marine trades
- f) *existing* facilities for accommodating travel trailers
- g) fish processing and sales
- h) marine craft and equipment sales
- i) museum
- j) *outdoor storage* accessory to any *permitted* use
- k) *parking lot*
- l) *restaurant*
- m) *restaurant, take-out*
- n) *tourist information building*
- o) warehousing associated with any *permitted* use
- p) *existing dwelling units* used for permanent residences.

6.9.2 Zone Provisions

In a CM Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*:
 - i) *interior lot* with municipal services 450 square metres
 - ii) *corner lot* with municipal services 540 square metres
 - iii) where not connected to public water and/or public sanitary sewer systems 1,860 square metres
- b) minimum *lot frontage*:
 - i) *interior lot* with municipal services 15 metres
 - ii) *corner lot* with municipal services 18 metres
 - iii) where not connected to public water and/or public sanitary sewer systems 30 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*: 3 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: 11 metres
- h) *outdoor storage*: prohibited within 2 metres of a *front lot line* or *exterior side lot line* or 3 metres of any *lot line* adjoining a residential Zone

6.9.3 Zone Provision for Convenience Store

The *usable floor area* of a *convenience store* shall not exceed 280 square metres.

6.9.4 Zone Provisions for a Boathouse or Dock, Pier or Wharf

Notwithstanding the provisions in Subsection 6.9.2, where a *lot line* abuts a navigable watercourse, any *boathouse* or dock, pier or wharf shall have a *setback* of zero metres where it abuts the watercourse.

7.0 Industrial Zones

7.1 General Industrial Zone (MG)

7.1.1 *Permitted Uses*

In an MG Zone, no land, *building* or *structure* shall be used except in accordance with the following types of uses:

- a) ambulance service
- b) *animal hospital*
- c) *auction centre*
- d) bus terminal
- e) call centre
- f) *Cannabis Production and Processing*, subject to General Provisions 3.21 [25-Z-2018]
- g) construction shop
- h) *contractor's yard*
- i) crematorium
- j) fire hall
- k) food processing, excluding abattoir
- l) general material manufacturing
- m) graphics and design
- n) industrial supply
- o) material processing, excluding asphalt plant, cement works and concrete batching
- p) *merchandise service shop*
- q) *office, industrial*, accessory to a *permitted* use
- r) personal and health services for employees, accessory to an industry on the same *lot*
- s) research and development facility
- t) retail sales accessory to an industry on the same *lot*
- u) storage
- v) taxi terminal
- w) telecommunications and data processing
- x) trade school
- y) transportation
- z) *vehicle* services and repair, including *automobile body shop* and *industrial garage*
- aa) *wholesale outlet*.

7.1.2 High Requirement for Municipal Public Water and Sanitary Sewage Treatment

Notwithstanding Subsection 7.1.1, uses with a high requirement for municipal treatment in either strength or quantity of waste, or a high volume requirement of municipal water shall not be *permitted*.

7.1.3 Exemption for Certain Industries with a High Requirement for Municipal Sewage Treatment

Any manufacturing or processing plant *existing* at the date of passing of this By-Law which has a high requirement of municipal sewage treatment in either strength or quantity of wastes or a high volume requirement of municipal water shall be allowed to enlarge or expand provided the enlargement or expansion does not constitute a significantly higher level of municipal sewage treatment or water requirements.

7.1.4 Zone Provisions

In an MG Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 1,855 square metres
- b) minimum *lot frontage*: 30 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*: 3 metres
- i) abutting a residential Zone 20 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: subject to a 45 degree *angular plane* measured from the edge of any residential, commercial or institutional *Zoned lots*
- h) *outdoor storage*: prohibited in any *front yard* or any *required exterior side yard*

7.1.5 Retail Sales Accessory to an Industry

Retail sales accessory to an industry shall be *permitted* up to 15 percent of the floor area of an industry to a maximum of 150 square metres of *usable floor area* provided the retail sales area is separated from the principal industrial or warehouse use by solid partition walls.

7.1.6 Additional Zone Provisions for Crematoriums [6-Z-2018]

Notwithstanding certain Zone provisions in Subsection 7.1.4, the following additional provisions shall apply to a crematorium:

- a) minimum *lot area*: 2 hectares
- b) minimum *setback* to any residential zone, school, community centre or *place of recreation*: 200 metres

7.2 Light Industrial Zone (ML)

7.2.1 *Permitted Uses*

In an ML Zone, no land, *building* or *structure* shall be used except in accordance with the following type of uses:

- a) ambulance service
- b) *animal hospital*
- c) *auction centre*
- d) *automobile service and repair station*
- e) call centre
- f) *Cannabis Production and Processing* subject to General Provisions 3.21 [25-Z-2018]
- g) *dry cleaning establishment*
- h) *farm implement sales and service establishment*
- i) fire hall
- j) food processing
- k) *garage, industrial*
- l) graphics and design
- m) indoor storage
- n) light material manufacturing
- o) *lumber yard and building supply establishment*
- p) *office, industrial, accessory to a permitted use*
- q) personal and health services for employees of *permitted* uses
- r) research and development facility
- s) telecommunications and data processing
- t) *vehicle sales or rental establishment.*

7.2.2 High Requirement for Municipal Water and Sanitary Sewage Treatment

Notwithstanding Subsection 7.2.1, uses with a high requirement for municipal treatment in either strength or quantity of waste, or a high volume requirement of municipal water shall not be *permitted*.

7.2.3 Exemption for Certain Industries with a High Requirement for Municipal Sewage Treatment

Any manufacturing or processing plant *existing* at the date of passing of this By-Law which has a high requirement of municipal sewage treatment in either strength or quantity of wastes or a high volume requirement of municipal water shall be allowed to enlarge or expand provided the enlargement or expansion does not constitute a significantly higher level of municipal sewage treatment or water requirements.

7.2.4 Zone Provisions

In an ML Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 1,700 square metres
- b) minimum *lot frontage*: 30 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*: 3 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: subject to a 45 degree *angular plane* measured from the edge of any residential, commercial or institutional *Zoned lots*

7.3 Disposal Industrial Zone (MD)

7.3.1 *Permitted Uses*

In an MD Zone, no land, *building* or *structure* shall be used except in accordance with the following type of uses:

- a) municipal disposal area including incineration, baling, compacting and separation
- b) municipal sanitary land fill site
- c) open storage accessory to any *permitted* use
- d) *public utility yard*
- e) *salvage yard*
- f) waste recycling facility.

7.3.2 *Zone Provisions*

In an MD Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot frontage*: 30 metres
- b) minimum *front yard*: 13 metres
- c) minimum *exterior side yard*: 13 metres
- d) minimum *interior side yard*: 4.5 metres
- e) minimum *rear yard*: 4.5 metres
- f) minimum separation: 30 metres
from a *dwelling* on an adjacent
lot
- g) maximum *building height*: 11 metres
- h) *outdoor storage*: prohibited within any *required front* or *side yard* and within 6 metres of any *interior lot line*

7.4 Extractive Industrial Zone (MX)

7.4.1 *Permitted Uses*

In an MX Zone, no land, *building* or *structure* shall be used except in accordance with the following type of uses:

- a) cement batching plant
- b) concrete and asphalt mixing plant
- c) crushing and screening plant
- d) sand and gravel *pit*
- e) stone *quarry*.

7.4.2 *Zone Provisions for Industrial Buildings and Structures*

In an MX Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *front yard*: 13 metres
- b) minimum *exterior side yard*: 13 metres
- c) minimum *interior side yard*: 4.5 metres
- d) minimum *rear yard*: 9 metres
- e) minimum separation: 30 metres
from a *dwelling* on an adjacent
lot
- f) maximum *building height*: 11 metres

7.4.3 *Zones Provisions for Concrete and Asphalt Mixing Plant and Crushing and Screening Plant and Cement Batching Plant*

In an MX Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *front yard*: 30 metres
- b) minimum *exterior side yard*: 45 metres
- c) minimum *interior side yard*: 45 metres
- d) minimum *rear yard*: 45 metres
- e) minimum separation: 90 metres
from a *dwelling* on an adjacent
lot

7.5 Rural Industrial Zone (MR)

7.5.1 *Permitted Uses*

In an MR Zone, no land, *building* or *structure* shall be used except in accordance with the following type of uses:

- a) agriculturally oriented *contractor's yard* and facilities
- b) *animal hospital*
- c) *automobile body shop*
- d) *automobile service and repair station*
- e) *bunk house* provided occupants are employed predominately by the *farm* operation where the *bunk house* is located
- f) *Cannabis Production and Processing*, subject to General Provisions 3.21 [25-Z-2018]
- g) commercial greenhouse
- h) dairy
- i) *dwelling, single detached*
- j) *farm*
- k) *farm* machinery and equipment repair shop
- l) *farm processing*
- m) *farm* produce grading station
- n) *farm* produce outlet
- o) *farm* supply outlet
- p) feed mill
- q) fertilizer dealership
- r) flour mill
- s) food and agricultural product processing
- t) *food processing* excluding abattoirs and slaughter houses
- u) fuel storage depot for home and *farm* use
- v) grain elevator and drying facilities
- w) *home industry*
- x) *home occupations*
- y) *lumber yard*
- z) machine shop related to *farm* machinery and equipment
- aa) *office, industrial* as an *accessory use* to an industry on the same *lot*
- bb) *outdoor storage* accessory to any *permitted* use
- cc) *public utility yard*
- dd) saw mill
- ee) seasonal storage of *recreational vehicles* and recreational equipment as a secondary use to a *farm*
- ff) storage of school buses.

7.5.2 Zone Provisions

In an MR Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 1,855 square metres
- b) minimum *lot frontage*: 30 metres
- c) minimum *front yard*: 13 metres
- d) minimum *exterior side yard*: 13 metres
- e) minimum *interior side yard*: 6 metres
- f) minimum *rear yard*: 9 metres
- g) minimum separation: 30 metres
from a *dwelling* on an adjacent
lot
- h) maximum *building height*: 11 metres
- i) *outdoor storage*: prohibited in any *required front yard* or
exterior side yard

7.6 Marine Industrial Zone (MM)

7.6.1 *Permitted Uses*

In a MM Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *boathouse*
- b) *dock, pier or wharf*
- c) *dry dock facilities, boat repair shop and other marine trades*
- d) *fish processing and sales*
- e) *marine craft and equipment sales*
- f) *outdoor storage* accessory to any *permitted* use
- g) *warehousing* associated with any *permitted* use.[1]

7.6.2 *Zone Provisions*

In a MM Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) *minimum lot area:*
 - i) *interior lot* with municipal services 450 square metres
 - ii) *corner lot* with municipal services 540 square metres
 - iii) where not connected to public water and/or public sanitary sewer systems 1,860 square metres
- b) *minimum lot frontage:*
 - i) *interior lot* with municipal services 15 metres
 - ii) *corner lot* with municipal services 18 metres
 - iii) where not connected to public water and/or public sanitary sewer systems 30 metres
- c) *minimum front yard:* 6 metres
- d) *minimum exterior side yard:* 6 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *maximum building height:* 11 metres
- h) *outdoor storage:* prohibited within 2 metres of a *front lot line* or *exterior side lot line* or 3 metres of any *lot line* adjoining a residential Zone

7.6.3 *Zone Provisions for a Boathouse or Dock, Pier or Wharf*

Notwithstanding the provisions in Subsection 7.6.2, where a *lot line* abuts a navigable watercourse, any *boathouse* or dock, pier or wharf shall have a *setback* of zero metres where it abuts the watercourse.

[1] text deletion, OMB decision April 10. 2015

7.7 Special Industrial Zone (MS)

7.7.1 *Permitted Uses*

In an MS Zone, no land, *building* or *structure* shall be used except in accordance with the following type of uses:

- a) abattoir, which may include in association therewith a retail establishment and a meat packaging and processing plant
- b) *dwelling, single detached* on same lot.

7.7.2 *Zone Provisions*

In an MS Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the following provisions:

- a) minimum *lot area*: 2 hectares
- b) minimum *lot frontage*: 180 metres
- c) minimum *front yard*: 13 metres
- d) minimum *exterior side yard*: 13 metres
- e) minimum *interior side yard*: 6 metres
- f) minimum *rear yard*: 13 metres
- g) minimum separation: 90 metres to an *existing dwelling* house
from *dwelling* located on a separate *lot*
- h) maximum *building height*: 11 metres

8.0 Institutional Zones

8.1 Community Institutional Zone (IC)

8.1.1 *Permitted Uses*

In an IC Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) adult education and training facility
- b) ambulance service
- c) art gallery
- d) *cemetery*
- e) *clinic or doctors' offices*
- f) college or university
- g) community centre
- h) crematorium
- i) *day care nursery*
- j) *dwelling, single detached*
- k) *dwelling, semi-detached*
- l) *dwelling, duplex*
- m) *dwelling unit in any permitted building – maximum one (1)*
- n) fire hall
- o) funeral home
- p) *home occupation*
- q) hospital
- r) library
- s) *long-term care facility*
- t) museum
- u) *office, government*
- v) pharmacy accessory to a hospital or *clinic or doctors' offices*
- w) *place of assembly*
- x) *place of entertainment*
- y) *place of sports and recreation, public*
- z) *place of worship*
- aa) police station
- bb) *private club*
- cc) school, all types
- dd) *training and rehabilitation centre*
- ee) *accessory uses to a permitted use on the same lot: restaurant, fast-food restaurant, take-out restaurant, convenience store, craft souvenir and gift shop and financial institution.*

8.1.2 *Zone Provisions for any Sole Residential Use*

Any sole residential use and *home occupation* shall conform to the provisions in the Urban Residential Type 2 Zone (R2).

8.1.3 Zone Provisions for all Other Uses

In an IC Zone, no building or structure shall be erected or altered except in accordance with the provisions in the following Zones:

- a) minimum lot area:
 - i) interior lot 450 square metres
 - ii) corner lot 540 square metres
 - iii) lot on private services .40 hectares
- b) minimum lot frontage:
 - i) interior lot 15 metres
 - ii) corner lot 18 metres
 - iii) lot on private services 30 metres
- c) minimum front yard: 6 metres
- d) minimum exterior side yard: 6 metres
- e) minimum interior side yard: 3 metres
- f) minimum rear yard: 9 metres
- g) maximum building height: 11 metres

8.1.4 Additional Zone Provisions for Crematoriums

Notwithstanding certain Zone provisions in Subsection 8.1.3, the following additional provisions shall apply to a crematorium:

- a) minimum lot area: 2 hectares [6-Z-2018]
- b) minimum front yard: 30 metres
- c) minimum exterior side yard: 30 metres
- d) minimum interior side yard: 30 metres
- e) minimum rear yard: 30 metres
- f) Minimum setback to any residential zone, school, community centre or place of recreation: 200 metres [6-Z-2018]

8.1.5 Zone Provision for Convenience Store

The usable floor area of a convenience store shall not exceed 280 square metres.

8.2 Neighbourhood Institutional Zone (IN)

8.2.1 *Permitted Uses*

In an IN Zone, no land, building or structure shall be used except in accordance with the following uses:

- a) *cemetery*
- b) *community centre*
- c) *crematorium*
- d) *day care nursery*
- e) *dwelling, single detached*
- f) *dwelling, semi-detached*
- g) *dwelling, duplex*
- h) *dwelling unit in any permitted building – maximum one (1)*
- i) *dwelling units in any permitted non-residential building – maximum two (2)*
- j) *elementary school*
- k) *home occupation*
- l) *library*
- m) *long-term care facility*
- n) *place of worship and accessory dwelling unit.*

8.2.2 *Zone Provisions for any Sole Residential Use*

Any sole residential use and *home occupation* shall conform to the provisions in the Urban Residential Type 2 Zone (R2).

8.2.3 *Zone Provisions*

In an IN Zone, no building or structure shall be erected or altered except in accordance with the provisions in the following Zones:

- a) *minimum lot area:*
 - i) *interior lot* 450 square metres
 - ii) *corner lot* 540 square metres
 - iii) *lot on private services* .40 hectares
- b) *minimum lot frontage:*
 - i) *interior lot* 15 metres
 - ii) *corner lot* 18 metres
 - iii) *lot on private services* 30 metres
- c) *minimum front yard:* 6 metres
- d) *minimum exterior side yard:* 6 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 7.5 metres
- g) *maximum building height:* 11 metres

8.2.4 Additional *Zone* Provisions for Crematoriums

Notwithstanding certain *Zone* provisions in Subsection 8.2.3, the following additional provisions shall apply to a crematorium:

- a) minimum *lot area*: 2 hectares [66-Z-2018]
- b) minimum *front yard*: 30 metres
- c) minimum *exterior side yard*: 30 metres
- d) minimum *interior side yard*: 30 metres
- e) minimum *rear yard*: 30 metres
- f) minimum *setback* to any residential *zone*, school, community centre or *place of recreation*: 200 metres [66-Z-2018]

8.3 **Rural Institutional Zone (IR)**

8.3.1 *Permitted Uses*

In an IR Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *animal hospital*
- b) *art gallery*
- c) *cemetery*
- d) *community centre*
- e) *crematorium*
- f) *day care nursery*
- g) *dwelling, single detached*
- h) *dwelling unit in any permitted non-residential building* – maximum one (1)
- i) *fire hall*
- j) *home occupation*
- k) *long-term care facility*
- l) *museum*
- m) *place of assembly*
- n) *place of sports and recreation*
- o) *place of worship*
- p) *police station*
- q) *private club*
- r) *public or private elementary or secondary school*
- s) *training and rehabilitation centre.*

8.3.2 *Zone Provisions*

In an IR Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following *Zones*:

- a) *minimum lot area:* 1,390 square metres
- b) *minimum lot frontage:* 30 metres
- c) *minimum front yard:* 13 metres
- d) *minimum exterior side yard:* 13 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum usable floor area:* 40 square metres
for a dwelling unit in a non-residential building
- h) *maximum building height:* 11 metres

8.3.3 Additional *Zone* Provisions for Crematoriums

Notwithstanding certain *Zone* provisions in Subsection 8.3.2, the following additional provisions shall apply to a crematorium:

- a) minimum *lot area*: 2 hectares [66-Z-2018]
- b) minimum *front yard*: 30 metres
- c) minimum *exterior side yard*: 30 metres
- d) minimum *interior side yard*: 30 metres
- e) minimum *rear yard*: 30 metres
- f) minimum *setback* to any residential *zone*, school, community centre or *place of recreation*: 200 metres [66-Z-2018]

9.0 Open Space Zones

9.1 Open Space Zone (OS)

9.1.1 *Permitted Uses*

In an OS Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *campground*
- b) *dwelling, single detached*
- c) *dwelling unit in any permitted non-residential building* – maximum one (1)
- d) *fairground*
- e) *golf course*
- f) *golf driving range*
- g) *home occupation*
- h) *park*
- i) *place of recreation ancillary to a golf course* but excluding an arena
- j) *place of sports and recreation.*

9.1.2 *Zone Provisions*

In an OS Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following Zones:

- a) *minimum lot area:* 1,390 square metres
- b) *minimum lot frontage:* 30 metres
- c) *minimum front yard:* 6 metres
- d) *minimum exterior side yard:* 6 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum usable floor area:* 40 square metres
for a *dwelling unit* in a non-residential *building*
- h) *maximum building height:* 11 metres

9.2 Open Space (Tent and Trailer) Zone (OST)

9.2.1 *Permitted Uses*

In an OST Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *campground*
- b) *dwelling, single detached*
- c) *dwelling unit in any permitted non-residential building* – maximum one (1)
- d) *fairground*
- e) *golf course*
- f) *golf driving range*
- g) *home occupation*
- h) *place of sports and recreation*
- i) *tent and trailer park.*

9.2.2 *Zone Provisions*

In an OST Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following Zones:

- a) *minimum lot area:* 1,390 square metres
- b) *minimum lot frontage:* 30 metres
- c) *minimum front yard:* 6 metres
- d) *minimum exterior side yard:* 6 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum usable floor area:* 40 square metres
for a dwelling unit in a non-residential building
- h) *maximum building height:* 11 metres

10.0 Provincially Significant Wetland Zone

10.1 Provincially Significant Wetland Zone (PSW)

10.1.1 Permitted Uses

In a PSW Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) agricultural uses *existing* on the date of passage of this By-Law
- b) provincially significant wetland
- c) wildlife management area.

10.2 Interpretation of Zone

Notwithstanding Subsection 1.4.2, the extent of the Provincially Significant Wetland Zone (PSW) shown on the Zoning Maps may be modified on a site specific basis where initiated by the land owner without amendment to this By-Law where such wetland boundary corrections are deemed acceptable and approved by the Ministry of Natural Resources in accordance with the Ontario Wetland Evaluation System.

11.0 Hazard Land Zone

11.1 Hazard Land Zone (HL)

11.1.1 Permitted Uses

In an HL Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) dock, pier or wharf
- b) *farm*, excluding any *building*
- c) *parking lot* or any similar non-structural use accessory to a *permitted* use or accessory to a *permitted* use in an adjacent Zone but on same *lot*
- d) public *park*, provided there are no *buildings* located thereon except *buildings* used as an open pavilion and for sanitary facilities or change houses for bathers.

11.2 Interpretation of Zone

Notwithstanding Subsection 1.4.2, the extent of the Hazard Land Zone (HL) shown on the Zoning Maps may be revised on a site specific basis where initiated by the land owner without amendment to this By-Law where such revision is determined to be acceptable to and confirmed in writing by the Conservation Authority having jurisdiction.

11.3 Additional Zone Provisions for Lakeshore Erosion Prone Areas

The provisions set out in Section 3.15 Lakeshore, Erosion Prone Area Provisions shall apply.

12.0 Agricultural Zones

12.1 Agricultural Zone (A)

12.1.1 *Permitted Uses*

In an A Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *animal kennel*, subject to Subsection 12.1.4
- b) *bed & breakfast*, subject to Subsection 3.4
- c) *bunk house*
- d) *Cannabis Production and Processing*, subject to General Provisions 3.21 [25-Z-2018]
- e) *dwelling, single detached*
- f) *farm*
- g) *farm brewery*, subject to Subsection 12.2.3 [34-Z-2019]
- h) *farm distillery*, subject to Subsection 12.2.3 [34-Z-2019]
- i) *farm experience activity*, subject to Subsection 12.2.2
- j) *farm processing, accessory to a farm*
- k) *farm processing-value added*, subject to Subsection 12.2.1
- l) *farm produce outlet, accessory to a farm*
- m) *farm winery*, subject to Subsection 12.2.3
- n) *home industry*
- o) *home occupation*
- p) *on-farm diversified use*, subject to Subsection 12.3 [34-Z-2019]
- q) *seasonal storage of recreational vehicles* and recreational equipment as a secondary use to a *farm*.
- r) *accessory residential dwelling unit*, subject to Subsection 3.2.3 [7-Z-2020]

12.1.2 *Zone Provisions*

In an A Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following Zones:

- a) *minimum lot area:*
 - i) *lot* 40 hectares
 - ii) *residential lot surplus to a farm operation* [27-Z-2016] 2,000 square metres
- b) *minimum lot frontage:*
 - i) *interior and corner lots* 30 metres
- c) *minimum front yard:* 13 metres
- d) *minimum exterior side yard:* 13 metres
- e) *minimum interior side yard:* 3 metres
- f) *minimum rear yard:* 9 metres
- g) *minimum separation:* 30 metres
between a farm processing facility and a dwelling on an adjacent lot
- h) *maximum building height:* 11 metres

12.1.3 Location of Feed Lot, *Livestock Facility* or Manure or Material Storages

No land shall be used and no *building* or *structure* or part thereof shall be used or *erected* for the purpose of a feed lot, or for *livestock facility* or manure or material storage unless it complies with the requirements of the *Ontario Nutrient Management Act* and Minimum Distance Separation (MDS II) formulae and guidelines developed by the province, as amended from time to time.

12.1.4 Location of an *Animal Kennel*

No land shall be used and no *building* or *structure* or part thereof shall be *erected* for the purpose of an *animal kennel* nearer than:

- a) 300 metres to any residential (R1, R2, R3, R4, R5, R6, RH) or development (D) *Zone*;
- b) 125 metres to any Rural Commercial *Zone* (CR), Institutional *Zone* (IC, IN, IR) or any *dwelling* house located on a separate *lot*; or,
- c) 30 metres to any *lot line*.

12.2 **Value Added Agriculture**

12.2.1 Any *farm processing-value added* shall be subject to the following provisions:

- a) the maximum *usable floor area* shall be 560 square metres;
- b) the majority of the product processed, preserved, packaged and/or stored shall be from the *farm operation*;
- c) the *farm processing-value added* shall be secondary to the main *farm* use on the subject lands.

12.2.2 Any *farm experience activity* shall be subject to the following provisions:

- a) the *farm experience activity* shall be secondary to the main *farm* use on the subject lands;
- b) all *farm experience activity* shall be clearly *farm*-related through ongoing interaction with agricultural activities;
- c) the *farm experience activity* area including all associated uses shall not exceed 5 percent of the total *lot area* for the *farm* parcel on which it is located. Production lands which are used for the growing of crops and simultaneously used as part of the activity area shall not be included in the calculation of the 5 percent.

12.2.3 Any *farm winery, farm brewery, or farm distillery* shall be subject to the following provisions:

- a) all wines, beers, and spirits produced shall be made from crops grown primarily by the *farm operation*; and,
- b) secondary uses shall be limited to *on-farm diversified uses*, subject to Subsection 12.3. [34-Z-2019]

12.3 **On-Farm Diversified Use**

12.3.1 Any *on-farm diversified use* shall be subject to the following provisions:

- a) an *on-farm diversified use* shall only be *permitted on an existing farm operation*;
- b) no *on-farm diversified use* shall exceed a combined total of one (1) hectare;
- c) the gross floor area of all *buildings* used for an *on-farm diversified use* shall not exceed 20 percent of the acceptable land area, as calculated in 12.3.1 b);
- d) the land area and the area of *existing buildings* used for an *on-farm diversified use* may be discounted at the rate of 50 percent. Where an *on-farm diversified use* uses the same footprint as a demolished *building*, the land area for the use may be similarly discounted by 50 percent;
- e) 100 percent of the area needed for a *parking space* and *outdoor storage* for the *on-farm diversified use* will be included in the area calculation.
- f) where an *on-farm diversified use* uses an *existing farm laneway*, or parking area, the area of the laneway or parking area will not be included in the area calculations. [34-Z-2019]

13.0 Development Zones

13.1 Development Zone (D)

13.1.1 *Permitted Uses*

In a D Zone, no land, *building* or *structure* shall be used except in accordance with the following uses:

- a) *bunk house*
- b) *dwelling, single detached*
- c) *farm*, excluding the housing of *livestock*, *animal kennels* and feed lots, and excluding orchards
- d) *farm produce outlet*, accessory to a *farm*
- e) *home industry*
- f) *home occupation*
- g) seasonal storage of *recreational vehicles* and recreational equipment as a secondary use to a *farm*.

13.1.2 *Zone Provisions*

In a D Zone, no *building* or *structure* shall be *erected* or *altered* except in accordance with the provisions in the following Zones:

- a) minimum *lot area*: 10 hectares
- b) minimum *lot frontage*: 180 metres
- c) minimum *front yard*: 6 metres
- d) minimum *exterior side yard*: 6 metres
- e) minimum *interior side yard*: 3 metres
- f) minimum *rear yard*: 9 metres
- g) maximum *building height*: 11 metres

14.0 Special Provisions

The following Special Provisions shall apply to those lands shown on Schedule A which are outlined and entitled with the following corresponding Special Provision numbers. When appropriate a detailed Special Provision Site Specific Schedules showing the location of the lands affected or other requirements is contained at the end of this Section.

- 14.1 In addition to the uses *permitted* in the CRA Zone, a miniature golf course and a marine-oriented canvas and vinyl fabricating establishment shall also be *permitted*.
- 14.2 In lieu of the corresponding provisions of the RR Zone, the following shall apply:
- a) that Subsection 5.8.1 shall not apply to the lands identified as having reference to this Subsection and that in lieu thereof permitted uses shall include *existing vacation home* and *accessory uses, buildings and structures*;
 - b) that the provisions of Subsection 5.8.2 shall not apply to the lands delineated as having reference to this Subsection to prevent the repair, rebuilding or replacement of any *existing vacation home* provided that such replacement does not constitute an increase in the original *usable floor area* or volume of the original *building*;
 - c) that one (1) accessory garage be *permitted* on Lots 55 and 56, Plan 206, 25 Hastings Drive;
 - d) that the maximum useable floor area of an existing vacation home located on Lot 57, Plan 206, shall be 125 square metres, of which the main floor maximum useable floor area will continue as it currently exists at 76 square metres. [26-Z-2015]
- 14.3 In lieu of the requirements of Subsection 5.8.2, the following shall apply:
- a) the *front yard* shall be the northerly property boundary fronting onto Erie Boulevard;
 - b) the *interior side yard* shall be the westerly property boundary;
 - c) the *rear yard* shall be the southerly property boundary fronting Lake Erie;
 - d) the minimum *front yard setback* shall not apply. [35-Z-2018]

- 14.4 In addition to the uses *permitted* in the CRA Zone, a motel shall be *permitted*. For the purposes of this special provision, “motel” shall mean an establishment serving mainly the needs of the travelling or vacationing public by furnishing temporary occupancy and sleeping accommodation consisting of individual rental units, each of which may have direct access from the outside or through a common corridor or hallway, and with or without cooking facilities.

In lieu of the corresponding requirements of the CRA Zone, the following shall apply:

- a) Maximum *lot coverage* – 22 percent of the percentage of the lot are enclosed by the perpendicular projections onto a horizontal plane of the outside face of the exterior wall of all buildings, exclusive of balconies, canopies, fire escapes, bay window and overhanging eaves provided none of the foregoing are less than 2.5 metres above finished grade.
- b) Maximum *building height* – 7.3 metres measured from the vertical distance between the *finished grade* of the ground at the front of a *building* and the mean height between the eaves and the ridge.

[Ontario Municipal Board Decision, October 14, 2015]

- 14.5 In addition to the uses *permitted* in the CM Zone, an accessory *dwelling unit* and a maximum of ten (10) sites for the storage and use of *recreational vehicles* and motor homes shall be *permitted*.
- 14.6 In addition to the uses *permitted* in the CM Zone, an accessory *dwelling unit*, home occupation and *tent and trailer park* shall be *permitted*.
- 14.7 In the RR Zone, any use, *building* or *structure* legally *existing* at the date of passing of the amending By-Law (April 29, 1994) shall be deemed to conform to the corresponding provisions in the RR Zone, provided any new use, *building* or *structure* shall conform with the Zone provisions in the RR Zone.

14.8 In lieu of the corresponding provisions of the RR *Zone*, the following shall apply:

- a) minimum *lot area* – 370 square metres;
- b) minimum *lot frontage* – 12 metres;
- c) maximum *lot coverage* – 20 percent.

14.9 In addition to the uses *permitted* in the CRA *Zone*, retail sales of hunting and sporting goods, rental establishment for small hand tools, and a coffee and donut shop, shall be *permitted*;

In lieu of the definition contained in Section 2.0, for the purposes of this Subsection a *lot* shall be defined as the lands delineated as having reference to this Subsection.

In lieu of the corresponding provisions of the CRA *Zone*, the following shall apply:

- a) minimum *lot area* – 1,500 square metres;
- b) minimum *lot frontage* – 26 metres;
- c) minimum *front yard* – 6 metres;
- d) minimum *exterior side yard* – 6 metres;
- e) minimum *interior side yard* – 6 metres;
- f) minimum *rear yard* – 5 metres;
- g) maximum *building height* – 11 metres;
- h) maximum *lot coverage* – 19.47 percent.

Any *building* legally *existing* at the date of passing of the amending By-Law (February 11, 1998) shall be deemed to conform to the minimum *yard* provisions. There shall be no open storage of rental equipment and there will be no parking *permitted* within the *required interior side yard*. [22-Z-2015]

14.10 In lieu of the corresponding provision of the RR *Zone*, the following shall apply:

- a) minimum *rear yard* – 6.63 metres.

14.11 In addition to the uses *permitted* in the RR *Zone*, an ornithological research facility and associated overnight accommodation and nature interpretive centre shall also be *permitted* on the lands delineated by this Subsection.

14.12 In lieu of the corresponding provisions in the RR *Zone*, the following shall apply:

- a) minimum *lot area* – 1.5 hectares;
- b) maximum *building height* shall not apply to prevent any renovation or replacement of the *existing vacation home/lighthouse structure*.

14.13 In lieu of the corresponding provisions of the RR Zone, the following shall apply:

- a) minimum *lot area* – 554.8 square metres;
- b) minimum *front yard* – 2 metres;
- c) minimum *rear yard* – 3.75 metres;
- d) maximum *lot coverage* – 22 percent.

14.14 In addition to the uses *permitted* in the RR Zone, a *single detached dwelling* shall also be *permitted*.

For purposes of this Subsection and notwithstanding any other provisions of this By-Law, except for Section 4.0 and Subsection 5.8.2, as amended, Lots 14 and 15, Plan 304, shall only be used for a *park*, except when used conjointly one with the other, in which event a *single detached dwelling* is *permitted*.

For purposes of this Subsection and notwithstanding any other provisions of this By-Law, as amended, except for Section 3.0 and Subsection 5.8.2, as amended, Lots 46 and 47, Plan 546, shall only be used for a *park*, except when used conjointly one with the other, in which event a *single detached dwelling* is *permitted*.

For purposes of this Subsection and notwithstanding any other provisions of this By-Law, as amended, except for Section 3.0 and Subsection 5.8.2, as amended, Lots 72, 73 and 74, Plan 133, shall only be used for a *park*, except when used conjointly one with the others, in which event a *single detached dwelling* is *permitted*.

For purposes of this Subsection only one (1) *dwelling* shall be used for permanent residency on the following *lot* - Lot 77, Plan 128.

14.15 In addition to the uses *permitted* in the CM Zone, a trailer park with a maximum of ninety (90) sites shall also be *permitted*.

For the purpose of this Subsection, “trailer park” shall be defined as an area of land used for the parking for recreational purposes, of seasonal trailers.

For the purpose of this Subsection, “seasonal trailer” shall be defined as a trailer or motor coach of such size and dimensions so as to be designed to be located at a single location for the entire summer recreational season, but shall not include a *mobile home*.

14.16 In addition to the uses *permitted* in the CM Zone, two (2) *single detached dwellings* for the use of the owner and/or watchman shall also be *permitted*.

Notwithstanding Subsection 3.26, a second *single detached dwelling* may be *permitted*.

14.17 In the RR *Zone*, notwithstanding the requirements of Subsection 3.2.2 the following shall apply:

- a) maximum *building height* – 7 metres;
- b) maximum *usable floor area* – 247.5 square metres.

Notwithstanding Subsection 3.2.1 no new accessory *buildings* may be *permitted* on the subject lands.

For the purpose of this Subsection a *boathouse* may include such *accessory uses* as storage and a pottery workshop.

14.18 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 7.32 metres; and
- b) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10.33 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 133.8 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [32-Z-2017]

14.19 In lieu of the uses *permitted* in the RR *Zone*, a *vacation home* with a maximum *usable floor area* of 95.4 square metres shall be *permitted*. A *deck* on the ground level shall also be *permitted* to maximum size of 12 square metres; with this exception no *decks* or *balconies* shall be *permitted*. The location of the summer cottage is as shown on Schedule 14.19.1.

Any upper floor area is deemed to be an attic and restricted to use for storage. Human habitation on the upper floor is prohibited. For the purpose of this By-Law, an attic is defined as “an area in the top *storey* of a house, immediately below the roof”.

The property and *building* as shown in Schedule 14.19.1 at the date of passing of the amending By-Law (January 26, 2010) shall be deemed to conform with Subsection 5.8.2.

The *building* as shown in Schedule 14.19.1 at the date of passing of the amending By-Law (January 26, 2010) shall be deemed to conform with the parking requirements outlined in Section 4.0.

14.20 In lieu of the corresponding provisions of the RR *Zone*, the following shall apply:

- a) minimum *lot area* – 550 square metres;
- b) minimum *front yard* – 1.5 metres;
- c) maximum *lot coverage* – 20 percent.

14.21 In lieu of the *accessory use* provisions and the RR *Zone* provisions, any development on the lands delineated by this Subsection shall be in accordance with the following:

- a) minimum *front yard* – 3.66 metres;

- b) maximum height of *accessory building* – 5.1 metres.

14.22 In lieu of the corresponding provisions of the RR Zone, the following shall apply:

- a) minimum *lot area* – 415.26 square metres;
- b) minimum *lot frontage* – 0 metres;
- c) minimum *interior side yard* (west) – 0.61 metres;
- d) minimum *interior side yard* (east) – 1.83 metres;
- e) minimum *rear yard* – 0.88 metres.

14.23 In lieu of the corresponding provision of the RR Zone, the following shall apply:

- a) minimum *lot frontage* – 12 metres.

14.24 In the CRA Zone, in lieu of the *required* parking, no *parking spaces* shall be *required* for the tourist *boutique*.

14.25 In addition to the uses *permitted* in the CRA Zone, a miniature golf course and an *arcade* shall also be *permitted*.

14.26 In addition to the uses *permitted* in the CRA Zone, an *outdoor patio* with a maximum seating capacity of twenty four (24) *persons* and a motel shall also be *permitted*. In lieu of the *required* parking, twenty one (21) *parking spaces* shall be *required*.

14.27 In addition to the uses *permitted* in the CRA Zone, rental cottages shall also be *permitted*.

14.28 In lieu of corresponding provisions of Section 3.6 no deck or unenclosed porch shall project more than 3.79 metres into the required rear yard.

For the purposes of this subsection the westerly property line (College Street) shall be deemed the front lot line. A *single detached dwelling* shall not be *permitted*.

14.29 A *single detached dwelling* shall not be *permitted* on the lands delineated by this Subsection. [38-Z-2014, 42-Z-2014, 43-Z-2014, 44-Z-2014, 45-Z-2014, 46-Z-2014, 58-Z-2014, 59-Z-2014, 63-Z-20104, 64-Z-2014, 65-Z-2014, 66-Z-2014, 67-Z-2014, 68-Z-2014, 9-Z-2015, 11-Z-2015, 15-Z-2015, 24-Z-2015, 32-Z-2015, 34-Z-2015, 36-Z-2015, 38-Z-2015, 39-Z-2015, 43-Z-2015, 44-Z-2015, 45-Z-2015, 49-Z-2015, 50-Z-2015, 51-Z-2015, 57-Z-2015, 61-Z-2015, 62-Z-2015, 63-Z-2015, 4-Z-2016, 6-Z-2016, 9-Z-2016, 10-Z-2016, 15-Z-2016, 16-Z-2016, 17-Z-2016, 18-Z-2016, 24-Z-2016, 32-Z-2016, 33-Z-2016, 34-Z-2016, 54-Z-2016, 9-Z-2017, 10-Z-2017, 11-Z-2017, 12-Z-2017, 19-Z-2017, 27-Z-2017, 51-Z-2017, 52-Z-2017, 1-Z-2018, 14-Z-2018, 27-Z-2018, 39-Z-2018, 56-Z-2018, 58-Z-2018, 60-Z-2018, 61-Z-2018, 74-Z-2018, 75-Z-2018, 15-Z-2019, 16-Z-2019, 29-Z-2019]

14.30 In addition to the uses *permitted* in the A Zone, an insulation and *farm* machinery repair business shall also be *permitted*.

14.31 In addition to the uses *permitted* in the A Zone, a second *single detached dwelling* shall also be *permitted*.

Notwithstanding Subsection 3.26, a second *single detached dwelling* may be *permitted*.

14.32 In the RH Zone, the minimum *front yard* requirement shall not apply to any *building existing* on the lands identified as having reference to this Subsection.

- 14.33 In addition to the uses *permitted* in RH Zone, a garage used for the repair of personal automobiles, pick-up trucks and small to medium sized *farm* equipment with the provision for the *outdoor storage* of a maximum of five (5) *vehicles* shall also be *permitted*.
- 14.34 In lieu of the *permitted* uses and the corresponding provisions in the A Zone, the use of the lands shall be limited to a *single detached dwelling* and *home occupation* subject to a minimum *lot area* of 4,000 square metres.
- 14.35 In lieu of the *permitted* uses in the A Zone, no development of any form shall be *permitted*. For the purpose of this Subsection, “development” shall mean all forms of *buildings* or *structures*, all *permitted* uses in the A Zone, all *permitted* uses in Subsection 3.33 and agriculture.
- 14.36 In addition to the uses *permitted* in the A Zone, a woodworking shop with a maximum *usable floor area* of 232.25 square metres shall also be *permitted*.
- 14.37 In lieu of the *permitted* uses in the A Zone, the following uses shall be *permitted*:
- a) three (3) cabins *existing* at the date of passing of the amending By-Law (July 8, 2003) are to be used for recreation purposes only. The three (3) cabins are not to be used as a *dwelling*. Indoor plumbing is not *permitted* in the *existing* cabins;
 - b) *accessory buildings* legally *existing* at the date of passing of the amending By-Law (July 8, 2003) that are used for storage or to shelter and feed *livestock*;
 - c) the wire-fenced livestock compound legally *existing* at the date of passing of the amending By-Law (July 8, 2003);
 - d) motor homes, *mobile homes*, recreational camping *vehicles*, travel trailers and tent trailers are not *permitted* to be stored and/or utilized;
 - e) with the exception of the areas noted in a), b) and c) above, the lands shall be maintained as an area of natural vegetation and that no *buildings* or *structures* or any form of development shall be *permitted*.
- 14.38 In addition to the uses *permitted* in the A Zone, the following shall also be *permitted*:
- a) the sale of products made from ginseng (such as candy, tea, capsules and honey);
 - b) the sale of locally grown *farm* produce (such as maple syrup) is also *permitted* provided it remains secondary to the use described in a) above;
 - c) processing and storage of ginseng for product development;
 - d) one (1) apartment for employee accommodation with a maximum of six (6) bedrooms. The number of occupants in the apartment shall not exceed six (6).
- 14.39 The maximum height of an *accessory building* shall be 6 metres.
- 14.40 In lieu of the *permitted* uses in the MD Zone, a *salvage yard* may be *permitted* and any use *permitted* in the A Zone shall also be *permitted* subject to the provisions of that Zone.

- 14.41 In lieu of the corresponding provision in the A Zone, the following shall apply:
- a) minimum *lot frontage* – 14 metres.
- 14.42 In addition to the uses *permitted* in the RH Zone, a produce outlet and accessory sales of locally produced artisanal breads, cheeses, honey, art and crafts shall also be *permitted* to a maximum *usable floor area* of 90 square metres.
- 14.43 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *rear yard* – 30 metres.
- 14.44 In addition to the uses *permitted* in the A Zone, a *farm* machinery and *vehicle* repair shop including the sale of ancillary parts and accessories shall also be *permitted*. *Outdoor storage* shall be limited to the *rear yard*.
- 14.45 In addition to the uses *permitted* in the RH Zone, a woodworking operation with a maximum floor area of 372 square metres shall also be *permitted*.
- 14.46 In addition to the uses *permitted* in the IR Zone, a *parking lot* shall also be *permitted*.
- 14.47 In lieu of the uses *permitted* in the CHA Zone, a *restaurant*, *farm* implement sales, *garden centre*, tree and plant nursery, fruit and vegetable outlet, one (1) *dwelling unit* and a flea market carried out entirely within an *existing building* shall also be *permitted*. The sale of convenience foods for consumption elsewhere is not *permitted*.
- 14.48 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *lot frontage* – 17 metres.
- 14.49 In addition to the uses *permitted* in the CHA Zone, an *automobile body shop*, excluding painting of automobiles, parking and *outdoor storage* of eight (8) whole *vehicles* shall also be *permitted*. The *outdoor storage* of *vehicle* parts is prohibited.
- In lieu of the corresponding provisions of the CHA Zone, the following shall apply:
- a) minimum exterior side yard – 4 metres including outdoor storage;
 - b) minimum interior side yard – 1.2 metres;
 - c) minimum front yard – 9 metres for outdoor storage;
 - d) maximum usable floor area – 160 square metres for an automobile body shop.
- 14.50 In addition to the *permitted* uses in the A Zone, a wine processing facility with a wine tasting room, accessory retail uses and a *restaurant* for up to twenty (20) persons shall also be *permitted*.
- 14.51 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *lot frontage* - 29 metres.
- 14.52 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *exterior side yard* – 2.4 metres.

- 14.53 In addition to the uses *permitted* in the A Zone, the manufacturing and assembly of shades and trellis systems for growing agricultural products shall also be *permitted*.
- 14.54 In lieu of the corresponding provision of the R1-B Zone, the following shall apply;
- a) Minimum lot frontage - 10.67 metres. [29-Z-2015]
- 14.55 In addition to the uses *permitted* in the A Zone, a construction *contractor's yard* and an associated office shall also be *permitted*.
- 14.56 In lieu of the height requirements for an *accessory building*, the maximum height for the *accessory building or structure* shall be 5.4 metres.
- 14.57 In lieu of the corresponding provisions of the A Zone, , the following shall apply for an *accessory building* and a *home industry*:
- a) minimum *usable floor area* for all *accessory buildings* together - 223 square metres;
 - b) maximum *accessory building* height - 6.4 metres;
 - c) maximum numbers of employees for *home industry* - three (3) persons.
- 14.58 In addition to the uses *permitted* in the CR Zone, a *vehicle sales or rental establishment* shall also be *permitted*.
- 14.59 In addition to the uses *permitted* in the A Zone, a photographic or artist's studio shall also be *permitted*.
- 14.60 In lieu of the corresponding provisions in the RR Zone, the following shall apply:
- a) maximum *lot coverage* - 28.05 percent
- Section 3.11.1 shall not apply. [2-Z-2018]
- 14.61 In addition to the uses *permitted* in the RH Zone, a post office shall also be *permitted*.
- 14.62 In lieu of the corresponding provisions of the CHA Zone, the following shall apply:
- a) minimum *lot area* - 1,290 square metres;
 - b) minimum *lot frontage* - 27 metres.
- 14.63 In lieu of the corresponding provisions of the IC Zone, the following shall apply:
- a) minimum *front yard* - 5 metres;
 - b) minimum southerly *interior side yard* - 1.8 metres;
 - c) minimum northerly *interior side yard* - 3 metres.
- 14.64 In the HL Zone, any *building or structure* shall be *setback* a minimum of 8 metres from the top of bank.

- 14.65 In addition to the uses *permitted* in the A Zone, an operation for the storage and pickling of cucumbers in a maximum of 600 tanks, in addition to related *buildings* and facilities to service this use, shall also be *permitted*.
- 14.66 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *lot frontage* – 10.67 metres.
- 14.67 In addition to the uses *permitted* in the A Zone, the commercial drying of ginseng shall also be *permitted*.
- 14.68 In addition to the uses *permitted* in the A Zone, the manufacture and assembly of shade cloth and ground cover for growing agricultural products shall also be *permitted*.
- 14.69 In addition to the uses *permitted* in the A Zone,
- a) the following definitions apply to the subject lands:
 - a) “*farm operation*” shall mean a *farm* activity carried on by the owner of the *farm operation* in the expectation of gain and operating on one (1) or more properties located within and outside the *County*;
 - b) “*farm processing*” shall mean a use accessory to a *farm operation* used for the sorting, potting, packing, drying or processing of crops and produce produced on properties which form part of the *farm operation* where the facility is located but shall not include processing for gain or compensation. *Farm processing* shall not include an abattoir or slaughterhouse;
 - c) “*farm produce outlet*” shall mean a use accessory to a *farm operation* which consists of the retail sale of agricultural products such as vegetables, fruits, flowers, plants and other crops produced on the properties which form part of the *farm operation* where the outlet is located and shall be operated by the owner of the *farm operation*;
 - b) *farm processing* shall be *permitted* on the lands but shall be limited to produce produced on properties which form part of the *farm operation* where the facility is located;
 - c) in addition to the operation of a *farm produce outlet* on the lands, as accessory to the operation of a *farm produce outlet* the sale of trees, ornamental plants, mulch, not produced on properties owned by the *farm operation* shall be *permitted*, provided the display area located inside or outdoors does not exceed 10 percent of the *usable floor area* of the *existing building*;
 - d) in addition to the operation of a *farm produce outlet* on the lands, as accessory to the operation of a *farm produce outlet* the sale of garden related products including garden decorations, soils, fertilizers, herbicides and pesticides, fish ponds, water plants and supplies, shall be *permitted*, provided the display area does not exceed 140 square metres of the *usable floor area* of the *existing building* (in addition to the 10 percent for display area noted above). The sale of lawn and patio furniture, barbeques and lawn mowers will not be *permitted*.
- 14.70 In addition to the uses *permitted* in the A Zone, a solar *farm* shall also be *permitted* subject to the *setbacks* as outlined on Schedule 14.70.1.

- 14.71 In addition to the uses *permitted* in CR Zone, the sale and service of motor homes shall also be *permitted*. A *dwelling unit* is prohibited.
- 14.72 In lieu of the corresponding provisions of the A Zone, the following shall apply:
- a) minimum *rear yard* – 8.9 metres;
 - b) maximum height of an *accessory building* – 7.2 metres.
- 14.73 In addition to the uses *permitted* in the A Zone, a golf driving range and miniature golf shall also be *permitted*.
- 14.74 In lieu of the *permitted* uses of the CSC Zone, the sole *permitted* uses are the following:
- a) shoe outlet store to a maximum *usable floor area* – 2,508.38 square metres;
 - b) pharmacy to a maximum *usable floor area* – 789.76 square metres;
 - c) *clinic or doctor's office*.
- 14.75 In addition to the uses permitted in the A Zone and notwithstanding Subsection 12.1.3, an office addition to an *existing livestock barn* shall be *permitted*.
- In lieu of the corresponding provisions of the A Zone, the following shall apply;
- a) maximum floor area for a farm office addition - 26.5 square metres;
 - b) minimum *interior side yard* for farm office addition- 27.7 metres.
- 14.76 In lieu of the corresponding requirements for an *accessory building*, two (2) *existing barns*, with a total *usable floor area* of 380 square metres shall be *permitted* prior to establishment of main residential use.
- 14.77 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *lot frontage* – 8.8 metres.
- 14.78 In addition to the uses *permitted* in the CR Zone, an automobile sales establishment shall also be *permitted*. The outside storage of automobile parts or portions of automobiles shall be prohibited in the *front yard* or *side yards*. A maximum of twelve (12) automobiles for sale may be displayed at any one time on the property and no *buildings* or *structures* shall be *permitted* within 7.5 metres of the top of slope of the municipal drain.
- 14.79 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *lot frontage* – 26 metres.
- 14.80 In addition to the uses *permitted* in the CHA Zone, a machine shop shall be *permitted* subject to the following:
- a) maximum *usable floor area* – 176 square metres;
 - b) there shall be no *open storage* of materials associated with the machine shop operation.

- 14.81 In addition to the uses *permitted* in the HL Zone, a *single detached dwelling* shall also be *permitted* subject to the following:
- a) minimum *interior side yard* – 3 metres;
 - b) minimum *rear yard* – 9 metres.
- 14.82 In addition to the uses *permitted* in the A Zone, a peanut processing plant including facilities for shipping, receiving, sampling, grading, weighing, cleaning, roasting and shelling shall also be *permitted*. Such a use may include an accessory retail operation occupying a maximum floor area of 25 square metres and shall be subject to the following:
- a) minimum *front yard* – 7.6 metres;
 - b) minimum *exterior side yard* – 7.6 metres;
 - c) minimum *interior side yard* – 7.6 metres;
 - d) minimum *rear yard* – 7.6 metres;
 - e) no outside storage shall be *permitted* within the *required front and exterior side yards*.
- 14.83 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *lot frontage* – 24 metres.
- 14.84 In addition to the uses *permitted* in the A Zone, a craft shop and display gallery shall also be *permitted*.
- 14.85 In addition to the uses *permitted* in the A Zone, a landscape business (*garden centre, tree and plant nursery*) and accessory landscape *contractor's yard* shall also be *permitted*. The accessory landscape *contractor's yard* shall be limited to 465 square metres in the *existing barn*. The secondary use display area for products not generated on-site (*landscape rock, garden products and equipment*) shall be limited to a maximum of 186 square metres.
- 14.86 In lieu of the corresponding provisions of the A Zone, the following shall apply:
- a) minimum *lot area* – 8.37 hectares;
 - b) minimum *interior side yard (west)* – 51.8 metres.
- 14.87 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *interior side yard (west)* – 30.4 metres for a *dwelling* excluding an attached garage.
- 14.88 In lieu of the *permitted* uses in the MD Zone, a *salvage yard* shall also be *permitted* and any use *permitted* in the A Zone shall also be *permitted* subject to the provisions of that Zone.
- 14.89 In addition to the uses *permitted* in the A Zone, a four (4) unit *dwelling* shall be *permitted*.

- 14.90 In addition to the uses *permitted* in the A Zone, a restaurant-pancake house and the sale of maple syrup and related products shall also be *permitted*.

In lieu of the corresponding provisions of the A Zone, the following shall apply:

- a) minimum *front yard* – 8.2 metres;
- b) planned road allowance widths shall not apply.

- 14.91 In addition to the uses *permitted* in the A Zone, a winery, wine tasting and accessory retail to a maximum *usable floor area* of 100 square metres shall also be *permitted*.

- 14.92 In addition to the uses *permitted* in the A Zone, a lumber drying kiln, associated *outdoor storage* and the sale of lumber shall also be *permitted*.

- 14.93 In addition to the uses *permitted* in the HL Zone, the *existing single detached dwelling* shall also be *permitted*. An accessory garage shall also be *permitted* with a maximum *usable floor area* of 75 square metres.

- 14.94 In addition to the uses *permitted* in the HL Zone and PSW Zone, the *existing tent and trailer park* shall also be *permitted* to a maximum of fifty (50) sites, including *existing sites*. One (1) *single detached dwelling* subject to the A Zone provisions and *buildings, structures* and uses accessory to the foregoing uses shall also be *permitted*. No permanent *buildings or structures*, other than those *required* for public utilities, shall be located below the 730 metre elevation Geodetic Survey of Canada datum.

- 14.95 In addition to the uses *permitted* in the A Zone, a saw mill shall also be *permitted*.

- 14.96 In addition to the uses *permitted* in the A Zone, the repair of cars, trucks and *farm vehicles* and the sale of used cars, subject to a maximum of six (6) cars being exposed for sale as *outside storage* shall also be *permitted*. *Outside storage* of car parts or portions of cars and a body shop is prohibited.

- 14.97 In addition to the uses *permitted* in the A Zone, a horse radish processing plant with a maximum *usable floor area* of 350 square metres shall also be *permitted*. For the purpose of this Subsection, a horse radish processing plant shall be defined as a processing plant which may include facilities for the storage, washing, grinding and bottling of horse radish.

- 14.98 In lieu of the corresponding provision of the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 28 metres.

- 14.99 In addition to the uses *permitted* in the A Zone, one (1) *existing aircraft maintenance building*, a maximum of two (2) airstrips, a maximum of three (3) aircraft hangers and open storage of aircraft shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- i. minimum rear yard – 1.2 metres. [8-Z-2019]

- 14.100 In addition to the uses *permitted* in the CS Zone, a supermarket with a maximum *usable floor area* of 2,850 square metres shall also be *permitted*.

- 14.101 In addition to the uses *permitted* in the A Zone, a welding repair shop, primarily for the repair of agricultural equipment shall also be *permitted* subject to a maximum *usable floor area* of 558 square metres. *Outdoor storage* shall be limited to the westerly *interior side yard* and *rear yard*.
- 14.102 In addition to the uses *permitted* in the A Zone, the sale of carpet and flooring materials shall also be *permitted* subject to a maximum *usable floor area* of 280 square metres.
- 14.103 In addition to the uses *permitted* in the A Zone, a service and repair business, primarily for the service and repair of agricultural equipment shall also be *permitted* subject to a maximum *usable floor area* of 167.5 square metres. Any *outdoor storage* shall be limited to the *rear yard*.
- 14.104 In lieu of the corresponding provisions in the MS Zone, the following shall apply:
- a) minimum *lot area*:
 - i) *corner lot* – 5989.3 square metres;
 - b) minimum *lot frontage*:
 - i) *corner lot* – 48.77 metres;
 - c) minimum *exterior side yard* – 5.8 metres;
 - d) minimum separation: from *dwelling* – 58.3 metres to an *existing dwelling* house location on a separate *lot*. [2-Z-2017]
- 14.105 In addition to the uses *permitted* in the A Zone, a fruit and vegetable processing and storage facility shall also be *permitted*.
- 14.106 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *lot frontage* – 9.2 metres.
- 14.107 Notwithstanding Subsection 3.26, that maximum number of *single detached dwellings* permitted on the lot – twenty two (22) single detached dwellings
- For the purposes of this Subsection the “lot” shall be defined as Block A.
- In lieu, of the corresponding provision in R1-A Zone, the following shall apply:
- a) minimum *lot frontage* – 14.8 metres;
 - b) minimum *rear yard* – 2 metres;
 - c) no maximum *lot coverage*. [30-Z-2014]
- 14.108 In lieu of the uses *permitted* in the OS Zone, a golf driving range, maintenance *buildings* accessory to a golf driving range and one (1) *dwelling unit* and a *home occupation* shall also be *permitted*.
- 14.109 In lieu of the corresponding provision of the A Zone, the following shall apply:
- a) minimum *lot frontage* – 20 metres.

14.110 In addition to the uses *permitted* in the A Zone, a landscape contractor's yard shall also be *permitted*.

14.111 In lieu of the corresponding provision of the RH Zone, the following shall apply:

a) minimum lot frontage – 28.65 metres.

14.112 In lieu of the uses *permitted* in the CHA Zone, a restaurant, farm implement sales, garden centre, tree and plant nursery, fruit and vegetable outlet, one (1) dwelling unit, home occupation and a flea market carried out entirely within the existing building shall also be *permitted*.

- 14.113 In addition to the uses *permitted* in the RH Zone, a *semi-detached dwelling* or a *duplex dwelling* shall also be *permitted*.
- 14.114 In lieu of the uses *permitted* in the MR Zone, a crop spraying business, accessory open storage and any uses *permitted* in the A Zone shall be *permitted*.
- 14.115 In addition to the uses *permitted* in the RR Zone, one (1) *boathouse* shall also be *permitted* subject to the following:
- a) minimum *front yard* – 6 metres;
 - b) minimum *interior side yard* – 1.2 metres;
 - c) maximum *building height* – 5 metres.
- 14.116 In the RH Zone, the *front lot line* shall be deemed to be the easterly projection of the north limit of Ryan Crescent for the purposes of calculating the *required front yard setback*.
- 14.117 In the RH Zone, notwithstanding the provisions of Subsection 3.13, an *automobile service and repair station* shall be *permitted* as a *home industry* subject to a maximum *usable floor area* of 134 square metres and a minimum *interior side yard* of 3.6 square metres.
- The maximum number of customer *vehicles* stored outdoors shall be limited to five (5).
- 14.118 In addition to the uses *permitted* in the RH Zone, a brewing supply and wine making retail establishment shall also be *permitted* in an *existing dwelling* or attached garage provided that the *usable floor area* does not exceed 60 square metres.
- 14.119 In addition to the uses *permitted* in the RH Zone, an electrical contractor's business shall also be *permitted*. The size of the *accessory building* used for the electrical contractor's business shall be limited to a maximum of 131 square metres.
- 14.120 In addition to the uses *permitted* in the RH Zone, a vacuum sales and service and automobile stereo sales operation shall also be *permitted*.
- 14.121 In addition to the uses *permitted* in the RH Zone, an automobile sales establishment and storage and sales of prefabricated storage sheds shall also be *permitted*. No open storage or display shall be *permitted* in any *required yard*.

14.122 In lieu of the uses *permitted* in the CHA Zone, the following shall be permitted:

- a) a *country store* with a maximum *usable floor area* of 280 square metres
- b) *personal service shop*
- c) *restaurant*
- d) automobile service and repair station
- e) *vehicle sales or rental establishment*
- f) *farm implement sales and service establishment*
- g) *animal hospital*
- h) commercial greenhouse
- i) tree and plant nursery including accessory storage
- j) fruit and vegetable outlet
- k) one (1) *dwelling unit*
- l) a *custom workshop*.

14.123 In lieu of the uses *permitted* in the CHA Zone, the following shall be permitted:

- a) a *country store* with a maximum *usable floor area* of 280 square metres
- b) *restaurant*
- c) *vehicle sales or rental establishment*
- d) *animal hospital*
- e) *personal service shop* including a clinic
- f) one (1) *dwelling unit*.

14.124 In the RH Zone, Subsection 3.2 g) shall not apply to any *building or structure* legally existing at the date of passing of the amending By-Law (September 20, 1988).

14.125 In lieu of the requirements of the CSC Zone, the following shall apply:

Part A In lieu of the requirements of the CSC Zone, the following shall apply to the lands shown on Schedule 14.125.1:

- a) A shopping mall shall be *permitted* on the lands identified as Parts 1 to 5, provided it does not exceed 23,780 square metres in gross floor area. Not more than 11,165 square metres shall be occupied by a *department store* and 3,265 square metres shall be occupied by the *permitted* commercial uses as outlined in Subsection Part A b) below on Parts 1, 2, 3 and 4 on Schedule 14.125.1.

For the purposes of this Subsection, the following definitions shall apply:

“department store” shall mean a *building* or part of a *building* used for the retail sale of a wide variety of goods, wares, merchandise and services including automobile service station, family apparel, and furniture, appliances and home furnishings and may include, as *accessory uses*, offices, warehousing and outdoor sales and display area. Such merchandise is generally displayed or offered on a departmentalized basis. Services may also be offered for sale provided they are subordinate to the main use. For greater clarity, this definition does not include an automotive/home improvement store. A *department store* may include a maximum gross floor area of 3,020 square metres devoted to the sale of food subject to the removal of holding B as set out in Subsection Part A c) ii. below.

- b) The following uses related to Part A a) above are *permitted*: automobile service station, *automobile washing establishments*, *hotel*, *motel*, *motor hotel*, place of recreation and entertainment, *custom workshop*, funeral home, retail establishment, *personal and merchandise service shop*, *restaurant*, *tavern*, *place of worship*, *vehicle sales or rental establishment* and *accessory uses*.
- c) In accordance with the provisions of Section 36 of the *Ontario Planning Act* as amended, the holding (H) symbol is to be removed from the zoning designation with respect to the whole or any part or parts of the lands in respect of which such zoning designation applies, by further amendment, upon satisfaction of the following:
 - a) holding A shall remain until site plan approval is granted;
 - b) holding B may be removed after January 1, 2016 subject to a market assessment to the satisfaction of the *County*.
- d) Notwithstanding any consent or severance of the lands known in June 1, 2005 as Norfolk Mall, the provisions of this By-Law with respect to Section 4.0 and Subsection 6.2 of the By-Law shall continue to apply to the whole of the lands shown on Schedule 14.125.1 on June 1, 2005, as if no consent or severance occurred.
- e) For the purpose of this Subsection, gross floor area shall mean the total area of all floors of the *building* measured from the inside face of exterior walls.

Part B In lieu of the requirements of the CSC *Zone*, the following shall apply to the lands shown on Schedule 14.125.1 as Parts 2, 3, 4 and 5:

- a) The subject lands as identified under this Subsection shall form part of the shopping mall as defined in this Subsection Part A a).
- b) A *supermarket* shall be *permitted*, provided it does not exceed 9,300 square metres in gross floor area and 50 square metres shall be occupied by the *permitted* CSC *Zone* uses as outlined as Parts 2, 3, 4 and 5 on Schedule 14.125.1.

For the purpose of this Subsection, the following definition shall apply:

“supermarket” shall mean a *building* or part of a *building* in which a balanced line of goods such as canned, bottled, packaged and frozen foods, fresh meat and poultry, fish, fresh fruits and vegetables, prepared food products, bakery products, dairy products, candy and confectionery and other food products are sold. In addition, newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers and plants and other non-food articles may be sold as well as outdoor display and sale of seasonal items. Services may also be offered for sale provided they are subordinate to the main use.

- c) In accordance with the provisions of Section 36 of the *Ontario Planning Act*, as amended, the holding (H) symbol is to be removed from the zoning designation with respect to the whole or any part or parts of the lands in respect of which such zoning designation applies, by further amendment, upon satisfaction of the following requirements:
 - i. the approval of a site plan;
 - ii. addressing water and sewer serving requirements.
- d) Notwithstanding any consent or severance of the lands known in June 1, 2005 as Norfolk Mall, the provisions of this By-Law with respect to Section 4.0 and Subsection 6.2 of the By-Law shall continue to apply to the whole of the lands shown on Schedule 14.125.1 on June 1, 2005, as if no consent or severance occurred.

14.126 Notwithstanding the uses *permitted* in the OS *Zone*, a *campground* and fairground shall not be *permitted*.

14.127 In addition to the uses *permitted* in the A *Zone*, a *farm* equipment repair business shall also be *permitted*.

14.128 In addition to the uses *permitted* in the MR *Zone*, *farm* machinery and equipment manufacturing shall also be *permitted*.

14.129 In addition to the uses *permitted* in the A *Zone*, a sawmill operation including storage and sales of lumber shall also be *permitted*. There shall be no *building* or *open storage* within 30 metres of the easterly *lot line*.

- 14.130 In addition to the uses *permitted* in the A Zone, a sawmill and ancillary open storage shall also be *permitted* on the lands shown on Schedule 14.130.1 as Parts 1 and 2. A landscape product production and supply facility shall also be *permitted* on the lands shown on Schedule 14.130.1 as Part 2.
- 14.131 In addition to the uses *permitted* in the A Zone, a sawmill and ancillary *open storage* shall also be *permitted* subject to the following provisions:
- a) minimum *setback* from the Goshen Road – 350 metres;
 - b) minimum *setback* from the Jackson Side Road – 14 metres;
 - c) minimum *setback* from the easterly side road – 100 metres;
 - d) open storage shall be prohibited within 14 metres from any *street* or 8 metres from any *interior lot line*;
 - e) any *building* or *structure* existing at the date of passing of the amending By-Law (July 20, 1996) shall be deemed to conform with the provisions of this By-Law.
- 14.132 In addition to the uses *permitted* in the A Zone, a facility for grading, storage and shipping of greenhouse vegetables and the sale or distribution of items related to greenhouse growing needs shall also be *permitted*.
- 14.133 In addition to the uses *permitted* in the A Zone, an establishment for the repair of agricultural, propane powered and personal *vehicles* subject to a maximum *usable floor area* of 344 square metres shall also be *permitted*.
- 14.134 In addition to the uses *permitted* in the MR Zone, a fuel ethanol plant shall also be *permitted*.

In lieu of the corresponding provisions in the MR Zone, the following shall apply:

- a) minimum *lot area* – 10 hectares;
- b) minimum *lot frontage* – 298 metres;
- c) minimum *front yard* – 60 metres;
- d) minimum *interior side yard* (east) – 44 metres;
- e) minimum *interior side yard* (west) – 145 metres;
- f) minimum *rear yard* – 53 metres;
- g) maximum *lot coverage* – 15 percent;
- h) no open storage shall be *permitted*;
- i) *accessory buildings* and *structures* shall maintain minimum *side yard* of 39.6 metres and maximum *lot coverage* of 5 percent.

- 14.135 In addition to the uses *permitted* in the A Zone, a fruit juice processing plant including accessory waste disposal shall also be *permitted*.
- 14.136 In addition to the uses *permitted* in the RH Zone, a *country store* shall be *permitted*. Further, a body shop and a used automobile sales establishment shall also be *permitted* subject to the CHA Zone provisions.
- 14.137 In addition to the uses *permitted* in the A Zone, the sale of antique furniture and articles shall also be *permitted*.
- 14.138 In lieu of the corresponding provisions of the A Zone, the following shall apply:
- a) minimum *lot area* – 1,030 square metres;
 - b) minimum *lot frontage* – 27 metres;
 - c) minimum *front yard* – 3 metres;
 - d) minimum *exterior side yard* – 8.9 metres.
- 14.139 In lieu of the uses *permitted* in the CR Zone, the following shall be *permitted*:
- a) *automobile gas station*
 - b) *bed & breakfast*
 - c) commercial greenhouse, tree and plant nursery and may include *open storage* accessory thereto
 - d) *convenience store*
 - e) *dry cleaning distribution station*
 - f) *dwelling, single detached* or *dwelling unit* in a non-residential *building* – maximum one (1)
 - g) *farm implement sales and service establishment*
 - h) *farm supply outlet*
 - i) fruit and vegetable outlet
 - j) *garden centre, tree and plant nursery*
 - k) home occupation
 - l) restaurant, take-out
 - m) truck parts sales and truck service establishment.
- 14.140 In addition to the uses *permitted* in the A Zone, a *farm* machinery and *vehicle* repair shop and the sale of parts and accessories shall also be *permitted*. *Outdoor storage* is restricted to the *rear yard* only.

14.141 In addition to the uses *permitted* in the CR Zone, the following shall also be *permitted*:

- a) ambulance service
- b) *automobile washing establishment*
- c) automotive parts shop
- d) *bar or night club*
- e) community centre
- f) craft, souvenir and gift shop
- g) fire hall
- h) florist shop
- i) home occupation
- j) hotel
- k) *lumber yard and building supply establishment*
- l) *outdoor storage accessory to permitted uses*
- m) *parking lot*
- n) place of sports and recreation
- o) *place of worship*
- p) police station
- q) private club
- r) training and rehabilitation centre
- s) *vehicle sales or rental establishment.*

For the purpose of this By-Law, Parts 2 and 5 and Parts 3 and 6, 37R-2581 of the subject lands as described are deemed to be one (1) *lot*.

14.142 In addition to the uses *permitted* in the A Zone, a *duplex dwelling* shall also be *permitted*.

14.143 In lieu of the uses *permitted* in the MR Zone, a warehouse, wholesale establishment, *contractor's yard, truck terminal*, manufacture and fabrication of cassettes, cartridges and similar items for data processing, word processing and computer applications shall be *permitted*.

14.144 In addition to the uses *permitted* in the A Zone, an agriculturally related trucking operation including associated servicing and safety inspections shall also be *permitted*.

- 14.145 In addition to the uses *permitted* in the A Zone, a fruit and vegetable market and craft shop including the sale of produce, baked goods and preserves, a *restaurant* with a maximum seating capacity of sixteen (16) persons and a *retail store* for the sale of tourist and camping supply items secondary to the fruit and vegetable market and with a maximum *usable floor area* of 93 square metres shall also be *permitted*.
- 14.146 In addition to the uses *permitted* in the A Zone, a sawmill, open ancillary storage, drying kiln and the retail sale of lumber processed on-site shall also be *permitted*.
- 14.147 In addition to the uses *permitted* in the A Zone, the sale and display of monuments shall also be *permitted* provided that there be no processing, manufacturing or finishing and that any storage of monuments shall only include monuments for display purposes in an outdoor location.
- 14.148 In addition to the uses *permitted* in the A Zone, a craft shop and tea room shall also be *permitted*.
- 14.149 In addition to the uses *permitted* in the A Zone, an all-terrain *vehicle*, snowmobile and small equipment dealership and a recreational track and special events area shall also be *permitted*.
- 14.150 In addition to the uses *permitted* in the A Zone, a warehouse and distribution operation shall also be *permitted* in accordance with the corresponding provisions in the MR Zone.
- 14.151 In addition to the uses *permitted* in the A Zone, a wine making establishment shall also be *permitted* in the attached garage to a maximum *usable floor area* of 45 square metres.
- 14.152 In addition to the uses *permitted* in the A Zone, a storage shed for a concrete contractor, truck and equipment as well as machinery for custom farming operations shall also be *permitted* subject to the following:
- a) minimum *front yard setback* for storage shed – 60 metres;
 - b) maximum *usable floor area* for storage shed – 558 square metres.
- 14.153 In lieu of the corresponding provision of the RH Zone, the following shall apply:
- a) minimum *lot frontage* – 22 metres.
- 14.154 In addition to the uses *permitted* in the A Zone, a site for the purpose of preserving an historic *building*, retail of agriculture produce, retail sale of antiques, arts and crafts and a *place of assembly* and special events shall also be *permitted*.
- 14.155 In addition to the RH Zone provisions, a 9 metre *setback* from a definable top of bank shall be *required*.

14.156 In addition to the uses *permitted* in the RH Zone, a body shop shall also be *permitted* subject to the following:

- a) maximum *usable floor area* – 465 square metres;
- b) there shall be no open storage of automobiles or parts other than for the automobile to be repaired;
- c) any *setback* legally *existing* at the date of passing of the amending By-Law (October 13, 1987) shall be deemed to conform with the provisions of this By-Law.

14.157 In lieu of the corresponding provision of the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 12.16 metres.

14.158 In addition to the uses *permitted* in the IR Zone, a *bed & breakfast* shall also be *permitted*.

14.159 In lieu of the uses *permitted* in the MD Zone, the lands identified by this Subsection shall be maintained as an area of natural vegetation and that no *buildings* or *structures* or any form of development shall be *permitted*.

14.160 In lieu of the uses *permitted* in the A Zone, a *single detached dwelling* shall be the sole *permitted* use.

14.161 In addition to the uses *permitted* in the A Zone, a body shop shall also be *permitted*.

14.162 In addition to the uses *permitted* in the A Zone, the sale of agriculturally-oriented merchandise shall be *permitted* provided that any *building* used for this use shall not exceed 410 square metres. For the purpose of this Subsection, agriculturally-oriented merchandise shall be defined as merchandise directly related to or necessary in the operation of a *farm*.

14.163 In addition to the uses *permitted* in the MR Zone, a fertilizer mixing plant shall also be *permitted*.

In lieu of the corresponding provision in the MR Zone, the minimum *front yard* requirement shall not apply to the *existing building* on the lands provided the *required front yard* shall be 7.9 metres.

14.164 In lieu of the uses *permitted* in the OS Zone, a *golf course*, golf driving range and an ancillary *restaurant* with a maximum seating capacity of sixty (60) *persons* shall be *permitted*.

14.165 In addition to the uses *permitted* in the A Zone, a custom woodworking operation carried on entirely within a *building* with a maximum *usable floor area* of 324 square metres shall also be *permitted*.

14.166 In addition to the uses *permitted* in the A Zone, a small scale concrete lawn ornament business which includes retail sales and manufacturing of the ornament shall also be *permitted* on Part 1 and a small scale aluminum siding storage *building* with associated office area shall also be *permitted* on Part 2 as shown on Schedule 14.166.1.

14.167 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *lot area* – 1,600 square metres;
- b) minimum services – connection to public water supply and sanitary sewer systems not required.

14.168 In lieu of the corresponding provisions in the RH *Zone*, the minimum *lot frontage* shall be 18 metres.

14.169 In addition to the uses *permitted* in the A *Zone*, a machine shop shall also be *permitted* subject to the following:

- a) minimum *interior side yard* – 15 metres;
- b) maximum *usable floor area* – 465 square metres;
- c) *outdoor storage* of parts and materials shall not be *permitted*.

14.170 In addition to the uses *permitted* in the A *Zone*, the use of containers for agricultural and non-agricultural storage purposes to a maximum of fifty (50) units on and off the subject lands shall also be *permitted*.

14.171 In addition to the uses *permitted* in the A *Zone*, a fruit and vegetable market and a small scale agriculturally oriented *country store*, the sale of processed produce and baked goods made on the site, the sale of agriculturally oriented goods not made on-site including preserves, crafts and collectibles, the sale of garden and landscape items such as plants, shrubs, trees and fertilizers shall also be *permitted*.

14.172 In addition to the uses *permitted* in the A *Zone*, a flooring business having a maximum *usable floor area* of 102 square metres shall also be *permitted*.

14.173 Number not used. [42-Z-2018]

14.174 In addition to the uses *permitted* in the A *Zone*, a waste recycling facility shall also be *permitted*.

14.175 In the OS *Zone*, a *campground* shall not be *permitted*. Greens, tees, fairways or areas frequented by the public shall be prohibited within Part 1 on Schedule 14.175.1.

14.176 In addition to the uses *permitted* in the A *Zone*, an eaves troughing and tinsmithing shop shall also be *permitted*.

14.177 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *interior side yard* west – 60.96 metres;
- b) minimum *interior side yard* east – 9 metres;
- c) maximum *lot area* – 1.6 hectares;
- d) a sewage disposal system, which is deemed to be a *structure*, shall be prohibited from the *interior side yard* east.

14.178 In lieu of the uses *permitted* in the CR Zone, a *country store, automobile gas station*, one (1) *dwelling unit* and a home occupation shall be *permitted*.

14.179 In addition to the uses *permitted* in the CR Zone, a *vehicle sales or rental establishment* shall also be *permitted*.

14.180 In addition to the uses *permitted* in the A Zone, a golf driving range, putting green, miniature golf, accessory golf concession stand and *outdoor storage* of *farm* machinery and *vehicles* in the *rear yard* area only shall also be *permitted*. The maximum *usable floor area* for the concession stand shall be 117 square metres.

14.181 In addition to the uses *permitted* in the MS Zone, a *restaurant* shall also be *permitted*.

14.182 In addition to the uses *permitted* in the A Zone, an agriculturally oriented machinery repair operation including safety inspection of *vehicles* shall also be *permitted*. No open storage of *vehicles* or parts or equipment shall be *permitted* in the *front* or *exterior side yard*.

14.183 In addition to the uses *permitted* in the A Zone, the storage of *recreational vehicles* including snowmobiles and seadoo's and related parts and materials shall also be *permitted* subject to the following:

- a) the storage be contained within the *existing* 15 by 30 metre barn and that *open storage* be limited to a maximum of 525 square metres;
- b) there shall be no retail sales from the barn.

14.184 In addition to the uses *permitted* in the A Zone, the fabrication of boat canvas and upholstery and associated boat work and temporary storage of boats shall also be *permitted*.

14.185 In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) any *buildings* or *structures* existing at the date of passing of the amending By-Law (June 20, 1994) shall be deemed to comply with the provisions in the RH Zone;
- b) minimum *lot frontage* – 28 metres;
- c) in addition, no *buildings* or *structures* shall be *permitted* on the portion of the lands shown on Schedule 14.185.1.

14.186 In addition to the uses *permitted* in the A Zone, a car detailing (exterior and interior car cleaning) and vehicle sales or rental establishment with a maximum *usable floor area* of 167.2 square metres shall also be *permitted*. No outside storage or display of *vehicles* shall be *permitted*.

14.187 In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 24 metres.

14.188 In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 27 metres;
- b) the westerly *side yard* shall be 6 metres and the easterly *side yard* shall be 1.2 metres.

14.189 In addition to the uses permitted in the HL Zone, a zip line course with trails shall also be permitted. [20-Z-2015]

14.190 In addition to the uses *permitted* in the A Zone, a guest house with a maximum of four (4) guest rooms shall also be *permitted*. For the purpose of this By-Law, a guest house shall mean a *single detached dwelling* which contains up to four (4) guest rooms which are made available for temporary accommodation for the travelling public. The guest house may offer meals to those temporarily residing at the establishment. In addition to the parking requirements for a *single detached dwelling*, there shall be a minimum of one (1) additional *parking space* for each guest room.

14.191 In addition to the uses *permitted* in the A Zone, a sawmill and a second *single detached dwelling* shall also be *permitted*.

Notwithstanding Subsection 3.26, a second *single detached dwelling* may be *permitted*.
[53-Z-2019]

14.192 In addition to the uses *permitted* in the MR Zone, fabricating, manufacturing, assembly and warehousing of wooden pallets and an accessory office and wholesale and retail outlet shall also be *permitted*.

14.193 In addition to the uses *permitted* in the MR Zone, the following shall also be *permitted*:

- a) processing and manufacturing and light assembly plant provided that such plant requires the use of water for only; domestic purposes, fire fighting, storage systems or closed loop cooling systems for industrial applications and provided no refining, heavy foraging, casting or smelting operation are carried out;
- b) warehouse;
- c) wholesale establishment.

A grain elevator and drying facilities shall not be *permitted*.

In lieu of the corresponding provisions in the MR Zone, the following shall apply:

- a) minimum northerly *side yard* – 5 metres;

- b) minimum southerly *side yard* – 60 metres;
- c) there shall be no open storage *permitted* in any *required side yard*.

14.194 In addition to the uses *permitted* in the RH Zone, a *building* for the storage of crop spraying equipment and supplies shall also be *permitted*

In lieu of the corresponding provisions in the RH Zone, the following shall apply for the storage of crop spraying equipment and supplies:

- a) maximum *usable floor area* – 223 square metres;
- b) minimum *rear yard*– 3 metres.

14.195 In addition to the uses *permitted* in the A Zone, an *apartment dwelling* with a maximum of five (5) *dwelling units* shall also be *permitted*.

14.196 In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 21 metres.

14.197 In addition to the uses *permitted* in the RH Zone, the following uses shall be *permitted*:

- a) an automobile body shop
- b) a distillery and winery with associated retail sales in a building with a maximum usable floor area of 604 square metres.

Open storage shall be prohibited in the *required front yard*.

14.198 In addition to the uses *permitted* in the A Zone, a *garden supply centre* shall also be *permitted*. For the purpose of this Subsection, a *garden supply centre* shall be defined as an establishment where such items as trees, shrubs, herbs, fertilizers and pesticides, garden ornaments and accessories, portable garden storage *buildings*, seeds and other related items are cultivated and/or sold.

14.199 In the CHA Zone, open storage of any materials shall be prohibited.

14.200 Number not used.

- 14.201 In addition to the uses *permitted* in the A Zone, a heating, air conditioning and electrical business, secondary to the residential use shall also be *permitted* subject to the following:
- a) there shall be no goods, wares or merchandise, offered or exposed for sale or rent on the premises;
 - b) there shall be no change to the exterior appearance of the *building* to accommodate the *home industry*;
 - c) a maximum of three (3) employees shall be *permitted* in addition to the owner/operator of the *home industry*;
 - d) the *home industry* shall be limited to a maximum of 190 square metres *usable floor area* of the *accessory building* in which it is located;
 - e) no outdoor storage accessory to the home industry shall be *permitted*;
 - f) one (1) non-illuminated *sign* shall be *permitted* and a light may be *erected* so as to shine upon the *sign*.
- 14.202 In lieu of the corresponding provision in the A Zone, the following shall apply:
- a) minimum *lot frontage* – 9 metre.
- 14.203 In addition to the uses *permitted* in the A Zone, a *contractor's yard* shall also be *permitted*. The maximum *usable floor area* of any *building* associated with the *contractor's yard* shall be 630 square metres. For the purpose of this By-Law, a *contractor's yard* shall mean an establishment where construction equipment is stored and repaired as a use secondary to a residential use provided the proprietor resides within a *building* located on the same *lot*.
- 14.204 In addition to the uses *permitted* in the A Zone, the storage of road sand and salt within a dome shall also be *permitted*.
- 14.205 In addition to the uses *permitted* in the A Zone, a *farm* market and a *farm*-related tourist attraction which includes an accessory *restaurant* shall also be *permitted*.
- 14.206 In addition to the uses *permitted* in the A Zone, a mechanical repair garage with a maximum *usable floor area* of 250 square metres shall also be *permitted*. For the purpose of this By-Law, a mechanical repair garage shall mean a *building* where motor *vehicles* and *farm* implements are repaired but excludes a gas bar, *vehicle sales or rental establishment* or a body shop.
- 14.207 In addition to the uses *permitted* in the CR Zone, a miniature golf course shall also be *permitted*.
- 14.208 In lieu of the uses *permitted* in the CR Zone, a miniature golf course, *automobile service and repair station*, commercial greenhouse, *garden centre*, tree and plant nursery, *convenience store*, *hotel*, *home occupation* and one (1) *dwelling unit* in any *permitted building* shall be *permitted*.

- 14.209 In addition to the uses *permitted* in the A Zone, a *home occupation* defined as a monument sales and associated outdoor display area shall be *permitted*. The maximum *usable floor area* of the office in the garage shall be 22 square metres and the maximum outdoor monument and related items display area is 55 square metres. With the exception of a), d) and f), the requirements of Subsection 3.13 shall apply. One (1) non-illuminated *sign* shall be *permitted* with a maximum area of 0.5 square metres and a maximum height of 1.5 metres. A light may be *erected* so as to shine upon the *sign*.
- 14.210 In lieu of the uses *permitted* in the CR Zone, a *farm implement sales and service establishment, automobile service and repair station and vehicle sales or rental establishment* shall also be *permitted* with a maximum *usable floor area* of 372 square metres and a maximum of four (4) *vehicles* are *permitted* in the *front yard*.
- 14.211 In addition to the uses *permitted* in the CR Zone, a *duplex dwelling* shall also be *permitted*.
- 14.212 In addition to the uses *permitted* in the CR Zone, sales, service, storage of marine and all-terrain *vehicles* shall also be *permitted*.
- 14.213 In addition to the uses *permitted* in the CR Zone, sale and service of marine and all-terrain *vehicles* shall also be *permitted*.
- 14.214 In addition to the uses *permitted* in the OST Zone, *government office* shall also be *permitted*.
- 14.215 In addition to the uses *permitted* in the A Zone, parking and minor servicing of two (2) septic tank pumper trucks shall also be *permitted*.
- 14.216 In addition to the uses *permitted* in the A Zone, a contractor supply and service shop (plumbing and heating) with a maximum *usable floor area* of 200 square metres and accessory outdoor storage shall also be *permitted*. Outdoor storage is prohibited in the front yard.
- 14.217 In lieu of the corresponding provisions in the A Zone, the following shall apply:
- a) minimum *lot area* – 811 square metres;
 - b) minimum *lot frontage* – 16 metres;
 - c) minimum *rear yard* – 3.05 metres.
- 14.218 In addition to the uses *permitted* in the A Zone, antique sales and tea room with a maximum seating capacity of thirty (30) *persons* shall also be *permitted*.
- 14.219 In lieu of the corresponding provisions of the RH Zone, the *buildings* legally *existing* at the time of the date of passing of the amending By-Law (May 27, 2003) shall be deemed to comply with Subsection 5.7.2.
- 14.220 In lieu of the corresponding provisions in the A Zone, the following shall apply:
- a) minimum *lot frontage* – 20 metres.

14.221 In addition to the uses *permitted* in the RH Zone, an *apartment dwelling* house shall also be *permitted* on the lands delineated as having reference to this Subsection.

In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area* – 900 square metres;
- b) minimum *lot frontage* – 20 metres;
- c) maximum number of *dwelling units* – fourteen (14);
- d) any *yards* legally *existing* at the date of passing of the amending By-Law (September 2, 1988) shall be deemed to conform to the provisions of this By-Law;
- e) all new and *existing* window openings on the wall of the *building* facing Lot 4, Block 2, Plan 269, are to be a minimum height of 1.37 metres from floor level;
- f) no window air conditioning units be placed in any windows on the side of the *building* facing Lot 4.

14.222 In addition to the uses *permitted* in the RH Zone, an *animal hospital* shall also be *permitted* provided the entire operation is carried on within an enclosed *building*.

14.223 In addition to the uses *permitted* in the RH Zone, the retail sale of furniture, home accessories and gifts to a maximum *usable floor area* of 60 square metres shall also be *permitted*.

14.224 In addition to the uses *permitted* in the A Zone, an agriculturally related trucking operation including servicing and safety inspections shall also be *permitted*.

14.225 In addition to the uses *permitted* in the A Zone, an agriculturally related trucking operation including servicing and safety inspections shall also be *permitted*. There shall be no *buildings* or *structures* or any *outdoor storage* associated with a trucking business within 30 metres of the *street line*.

14.226 In addition to the uses *permitted* in the A Zone, a *farm* machinery and equipment supply and repair shop shall also be *permitted*.

14.227 In addition to the uses *permitted* in the A Zone, a small engine and equipment sales and repair shop shall also be *permitted*.

14.228 In addition to the uses *permitted* in the A Zone, a broiler chicken operation with a maximum housing for 23,000 chicken quota shall also be *permitted*.

14.229 Notwithstanding the corresponding provisions in the CR Zone, for the purposes of an addition to the *existing* concrete block *building*, the north westerly wall shall be located no nearer to the northern boundary of the *lot* than the easterly extension of the northern wall of the *existing building*.

14.230 In addition to the uses *permitted* in the A Zone, a machinery repair operation including retail sales of cooling system equipment and parts shall also be *permitted* provided the use must be contained within a *building*, the maximum *usable floor area* shall be 42 square metres and there shall be no *outdoor storage* of parts.

- 14.231 In addition to the uses *permitted* in the A Zone, the storage of *farm* implement machinery in conjunction with a custom farming operation shall also be *permitted*.
- 14.232 On the lands delineated by this Subsection, no *dwelling* house shall be located any closer than 9 metres to any *existing* gas well.
- 14.233 In addition to the uses in the A Zone, a grading, cooling, packaging and shipping facility not exceeding 3,902 square metres shall be *permitted*. An agricultural and trucking operation administrative office *building* not exceeding a *usable floor area* of 2,900 square metres shall also be *permitted* on Part 1 of Schedule 14.233.1. [39-Z-2019]
- 14.234 In lieu of the corresponding provisions of the A Zone, the minimum *lot frontage* shall not apply and Subsection 1.4.3 shall not apply.
- 14.235 In the RH Zone, which consists of an area of 7.7 metres on either side of any *existing* natural gas main and well, no *buildings* or *structures* shall be *permitted*.
- 14.236 In addition to the uses *permitted* in the CHA Zone, an *automobile body shop*, welding shop and cabinet making shop shall also be *permitted*. Any *lot frontage*, *lot area* and yards legally *existing* at the date of passing of the amending By-Law (August 14, 1980) shall be deemed to conform to the corresponding provisions in the CHA Zone.
- 14.237 In addition to the uses *permitted* in the IC Zone, repair of trucks (excluding a body shop), automobile sales and service and a mobile washing establishment shall also be *permitted*. No *outside storage* of car parts or portions of cars is *permitted* and a maximum of four (4) cars for sale may be *permitted* as outside storage. For the purposes of this Subsection, the *building existing* at the date of passing of the amending By-Law (October 30, 1995) shall be deemed to comply with the corresponding yard provisions in the IC Zone.
- 14.238 In addition to the uses *permitted* in the IC Zone, a truck repair, automobile sales and service and a sandblasting and mobile wash establishment shall also be *permitted*. No *outside storage* of car parts or portions of cars is *permitted* and a maximum of four (4) cars for sale may be *permitted* as outside storage.
- 14.239 In lieu of the corresponding provision in the RH Zone, the following shall apply:
- c) minimum *lot frontage* – 26 metres.
- 14.240 In lieu of the corresponding provision in the RH Zone, the following shall apply:
- a) minimum *lot area* – 2593 square metres;
 - b) minimum *lot frontage* – 16.65 metres. [10-Z-2018]

14.241 In lieu of the uses *permitted* in the MR Zone, a horse barn shall be *permitted* on the land delineated as Part 1 on Schedule 14.241.1. A horse barn shall be defined as a *structure* used to keep, raise and board horses. The number of horses *permitted* shall be a maximum of eight (8) and up to two (2) foals.

In addition to the uses *permitted* in the MR Zone, a *truck terminal* and fertilizer mixing plant shall be *permitted* on the land delineated as Part 2 on Schedule 14.241.1. In lieu of the corresponding provisions in the MR Zone, as it relates to the fertilizer plant, the following shall apply:

- a) minimum *interior side yard* – 24 metres;
- b) minimum *rear yard* – 30 metres.

In lieu of the uses *permitted* in the MR Zone, a *truck terminal* shall be *permitted* on the lands delineated as Part 3 on Schedule 14.241.1.

14.242 In lieu of the uses *permitted* in the MR Zone, only the following shall be *permitted*:

- a) agriculturally oriented *contractor's yard* and facilities
- b) *animal hospital*
- c) *automobile service and repair station*
- d) commercial greenhouse
- e) *farm* machinery and equipment repair shop
- f) *farm supply outlet*
- g) feed mill
- h) fertilizer dealership
- i) food and agricultural product processing
- j) food processing excluding abattoirs and slaughters houses
- k) fuel storage depot for home and farm use
- l) grain elevator and drying facilitates
- m) *home occupation*
- n) *lumber yard*
- o) machine shop related to farm machinery and equipment
- p) *office, industrial* as an *accessory use* to an industry on the same *lot*
- q) *outdoor storage* accessory to any *permitted* use
- r) *public utility yard*

- s) seasonal storage of *recreational vehicles* and recreational equipment as a secondary use to a farm
- t) storage of school buses
- u) *truck terminal* and related accessory uses. [21-Z-2018, 22-Z-2018, 23-Z-2018]

14.243 In lieu of the corresponding provision in the A Zone, the following shall apply:

- a) minimum *lot frontage* – 27 metres.

14.244 In addition to the uses *permitted* in the A Zone, a *contractor's yard* shall also be *permitted*. The maximum *usable floor area* of any *building* associated with the *contractor's yard* shall be 910 square metres. For the purpose of this By-Law, a *contractor's yard* shall mean an establishment where construction equipment is stored and repaired as a use secondary to a residential use provided the proprietor resides within a *building* located on the same *lot*.

14.245 In addition to the uses *permitted* in the A Zone, a fire hall and its associated uses shall also be *permitted*. In lieu of the requirements of Subsection 12.1.2 g), a hose tower to a maximum height of 25 metres shall be *permitted*.

14.246 In addition to the uses *permitted* in the A Zone, an operation for the storage and pickling of cucumbers in tanks, in addition to related *buildings* to service this use, shall also be *permitted*.

14.247 In addition to the uses *permitted* in the A Zone, a fruit and vegetable market and craft shop including the sale of processed produce, baked goods and preserves, the serving of refreshments and light meals with a maximum seating capacity of sixteen (16) seats and a *country store* with a maximum *usable floor area* of 93 square metres shall also be *permitted*.

14.248 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *front yard* – 9 metres;
- b) minimum *rear yard* – 7 metres.

14.249 In addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:

- a) a small scale fruit market including the sale of goods produced on the subject property, such as processed produce, baked goods and preserves;
- b) the sale of goods and products not produced on the *farm* such as crafts, ice cream, flowers, bread, milk and meats provided this remains secondary to the uses *permitted* on a) above.
- c) *Hotel* accommodations shall be *permitted* within the *existing bunkhouse* building to a maximum size of 165 square metres for agri-tourism related lodging;
- d) That the *hotel* accommodation shall be *permitted* on a seasonal basis between April through October. [21-Z-2016]

14.250 In lieu of the corresponding provisions in the A *Zone* and in accordance with Schedule 14.250.1, the following shall apply:

- a) minimum *interior side yard* (right or north) – 6.1 metres;
- b) minimum *interior side yard* (left or south) – 12.2 metres;
- c) minimum *rear yard* (west) – 6.1 metres.

14.251 In lieu of the corresponding provision in the RH *Zone*, the following shall apply:

- a) minimum *lot frontage* – 27 metres.

14.252 In addition to the uses *permitted* in the CHA *Zone*, a *duplex dwelling* shall also be *permitted* in the *existing building*.

14.253 In lieu of the corresponding provision in the RH *Zone*, the following shall apply:

- a) minimum *lot area* – 2,322.5 square metres.

14.254 In lieu of the corresponding provision in the RH *Zone*, the following shall apply:

- a) minimum *lot area* – 1,950 square metres.

14.255 In lieu of the corresponding provision in the RH *Zone*, the following shall apply:

- a) minimum *lot area* – 1,858 square metres.

14.256 In addition to the uses *permitted* in the RH *Zone*, a *bake shop* with accessory retail sales and a *cafe* shall also be *permitted*.

14.257 In lieu of the corresponding provisions in the IC *Zone*, the following shall apply:

- a) minimum *lot area* – 1,226 square metres;
- b) minimum *lot frontage* – 18 metres;
- c) minimum *front yard* – 4 metres.

14.258 In addition to the uses *permitted* in the RH *Zone*, an *apartment dwelling* with a maximum of nine (9) *dwelling units* shall also be *permitted*.

In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) minimum *lot area* – 5,600 square metres;
- b) minimum *lot frontage* – 30 metres;
- c) minimum *front yard* – 6 metres;
- d) minimum *side yard* – 3 metres;
- e) minimum *rear yard* – 7.5 metres;
- f) maximum *building height* – 11 metres.

- 14.259 In addition to the uses *permitted* in the R1-A and HL Zones, a *boathouse* shall also be *permitted*.
- 14.260 Notwithstanding the uses *permitted* in the A Zone, on the lands shown as Part 1 on Schedule 14.260.1, no *buildings* or *structures* shall be *permitted*.
- 14.261 In lieu of the corresponding provision in the RR Zone, frontage on an improved *street* shall not be *required*.
- 14.262 In addition to the uses *permitted* in the A Zone, a marine engine repair facility in the garage, *existing* as of the date of passing of the amending By-Law (July 15, 2008), with a maximum *usable floor area* of 73 square metres and associated storage of a maximum of six (6) boats shall also be *permitted*.
- 14.263 In lieu of the corresponding provisions in the A Zone, the following shall apply:
- a) minimum *front yard* – 10.5 metres;
 - b) minimum *rear yard* – 8 metres.
- 14.264 In addition to the uses *permitted* in the A Zone, an electrical contracting business shall also be *permitted*.
- 14.265 In addition to the uses *permitted* in the A Zone, the storage of construction and electrical equipment and material shall also be *permitted*.
- 14.266 In lieu of the corresponding provision in the RH Zone, the following shall apply:
- a) minimum *lot frontage* – 25 metres.
- 14.267 In addition to the uses *permitted* in the RH Zone, an ambulance service and a *parking lot* shall also be *permitted*.
- 14.268 In addition to the uses *permitted* in the CBD Zone, the *building* located on the lands delineated by this Subsection shall be *permitted* to have a total of five (5) *apartment* units exclusive of a commercial use.
- 14.269 In addition to the uses *permitted* in the RH Zone, a plumbing and tinsmithing operation and propane sales outlet shall also be *permitted*.
- 14.270 In addition to the uses *permitted* in the A Zone, an agriculturally related trucking operation shall also be *permitted*.
- 14.271 In addition to the uses *permitted* in the A Zone, small engine and *vehicle* repair and accessory parts business shall also be *permitted*.
- 14.272 In addition to the uses *permitted* in the A Zone, a winery with associated retail sales and a *cafe* with a maximum seating of thirty (30) *persons* shall also be *permitted*. The retail component shall be limited to a maximum *usable floor area* of 131 square metres.

14.273 In addition to the uses *permitted* in the A Zone, a hunting and forestry management shelter shall also be *permitted*. For the purpose of this By-Law, a hunting and forestry management shelter shall be defined as a *building* used for overnight accommodation for a period of time not exceeding a total of six (6) weeks per calendar year for the purpose of hunting and/or forestry management on the subject lands or adjacent lands.

14.274 In addition to the uses *permitted* in the A Zone, a golf teaching centre, driving range, putting green and accessory retail shall also be *permitted*.

14.275 In addition to the uses *permitted* in the A Zone, a *farm* market with sale of on-farm and off-farm produce and crafts and a store with a maximum *usable floor area* of 84 square metres shall also be *permitted*. For the purpose of this By-Law, a store is defined as a *building* where groceries, meats and *convenience store* item are offered for sale to the general public.

14.276 In lieu of the uses *permitted* in the OST Zone, a *tent and trailer park* accommodating a maximum 150 tent sites, a maximum 150 trailer sites and a maximum of twenty five (25) cabins operating on a seasonal basis shall be *permitted*.

14.277 In lieu of the uses *permitted* in the OS and OST Zones, a *tent and trailer park* and/or *campground* shall only be *permitted* on Part 2 as shown on Schedule 14.277.1 and the number of trailer sites or campsites shall be limited to a maximum of 311 sites.

In lieu of the corresponding provision in the OS and OST Zones, the *required minimum lot frontage* shall not apply.

For the purposes of this Subsection a campsite shall be defined as an area occupied by either one *recreational vehicle* or tent camping.

14.278 In addition to the uses *permitted* in the OS Zone, motor homes shall also be *permitted*.

14.279 In addition to the uses *permitted* in the RR Zone, a *single detached dwelling* shall also be *permitted*.

In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot area* – 3,716 square metres;
- b) minimum *lot frontage* – 30 metres.

14.280 In addition to the uses *permitted* in the RR Zone, a *single detached dwelling* shall also be *permitted*. For the purposes of this By-Law, the lands delineated by this Subsection shall be deemed to comply with the *required lot frontage* requirements of the RR Zone.

14.281 In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 20 metres.

14.282 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) minimum *lot area* – 962 square metres;
- b) minimum *interior side yard* (left for *existing single detached dwelling*) – 2.77 metres.

In lieu of the corresponding requirements in Subsection 3.2.1, the minimum *interior side yard* (right) for a garage, *existing* at the date of passing of the amending by-Law (August 11, 1997) shall be 0.73 metres.

14.283 In addition to the uses *permitted* in the CHA *Zone*, a furniture making shop shall also be *permitted*.

14.284 In addition to the uses *permitted* in the RH *Zone*, an art gallery and studio shall also be *permitted*.

14.285 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) minimum *interior side yard* (east side) – 2.45 metres;
- b) minimum *interior side yard* (west side) – 3 metres.

14.286 In lieu of the corresponding provision in the A *Zone*, the following shall apply:

- a) minimum *lot frontage* – 6 metres.

14.287 In addition to the uses *permitted* in the A *Zone*, a *farm* machinery and *vehicle* repair shop and *contractor's yard* shall also be *permitted*.

14.288 In the A *Zone*, a *single detached dwelling* shall not be *permitted* and the *existing buildings* on the subject lands shall be deemed to comply with the provisions.

14.289 Notwithstanding the uses *permitted* in the IR *Zone*, the following uses shall not be *permitted*:

- a) *animal hospital*
- b) *cemetery*
- c) *fire hall*
- d) *golf course*
- e) *museum*
- f) *police station*.

14.290 In addition to the uses *permitted* in the Hazard Land (HL) *Zone*, a *farmer's market* shall also be *permitted*. [36-Z-2014]

14.291 In addition to the uses *permitted* in the A *Zone*, a commercial greenhouse, tree and plant nursery; a wooden packaging manufacturing operation as a secondary use on the *farm* shall also be *permitted*.

- 14.292 Notwithstanding the uses *permitted* in the MR Zone, an *automobile service and repair station* and a *lumber yard* shall not be *permitted*.
- 14.293 In addition to the uses *permitted* in the A Zone, a *garden centre / nursery* shall also be *permitted*.
- 14.294 In addition to the uses *permitted* in the A Zone, a *farm* machinery, small engines and *vehicle* repair operation contained within the building, *existing* at the date of passing of the amending By-Law (October 24, 2000), with a maximum *usable floor area* of 92 square metres and a *vehicles sales or rental establishment* with a maximum display of two (2) cars at any one time shall also be *permitted*.
- 14.295 In addition to the uses *permitted* in the A Zone, a *contractor's yard* shall also be *permitted* within the *existing usable floor area* of the buildings *existing* at the date of passing of the amending By-Law (March 11, 2003). For the purpose of this By-Law, a *contractor's yard* shall mean an establishment where septic trucks and equipment are stored and repaired as a use secondary to a residential use provided the proprietor resides within a *building* located on the same *lot*.
- 14.296 In addition to the uses *permitted* in the A Zone, an estate winery involving the pressing, fermenting, bottling and sale of wine produced on-site shall also be *permitted*.
- 14.297 In addition to the uses *permitted* in the A Zone, a shipping and receiving centre for horticultural crops shall also be *permitted*.
- 14.298 In addition to the uses *permitted* in the A Zone, an automobile repair garage and *automobile body shop* shall also be *permitted* subject to the following:
- a) the minimum *front yard* for the automobile repair garage and *automobile body shop* shall be 45 metres;
 - b) open storage shall be *permitted* only in the *rear yard*.
- 14.299 In addition to the uses *permitted* in the RH Zone, a *country store* shall also be *permitted*.
- 14.300 In addition to the uses *permitted* in the IR Zone, a *country store*, hardware store, *farm implement sales and service establishment*, machine shop, lumber yard, flea market, *farm produce outlet*, *farm supply outlet*, *farm produce and grading station*, *custom workshop* and a maximum of six (6) *dwelling units* shall also be *permitted*. Open storage shall not be *permitted* in the *front* or *side yard*.
- 14.301 In lieu of the corresponding provision in the RH Zone, the following shall apply:
- a) minimum northerly *interior side yard* – 30 metres.

14.302 On Part 1, in addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:

- a) Eco-Education Pavilion having a maximum *usable floor area* of 1,085 square metres;
- b) *Place of assembly* having a maximum *usable floor area* of 450 square metres combined, within the Eco-Education Pavilion and outdoor pavilions;
- c) *Restaurant* within the Eco-Education Pavilion, having a maximum of 40 seats, excluding outdoor patio;
- d) Outdoor patios, having a maximum *usable floor area* of 95 square metres;
- e) Cafeteria within the Eco-Education Pavilion, having a maximum *usable floor area* of 45 square metres;
- f) Observatory, education centre, reception and an *Office, Business Administration*, within the Eco-Education Pavilion, having a combined maximum *usable floor area* of 395 square metres;
- g) Microbrewery, including *Office, Business Administration, retail store*, tasting and brewing areas, within the Eco-Education Pavilion, having a combined maximum *usable floor area* of 420 square metres;
- h) Fifteen (15) overnight temporary camping pods including:
 - i. One (1) bedroom per tent,
 - ii. Attached washroom facilities,
 - iii. Maximum *usable floor area* of 66 square metres per pod;
- i) Thirty (30) overnight temporary camping pods including:
 - i. One (1) bedroom per tent,
 - ii. Attached washroom facilities,
 - iii. Maximum *usable floor area* of 50 square metres per pod;
- j) *Accessory uses, buildings and structures* to a maximum of 100 square metres *usable floor area*.

On Part 2, in addition to the uses *permitted* in the HL Zone, outdoor ecological activities such as trails, canopy tours, zip lines, etc. shall be *permitted*, together with *accessory uses, buildings, and structures*. [11-Z-2019]

14.303 Notwithstanding the uses permitted in the A Zone, the following uses shall also be permitted:

- a) As shown on Schedule 14.303.1, a winery/winery boutique shall also be *permitted* on lands shown as Part 1 accessory to a vineyard establishment on the lands shown as Part 2 and Part 3. The winery boutique shall have a maximum *usable floor area* of 100 square metres;

- b) As shown as Part 1 on Schedule 14.303.1, a *restaurant* with a maximum seating for thirty (30) persons, accessory to the main winery use;
- c) As shown as Part 1 on Schedule 14.303.1, a banquet and conference centre, accessory to the main winery use. [52-Z-2015]

In lieu of the corresponding provisions in the A Zone, the following shall apply to Part 3 on schedule 14.303.1:

- d) minimum *lot area*: 28.06 hectares

For the purposes of this Subsection, the lands shown as Part 1, Part 2 and Part 3 of the subject lands as shown on Schedule 14.303.1 shall be deemed to be one (1) *lot* for the purposes of facilitating *accessory* uses related to the winery operation. Uses accessory to a winery shall be *permitted* on lands shown as Part 2 and Part 3 on Schedule 14.303.1. [2-Z-2020]

14.304 In addition to the uses *permitted* in the A Zone, a fence installation company, including storage of fencing materials and fabrication of fence posts and gates shall also be *permitted*.

14.305 In lieu of the uses *permitted* in the IR Zone, a *place of worship*, school, day nursery, museum, one (1) *dwelling unit* and a *home occupation* shall be *permitted*.

14.306 In addition to the uses *permitted* in the A Zone, a tomato canning plant, warehouse for canning plant, accessory grading station and sampling room shall also be *permitted*. The maximum *usable floor area* for the canning plant shall be 465 square metres and 744 square metres for the warehouse.

14.307 In addition to the uses *permitted* in the A Zone, a sawmill within an enclosed *building* shall also be *permitted*. The grading and storage of logs and lumber shall be *permitted* only within the area subject of this provision.

14.308 In addition to the uses *permitted* in the A Zone, a retreat centre for demonstration and education purposes including the following uses shall also be *permitted* as a secondary use to the *farm operation*:

- a) a *building* with a maximum *usable floor area* of 186 square metres to be used as *retail store* space limited to goods and merchandise associated with the nursery, ancillary seminars and workshops and a demonstration kitchen;
- b) a maximum of five (5) *buildings* limited to a maximum *usable floor area* of 84 square metres per *building* to be used for temporary occupancy and sleeping accommodation as part of the *permitted* retreat centre. Each unit within a *building* may have direct access to the outside or through a common corridor or hallway and have no cooking facilities;
- c) a seminar hall with a maximum *usable floor area* of 233 square metres used for workshops and seminars.

14.309 In addition to the uses *permitted* in the RH Zone, fruit and vegetable sales, nursery plant sales including the sale of Christmas trees, antique shop and a *country store* shall also be *permitted*.

- 14.310 In addition to the uses *permitted* in the RH Zone, a *contractor's yard* shall also be *permitted*. For the purpose of this By-Law, a *contractor's yard* shall mean an establishment where construction equipment is stored and repaired.
- 14.311 In lieu of the uses *permitted* in the IN Zone, a *place of worship*, day nursery, community centre, one (1) *dwelling unit* in any *permitted building* and a *single detached dwelling* on a separate lot shall be *permitted*.
- 14.312 In addition to the uses *permitted* in the RH Zone, an antique shop with a maximum *usable floor area* of 50 square metres shall also be *permitted*.
- 14.313 Notwithstanding the uses *permitted* in the CR Zone, the following uses shall not be *permitted*:
- a) place of assembly
 - b) *restaurant* – other than the preparation of light foods and sandwich preparation accessory to the *existing country store*.
- 14.314 In addition to the uses *permitted* in the A Zone, a guest house with a maximum of four (4) guest rooms shall also be *permitted*. For the purpose of this Subsection, a guest house shall mean a *single detached dwelling* which contains up to four (4) guest rooms which are made available for temporary accommodation for the traveling public. Such establishments may offer meals to those persons temporarily residing at the establishment. In addition to the parking requirements for a *single detached dwelling* house, there shall be a minimum of one (1) additional *parking space* for each guest room.
- 14.315 In lieu of the corresponding provision in the MS Zone, any new abattoir shall have a *front yard setback* of 150 metres. Any abattoir shall be serviced by a sequential batch reactor.
- 14.316 Notwithstanding the uses *permitted* in the A Zone, a *single detached dwelling* shall not be *permitted*.
- 14.317 Notwithstanding the uses *permitted* in the CR Zone, an *animal hospital* shall not be *permitted*.
- 14.318 In addition to the uses *permitted* in the CR Zone, a gym with a maximum *usable floor area* of 79 square metres shall also be *permitted*.
- 14.319 In addition to the uses in the CR Zone, the sale, rental and storage of fishing equipment and supplies including bait and ice fishing huts and accessory open storage shall also be *permitted*.
- 14.320 Notwithstanding the uses *permitted* in the OST Zone, a *tent and trailer park* with a maximum of 200 sites shall be *permitted* and the *required lot frontage* shall not apply.
- In lieu of the corresponding provision in the OST Zone, the following shall apply:
- a) minimum *rear yard* – 45.7 metres.
- 14.321 In addition to the uses *permitted* in the RH Zone, a home spa business with a maximum *usable floor area* of 97 square metres shall also be *permitted*. For the purpose of this By-

Law, a home spa business shall be defined as a small scale health spa providing varied health therapies to *persons* with assorted health ailments. For the purpose of this Subsection, the *building* containing the health spa business shall be deemed not to be a *dwelling*.

In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 4.88 metres.

14.322 In addition to the uses *permitted* in the CHA Zone, a retail establishment and the assembly and repair of boats in a *building* shall also be *permitted*. The *outdoor storage* of boat parts or portions of boats is prohibited with the exception of an area within and including 15.24 metres south of the most northern limits of the subject lands.

14.323 In lieu of the uses *permitted* in the CHA Zone, a *country store*, hardware store, *personal service shop*, *merchandise service shop*, *restaurant*, *bake shop*, *bank*, *office*, *antique shop*, *fruit and vegetable outlet*, one (1) *dwelling unit* and a *home occupation* shall be *permitted*.

In lieu of the corresponding provisions in the CHA Zone, the following shall apply:

- a) minimum *lot area* – 437 square metres;
- b) minimum *lot frontage* – 13.72 metres;
- c) minimum *front yard* – 0.18 metres;
- d) minimum *exterior side yard* – 3.4 metres;
- e) minimum *interior side yard* – 0.18 metres.

14.324 Notwithstanding Subsection 4.9 and the requirements of the CHA Zone, the *existing building* shall be deemed to comply with the *required parking* and *Zone provisions* in the CHA Zone.

14.325 In addition to the uses *permitted* in the IN Zone, the following uses shall also be *permitted*:

- a) housing for up to ten (10) people
- b) *office space*, *store*, *tea room* and *cafe* with a combined total maximum *usable floor area* of 139.35 square metres
- c) classrooms and gym to be utilized for sports, arts and crafts, music and summer camps.

14.326 In addition to the uses *permitted* in the RH Zone, a *custom workshop* and retail sales area shall also be *permitted*.

In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *rear yard* – 1.5 metres. [18-Z-2017]

14.327 In addition to the uses *permitted* in the RH Zone, an *automobile service and repair station* with a maximum *usable floor area* of 112 square metres shall also be *permitted*.

- 14.328 In addition to the uses *permitted* in the HL Zone, a *single detached dwelling* and a home occupation shall also be *permitted*.
- 14.329 In addition to the uses *permitted* in the A Zone, a winery with associated retail sales, including local produce, baked goods, preserves, gift baskets, plants and shrubs shall also be *permitted*.
- 14.330 In addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:
- a) a wholesale fish bait supply and associated retail with a total maximum *usable floor area* for the retail component shall be limited to 30 square metres and that a minimum of two (2) *parking spaces* be provided for such use in accordance with Section 4.0;
 - b) a *chip wagon* with a maximum *usable floor area* of 55 square metres, and that a minimum two (2) *parking spaces* be provided for such use in accordance with Section 4.0.

For the purposes of this Subsection, *restaurant take-out* shall be defined as a *building* or part of a *building* wherein prepared food is offered for sale or sold to the public for immediate consumption in places other than in the *building* where the food is prepared. This definition includes a *chip wagon*.

- 14.331 In addition to the uses *permitted* in the A Zone, an agriculturally oriented *contractor's yard* and any similar contracting operation shall also be *permitted*.

- 14.332 Notwithstanding the provisions of Subsection 3.13, a *farm* implement repair business shall be *permitted* as a *home industry* subject to a maximum *usable floor area* of 171.87 square metres of an *accessory building*.

Outdoor storage on a short term basis while awaiting pickup or work shall be limited to 116 square metres of located to the north of the *accessory building*.

- 14.333 In addition to the uses *permitted* in the CM Zone, a fish hut rental establishment, *tent and trailer park* with a maximum of 100 campsites, *accessory dwelling unit* and a *home occupation* shall also be *permitted*.

- 14.334 In lieu of corresponding provisions of Section 3.10, no *deck* or *unenclosed porch* shall project more than 3.79 metres into the required *rear yard*.

For the purposes of this subsection the westerly property line (College Street) shall be deemed the *front lot line*. [33-Z-2015]

- 14.335 Notwithstanding the IR Zone, the *building, existing* at the date of the passing of the amending By-Law (February 23, 1999), shall be deemed to comply with the provisions.

- 14.336 In addition to the uses *permitted* in the RH Zone, vehicle sales or *rental establishment* and an *automobile body shop* shall also be *permitted*. There shall be no more than eight (8) automobiles on display for sale at any one time and there shall be no *outdoor storage* of automobile parts or automobiles for salvage purposes on the subject lands.

- 14.337 In addition to the uses *permitted* in the RH Zone, a *restaurant* and fruit and vegetable market shall also be *permitted*. For the purposes of this Subsection, any *building* or

structure existing at the date of passing of the amending By-Law (November 22, 1994) shall be deemed to comply with the corresponding provisions in the RH Zone.

- 14.338 Notwithstanding the provisions in the CHA Zone, any *building* or *structure* existing at the date of passing of the amending By-Law (March 15, 2000) shall be deemed to conform with the CHA Zone provisions.
- 14.339 In addition to the uses *permitted* in the A Zone, a saw mill and ancillary *open storage* shall also be *permitted*.
- 14.340 In addition to the uses in the A Zone, a *farm* machinery repair garage shall also be *permitted*.
- 14.341 In addition to the uses *permitted* in the OST Zone, a motor home sales and service operation shall also be *permitted* and the number of campsites shall be limited to a maximum of 150.
- 14.342 In addition to the uses *permitted* in the A Zone, a bulldozing and earth moving *contractor's yard* shall also be *permitted*.
- 14.343 In addition to the uses *permitted* in the HL Zone, a trailer for temporary accommodation shall also be *permitted*.
- 14.344 In addition to the uses *permitted* in the IR Zone, an ambulance service shall also be *permitted*.
- 14.345 In addition to the uses *permitted* in the A Zone, the restoration and *building* of wooden boats in a *building* with a maximum *usable floor area* of 249 square metres shall also be *permitted*. A maximum of two (2) employees shall be *permitted* and there shall be no goods, wares or merchandise other than the boats produced and restored on the premises offered or exposed for sale or rent.
- 14.346 In addition to the uses *permitted* in the CM Zone, fish hut rental establishment, *tent and trailer park*, accessory *dwelling unit* and *home occupation* shall also be *permitted*. Additionally, the following shall also be *permitted*:
- a) a lifestyle residential condominium facility with a maximum of 75 *dwelling units* shall be *permitted* on the lands delineated as Part 1 on Schedule 13.346.1. For the purpose of this Subsection, a residential condominium facility shall be defined as containing *dwelling units* which primarily accommodate seniors and retirees;
 - b) subject to a), on the subject lands shown on Schedule 13.346.1, the total number of units including both motor homes and *dwelling units* shall be limited to a maximum of 107 and that on Part 2 of the subject shown as on Schedule 14.346.1, the maximum number of recreational *vehicles* shall be limited to thirty two (32);
 - c) the number of *boatslips* shall be limited to a maximum of 200.

14.347 In addition to the uses *permitted* in the HL Zone, a *boathouse*, no portion of which shall be used for accommodation for human habitation, shall also be *permitted* with the following maximum floor area dimensions:

- a) main level *boathouse* – 137.9 square metres;
- b) main level tool room – 18.1 square metres;
- c) upper area storage loft – 113.4 square metres;
- d) upper area bathroom – 18.1 square metres;
- e) upper observation *deck* – 30.65 square metres;
- f) upper access walkway – 21.83 square metres;
- g) exterior stairway – 9.29 square metres;
- h) exterior sitting area – 72.8 square metres;
- i) exterior main walkway – 37.16 square metres.

14.348 In addition to the uses *permitted* in the A Zone, a *truck terminal* shall also be *permitted*.

14.349 In addition to the uses *permitted* in the A Zone, a *contractor's yard* shall also be *permitted*. For the purpose of this By-Law, a *contractor's yard* shall mean an establishment where construction equipment is stored and repaired as a use secondary to a residential use provided the proprietor resides within a *building* located on the same *lot*. The maximum total *usable floor area* of the *buildings* associated with the *contractor's yard* shall be 207.5 square metres.

14.350 In addition to the uses *permitted* in the A Zone and HL Zone, a hunting and game club shall also be *permitted*. For the purpose of this Subsection a hunting and game club shall not include the construction of any additional *buildings* for clubhouse use or overnight accommodation.

14.351 In addition to the uses *permitted* in the CR Zone, the production and sale of beer and wine as a 'U-Brew' operation shall also be *permitted* within the *existing country store building*.

14.352 In addition to the uses *permitted* in the A Zone, a custom machine shop with a maximum *usable floor area* of 47 square metres including a tool and die operation shall also be *permitted*. No *open storage* shall be *permitted*.

14.353 In addition to the uses *permitted* in the CR Zone, a metal working shop and welding shop for steel and accessory showroom shall also be *permitted* provided the maximum *usable floor area* of the *building* be restricted to what was *existing* on December 10, 1994. Further, the sale of used *vehicles* for the carrying of passengers or the transport of goods, and the sale of used mobile construction equipment shall also be *permitted*.

14.354 Notwithstanding the uses *permitted* in the CR Zone, a *single detached dwelling* shall not be *permitted*.

14.355 In addition to the uses *permitted* in the CR Zone, the following shall also be *permitted*:

- a) ambulance service
- b) *automobile washing establishment*
- c) automotive parts shop
- d) *bar or night club*
- e) community centre
- f) craft, souvenir and gift shop
- g) fire hall
- h) florist shop
- i) home occupation
- j) *hotel*
- k) *lumber yard and building supply establishment*
- l) *outdoor storage* accessory to *permitted* uses
- m) *parking lot*
- n) place of sports and recreation
- o) *place of worship*
- p) police station
- q) private club
- r) *roofing contractor's yard*
- s) training and rehabilitation centre
- t) *vehicle sales or rental establishment.*

There shall be no *open storage* of equipment or materials other than the display of products within either the *front yard* or 7.5 metres from any interior property line.

14.356 In addition to the uses *permitted* in the A Zone, a canvas and tarpaulin business and *farm implement sales and service establishment* shall also be *permitted*. No open storage shall be *permitted* in any *required front yard* or *exterior side yard*.

14.357 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *front yard* – 10 metres;
- b) minimum *interior side yard* (easterly) – 2.4 metres.

14.358 In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot area* – 464 square metres;
- b) minimum *lot frontage* – 15 metres.

14.359 In lieu of the uses *permitted* in the MG Zone, the following uses shall apply:

- a) day care centre
- b) fitness and health care facility
- c) industrial supply establishment
- d) *office*, industrial
- e) *open storage* accessory to any *permitted* use
- f) processing, manufacturing and light assembly plant provided there is not a high requirement of either strength or quantity of waste, or a high volume requirement of public water and provided that no refining, heavy forging, casting or smelting operations are carried out
- g) research and development facilities
- h) *restaurant*
- i) retail sales related to industrial on same *lot*
- j) sports facility
- k) *truck terminal* provided that it is not on the portion of the lands shown on Schedule 14.359.1 as Part 1
- l) any use *permitted* in an ML Zone except an *automobile service and repair station*.

No *building*, *structure* or open storage shall be located any nearer than 36 metres from any RH Zone.

14.360 In lieu of the uses *permitted* in the MR Zone, the following shall be *permitted*:

- a) agriculturally oriented *contractor's yard* and facilities
- b) *animal hospital*
- c) dairy
- d) *farm* machinery and equipment supply and repair shop
- e) feed mill
- f) flour mill
- g) grain elevators and drying facilities

- h) *open storage* accessory to any *permitted* use
- i) any use *permitted* in the A Zone, subject to the provisions of that Zone.

In addition to the *Zone* provisions in the MR Zone, the following provisions shall apply:

- a) any feed mill, flour mill or grain elevators and drying facility shall be located no nearer than 100 metres to any *dwelling* house located on a separate *lot*;
- b) there shall be no *buildings* or open storage any nearer than 30 metres from any common *lot line* with a residential *lot*.

14.361 In lieu of the uses *permitted* in the MR Zone, the following uses shall be *permitted*:

- a) agriculturally oriented *contractor's yard* and any similar contracting operation
- b) *animal hospital*
- c) dairy
- d) *farm* machinery and irrigation systems manufacturing operation
- e) *farm* machinery sales and service
- f) feed mill
- g) fertilizer dealership
- h) flour mill
- i) fuel storage depot for home and *farm* sales
- j) lumber yard
- k) *open storage* accessory to any *permitted* use
- l) public utility yard
- m) any use *permitted* in the A Zone, in accordance with the provisions of that Zone.

14.362 In addition to the uses *permitted* in the A Zone, a *retail store* (sale of wine produced on-site including accessory items, wine cellar and a wine making establishment shall also be *permitted*.

14.363 In addition to the uses *permitted* in the MR Zone, a wholesale and retail carpet operation and liquidation centre shall also be *permitted*.

In lieu of the corresponding provisions in the MR Zone, the following shall apply:

- a) minimum *interior side yard* – 1.5 metres;
- b) minimum *rear yard* – 5.8 metres.

14.364 In lieu of the uses *permitted* in the MG Zone, the following shall apply:

- a) day care centre
- b) fitness and health care facility
- c) industrial supply establishment
- d) *office*, industrial
- e) *open storage* accessory to any *permitted* use
- f) processing, manufacturing and light assembly plant provided there is not a high requirement of either strength or quantity of waste, or a high volume of public water and provided no refining, heavy foraging, casting or smelting operations are carried out
- g) research and development facilities
- h) *restaurant*
- i) retail sales related to industrial on same *lot*
- j) sports facility
- k) *truck terminal*
- l) any use *permitted* in the ML Zone.

There shall be no open storage located in any *front yard*. The following uses shall be prohibited within 42 metres of any *single detached dwelling*; processing, manufacturing and light assembly, *truck terminal*, lumber yard, *contractor's yard* and open storage.

14.365 Notwithstanding the uses *permitted* in the MG Zone, a fertilizer dealership, fuel storage depot, saw mill, feed mill, flour mill and grain elevator shall not be *permitted*.

14.366 In addition to the uses *permitted* in the ML Zone, the following shall also be permitted;

- a) processing
- b) manufacturing and light assembly
- c) research and development facilities
- d) open storage accessory to any *permitted* use
- e) *restaurant*
- f) fitness and health care facility
- g) sports facility
- h) day care centre
- i) industrial supply establishment
- j) *industrial offices*.
- k) retail sales related to industrial uses on the same *lot*.

14.367 In addition to the uses in the RH Zone, a *duplex dwelling* or *semi-detached dwelling* shall also be *permitted*. For the purpose of this Subsection, any *yards* as *building separations* *existing* at the date of passing of the amending By-Law (August 7, 1990) shall be deemed to conform with the requirements of the RH Zone.

14.368 In lieu of the corresponding provision in the CS Zone, the *required front yard setback* shall not apply to any *building, existing* at the date of passing of the amending By-Law (December 8, 1986), on the lands delineated by this Subsection. No *dwelling* shall be located any nearer than 30 metres to a railway right-of-way.

14.369 In lieu of the uses *permitted* in the CHA Zone, a restaurant, personal service shop, merchandise service shop and one (1) *dwelling unit* shall be *permitted*.

Notwithstanding the corresponding provisions in the CHA Zone, any *yard* or *setback* legally *existing* at the date of passing of the amending By-Law (December 14, 1993) shall be deemed to conform to the provisions of this By-Law provided that any new *buildings* or *structures* shall conform to provisions of Subsection 6.6.2.

That notwithstanding Section 4.0, a *restaurant* with a maximum of twelve (12) seats, *personal service shop* and *merchandise service shop* shall be exempt from the requirement of off-street parking provided that any employee parking be located on the subject *lot*.

14.370 In addition to the uses *permitted* in a R3 Zone, an *apartment dwelling* containing a maximum of twelve (12) *dwelling units* shall also be *permitted*, subject to the following:

- a) minimum *yard* requirements – the location of any *existing building* or *structure* at the date of passing of the amending By-Law (April 21, 1986) shall be deemed to conform with the provisions of this By-Law provided that any *building* or *structure* addition or any new *building* or *structure* shall conform with the *yard* provisions in the R3 Zone;
- b) maximum *building height* – 11 metres;
- c) minimum off-street parking – 1.5 *parking spaces* for each *dwelling unit*;
- d) Subsection 5.3.5 shall not apply to the lands delineated by this Subsection.

14.371 In the RH Zone, no opening in any *building* shall be below the elevation of 239.5 metres Geodetic Survey of Canada datum.

14.372 In addition to the uses *permitted* in the ML Zone, manufacturing of motor homes or travel trailers and one (1) *dwelling unit* shall also be *permitted*.

14.373 In addition to the uses *permitted* in the CHA Zone, a maximum of three (3) *dwelling units* within any *permitted commercial building* shall also be *permitted*.

14.374 In the RH Zone, a minimum 8 metre development *setback* from the drainage ditch shall apply and no opening in any *building* shall be below the elevation of 239.5 metres Geodetic Survey of Canada datum.

14.375 In addition to the uses *permitted* in the MG Zone, a *salvage yard* shall also be *permitted*. No *open storage* or *salvage yard* fence shall be located closer than 4.5 metres to any Residential Zone.

14.376 In lieu of the uses *permitted* in the MG Zone, the following uses shall be *permitted*:

- a) *contractor's yard*
- b) *farm* machinery and equipment supply and repair shop
- c) fertilizer dealership
- d) fuel storage depot for home and *farm* sales
- e) *garage, industrial*
- f) *open storage* accessory to any *permitted* use
- g) processing, manufacturing and assembly plant provided that such plan requires the use of water for only: domestic purposes, fire fighting, storage systems or closed loop cooling systems for industrial applications
- h) research and development facilities
- i) *truck terminal*
- j) warehouse.

In lieu of the corresponding provisions in the MG Zone, the following shall apply:

- a) minimum *front yard* for industrial uses – 14 metres;
- b) minimum distance from the *existing dwelling* to an acid wash bay – 70 metres.

14.377 In addition to the uses *permitted* in the A Zone, a metal working, welding and repair shop shall also be *permitted*. No open storage shall be *permitted* in any *front yard* or *exterior side yard*.

14.378 In lieu of the uses *permitted* in the RH Zone, the following uses shall be *permitted*:

- a) *mobile home park*
- b) *mobile home park office*
- c) *laundromat*
- d) *convenience store*
- e) *recreational facilities serving a mobile home park*
- f) *service and storage buildings serving a mobile home park*
- g) *a single detached dwelling*.

In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area* – 18 hectares;
- b) minimum *lot frontage* – 925 metres;
- c) minimum *front yard* – 13 metres;
- d) minimum *side yard* – 8 metres;
- e) minimum *rear yard* – 8 metres;
- f) maximum number of *mobile homes* – 101;
- g) minimum site size for a single width *mobile home* unit – 300 square metres;
- h) minimum site size for a double width *mobile home* unit – 352 square metres;
- i) minimum *parking spaces* for each *mobile home* – 1.5;
- j) no open storage shall be *permitted* on *mobile home* sites.

14.379 In lieu of the uses *permitted* in the RH Zone, the following uses shall be *permitted*:

- a) transportable *dwelling units*
- b) *mobile home park*
- c) service and storage *buildings* serving a *mobile home park*
- d) *single detached dwelling*.

In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area* – 9 hectares;
- b) minimum *lot frontage* – 560 metres;
- c) minimum *front yard* – 13 metres;
- d) minimum *side yard* – 8 metres;
- e) minimum *rear yard* – 8 metres;
- f) maximum number of *mobile homes* and/or transportable *dwelling units* – 101;
- g) minimum site size for a single width *mobile home* unit – 300 square metres;
- h) minimum site size for a double width *mobile home* unit – 352 square metres;
- i) minimum site size for a transportable *dwelling unit* – 475 square metres;
- j) minimum *parking spaces* for each *mobile home* – 1.5;
- k) no open storage shall be *permitted* on *mobile home* sites.

For the purpose of this Subsection a transportable *dwelling unit* shall be defined as a *dwelling* house constructed under Part 9 of the *Ontario Building Code* designed for location on a leasehold site where such unit contains no *basement*, no more than two (2) bedrooms and the floor area does not exceed 130 square metres and where the following design features are incorporated:

- a) hinged access door to crawlspace with a minimum space of 0.79 metres by 0.91 metres;
- b) minimum headroom in crawlspace to be 0.79 metres from grade to underside of floor joists;
- c) removable pressure treated 2 x 4 perimeter skirt (knee-wall) extended from 0.15 metres below *finished grade* to the underside of floor joist to be lag bolted to underside of floor joists at 1.22 metres on centre. Removal of the knee-wall will allow the installation of steel beams for moving purposes;
- d) lag bolted superstructure to foundation system with removable lag bolts;
- e) threaded connection/couplings at all water, sewer and gas service stacks enabling the disconnection of services. Threaded connections shall be accessible

via hinged access panels in insulated services ducts - and shall be clearly marked as to their location and purpose;

- f) an exterior electrical mast. The main electrical feed will be disconnected by the appropriate electrical utility.

14.380 In addition to the uses *permitted* in the A Zone, the keeping of exotic animals shall also be *permitted*.

14.381 In addition to the uses *permitted* in the A Zone, a commercial greenhouse, tree and plant nursery including accessory open storage shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *front yard* – 7.6 metres;
- b) minimum *rear yard* – 4.5 metres.

14.382 In addition to the uses *permitted* in the MR Zone, a guest house with a maximum of four (4) guest rooms and facilities for offering meals to those persons temporarily residing in such rooms shall also be *permitted*.

No *dwelling* house shall be located closer than 30 metres to the railway right-of-way.

Notwithstanding Subsection 12.1.4, an *animal kennel* may be located a minimum of 15 metres from the south *lot line*.

14.383 In lieu of the uses *permitted* in the R3 Zone, a *single detached dwelling* and an *apartment dwelling* house with a maximum of five (5) *dwelling units* shall be *permitted*.

In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *lot area* – 3,300 square metres;
- b) minimum *lot frontage* – 38 metres;
- c) minimum *front yard* – 6 metres;
- d) minimum *exterior side yard* – 6 metres;
- e) minimum *interior side yard* – 3 metres;
- f) minimum *rear yard* – 12 metres;
- g) minimum services – every *dwelling unit* shall be connected to a public water system;
- h) maximum *building height* – 11 metres.

Notwithstanding the definitions in Section 2.0, for the purpose of this Subsection an *apartment dwelling* house shall be defined as a *dwelling* house comprising of two (2) or more *dwelling units* but excludes townhouse.

14.384 In addition to the uses *permitted* in the A Zone, a *boarding or lodging house* with a maximum of seven (7) boarders shall also be *permitted* on the subject lands.

14.385 In addition to the uses *permitted* in the MR Zone, *recreational vehicle* sales, service and storage and a *contractor's yard* shall also be *permitted*. A sawmill and a grain elevator shall not be *permitted*.

14.386 In addition to the uses *permitted* in the R1-A Zone, a welding shop with a maximum *usable floor area* of 140 square metres shall be *permitted*.

In lieu of the provisions of the R1-A Zone, the welding shop shall be subject to the Zone provisions in the ML Zone.

14.387 In lieu of the corresponding provision in the IC Zone, the following shall apply:

- a) minimum *lot frontage* – 12 metres.

14.388 In the R1 Zone, connection to a public sanitary sewer system is not required.

14.389 In addition to the uses *permitted* in the R1-A Zone, the following shall also be *permitted*:

- a) accessory recreational facilities
- b) golf course
- c) group townhouses
- d) home occupation
- e) private club
- f) *recreational vehicle* and boat storage compound.

In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot area* – 307 square metres;
- b) minimum *lot frontage* – 9.7 metres for an *interior lot* and 13 metres for a *corner lot*;
- c) minimum yard requirements:
 - a) *front yard* – 2.9 metres;
 - b) *interior side yard* – 0.6 metres;
 - c) *exterior side yard* – 2.9 metres;
 - d) *rear yard* – 8 metres;
 - e) *front yard setback* from the outside edge of hammer head on dead end streets – 1 metre;
- d) minimum services – every *dwelling unit* shall be connected to a public water system and a public sanitary sewer system;
- e) maximum *building height* – one (1) storey;
- f) maximum number of bedrooms per *dwelling unit* – two (2);

g) maximum density – one (1) *dwelling unit* per 307 square metres.

In lieu of the uses *permitted* in the OS Zone, the following shall be *permitted*:

- a) golf course
- b) place of recreation and *private club*.

In lieu of the corresponding provision in the OS Zone, the following shall apply:

- a) minimum *front yard setback* – 2 metres.

Subsection 3.26 shall not apply to the lands identified as having reference to this Subsection.

Subsection 4.1.3 and Subsection 4.2.1 shall not apply to the lands identified as having reference to this Subsection and that the following shall apply in lieu thereof:

- a) a portion of the public road allowance a curb and garage or exterior wall in front of a *dwelling unit* may be used in calculation of *required* length of such *parking space*;
- b) individual *parking spaces* shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

Subsection 3.31 shall not apply to any *dwelling house*.

Subsection c (ii) above and Subsection 3.2 e) shall not apply to air conditioner units.

14.390 In addition to the uses *permitted* in the CS Zone, a mini storage, offices and a maximum of three (3) *apartment dwelling units* shall also be *permitted*.

In lieu of the corresponding provision in the CS Zone, the following shall apply:

- a) minimum *rear yard* – 4.7 metres.

14.391 In addition to the uses *permitted* in the R3 Zone, the following shall also be *permitted*:

- a) twenty (20) unit seniors *apartment dwelling house*;
- b) townhouses with a maximum total number of twelve (12) units.

For the purpose of this Subsection a townhouse shall be defined as a *dwelling house* comprising four (4) or more *dwelling units* with each *dwelling unit* being divided one from the other by an above grade vertical *common wall* and with each *dwelling unit* having direct access to a *yard*.

Subsection 4.9 b), shall not apply to the lands identified as having reference to this Subsection and that the minimum number of *parking spaces* shall be 0.75 *parking spaces* for each *dwelling unit* in lieu thereof.

14.392 In addition to the uses *permitted* in the R1-A Zone, a catalogue sales office with a maximum *usable floor area* of 50 square metres within a *single detached dwelling* shall also be *permitted*.

14.393 In lieu of the corresponding provisions in the R3 Zone as they relate to a *four-plex dwelling* or a *tri-plex dwelling*, the following shall apply:

- a) minimum *lot area* – 930 square metres;
- b) minimum *lot frontage* – 20 metres;
- c) minimum *building height* – 11 metres;
- d) any *yards existing* at the date of passing of the amending By-Law (January 26, 1988) shall be deemed to conform with this By-Law;
- e) minimum *usable floor area* – 66 square metres per unit.

14.394 In addition to the uses *permitted* in the IN Zone, a fire hall shall also be *permitted*.

14.395 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot frontage* - 6 metres;
- b) minimum *rear yard* – 6 metres.

14.396 In lieu of the *required lot frontage* of the R1-A Zone, the *lot frontage* shall be deemed to comply.

14.397 In addition to the uses *permitted* in the CM Zone, the following uses shall be *permitted*:

- a) bank
- b) *dwelling unit* on the second floor of the *existing building* located on the east side of the property – maximum one (1)
- c) guest house with a maximum of three (3) guest rooms
- d) *hotel*, motel, motor hotel, tavern
- e) merchandise service shop
- f) office
- g) personal service shop
- h) place of entertainment
- i) retail establishment
- j) restaurant.

In lieu of the corresponding provisions in the CM Zone, the following shall apply:

- a) minimum *front yard* – 6 metres;
- b) minimum *exterior side yard* – 0 metres;
- c) minimum *rear yard* – 6 metres.

Subsection 3.31 shall not apply to the lands delineated as having reference to this Subsection.

Notwithstanding Subsections 4.9 no parking spaces for a tavern or licensed dining room or *restaurant* shall be required.

- 14.398 In addition to the uses *permitted* in the CM Zone, a *dwelling unit* with a maximum *usable floor area* of 31 square metres for a caretaker, watchman or proprietor shall also be *permitted*.

In lieu of the corresponding provisions in the CM Zone, the following shall apply:

- a) minimum *lot area* – 1,320 square metres;
- b) minimum *lot frontage* – 7 metres;
- c) no habitable use of any portion of the *building* below 176.5 metres Geodetic Survey of Canada datum shall be *permitted*.

- 14.399 In addition to the uses *permitted* in the R2 Zone, an office and *personal service shop* shall also be *permitted*.

Notwithstanding Subsection 4.9 a minimum of three (3) *parking spaces* shall be *permitted*.

Any *building* or *structure* existing at the date of passing of the amending By-Law (May 23, 1995) shall be deemed to comply with the corresponding provisions in the R2 Zone.

- 14.400 In the R2 Zone, any *yards* existing on the lands delineated by this Subsection at the date of passing of the amending By-Law (October 10, 1989) shall be deemed to conform to the provisions of this By-Law.

- 14.401 In addition to the uses *permitted* in the R1-A Zone, a guest house with a maximum of four (4) guest rooms shall also be *permitted*. For the purpose of this By-Law, a guest house shall mean a *single detached dwelling* which contains up to four (4) guest rooms which are made available for temporary accommodation for the travelling public. The guest house may offer meals to those temporarily residing at the establishment. In addition to the parking requirements for a *single detached dwelling*, there shall be a minimum of one (1) additional *parking space* for each guest room.

- 14.402 In addition to the uses *permitted* in the HL Zone, an accessory structure, accessory to the existing residential use on the property, shall also be *permitted*.

In lieu of the corresponding provisions the following shall apply;

- a) minimum *exterior side yard* - 2.13 metres;
- b) maximum *usable floor area* - 67 square metres. [36-Z-2014]

- 14.403 In addition to the uses *permitted* in the CS Zone, a mini storage facility and the seasonal *outdoor storage* of *recreational vehicles* and equipment including boats and *recreational vehicles* shall also be *permitted*.

14.404 That in lieu of the corresponding provision of the A Zone, the following shall apply:

- a) minimum *lot frontage* – 6.94 metres.[48-Z-2014]

14.405 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *lot area* – 1,858 square metres.

14.406 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot area* – 1,858 square metres;
- b) minimum *lot frontage* – 26 metres.

14.407 In lieu of the uses *permitted* in the OS Zone, administrative offices, research facilities related to wildlife and environmental study, facilities for accommodation ancillary to administrative or research functions, *park* and passive recreational activities shall be *permitted*.

14.408 In lieu of the corresponding provisions in the CS Zone, the *required* minimum *lot area*, minimum *lot frontage* and minimum *yard* requirements shall be deemed to be those *existing* at the date of the passing of the amending By-Law (August 7, 1990), provided any new *building* or *structure* shall comply to the provisions.

14.409 In lieu of the corresponding provisions in the R1-A Zone, for lands shown as Part 1 and Part 2 on Schedule 14.409.1, the following shall apply:

- a) minimum *lot area* – 400 square metres;
- b) minimum *lot frontage* – 12 metres.

In addition to the uses permitted in the R1 Zone, a ‘Country Inn’ shall also be permitted on the lands shown as Part 7 on Schedule 32.96.1 and shall be defined as an establishment serving mainly the needs of the travelling or vacationing public by supplying food, refreshments, entertainment and sleeping accommodation and which may include accommodation for staff, a beverage room, dining room, meeting room or similar use and a gift shop.

In lieu of the corresponding provisions in the R1 Zone, for lands shown as Part 7 on Schedule 32.96.1, relating to a ‘Country Inn’ the following shall apply:

The Country Inn shall be limited to a maximum of 60 guest rooms;

That notwithstanding the off-street parking requirements of this By-Law, the minimum parking space requirement shall be 1.25 spaces for each guest room:

- a) minimum front yard – 6 metres;
- b) minimum exterior side yard – 6 metres;
- c) minimum interior side yard – 3 metres;
- d) minimum rear yard – 3 metres;
- e) maximum building height – 12 metres.

In lieu of the corresponding provisions in the R2 Zone, for lands shown as Part 3 and Part 4 on Schedule 32.96.1, relating to a two family dwelling house the following shall apply:

- a) minimum lot area – 600 square metres;
- b) minimum lot frontage – 15 metres.

In addition to the uses permitted in the R2 Zone, townhouses shall also be permitted on the lands shown as Part 3 and Part 4 on Schedule 32.96.1.

In lieu of the corresponding provisions in the R2 Zone, for lands shown as Part 3 and Part 4 on Schedule 32.96.1, relating to townhouses the following shall apply:

- a) minimum lot area – 156 square metres;
- b) minimum lot frontage – 6.5 metres;
- c) minimum front yard – 6 metres;
- d) minimum exterior side yard – 6 metres;
- e) minimum interior side yard – 1.2 metres;
- f) minimum separation between townhouse dwellings – 2 metres;
- g) minimum rear yard – 7.5 metres;
- h) maximum building height – 11 metres;
- i) minimum useable floor area – 65 square metres.

Notwithstanding the required interior side yard, on a mutual side lot line separating two attached townhouse units, no interior side yard is required where the walls are joined, where the walls are not, a 1.2 metres side yard shall be required.

The lands shown as Part 8 of the subject lands on Schedule 32.96.1 shall be considered as a buffer area and notwithstanding any provision of this By-Law to the contrary there shall be no development, building or structure permitted. [35-Z-2015]

14.410 In lieu of the uses *permitted* in the R3 Zone, *single detached dwelling, semi-detached, duplex dwelling, tri-plex dwelling, four-plex dwelling* and *townhouse* with a maximum of eight (8) *dwellings units* shall be *permitted*.

In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *front yard setback* – 10 metres;
- b) minimum *interior side yard setback* – 3 metres;
- c) minimum *rear yard* – 12 metres;
- d) minimum *usable floor area* – 65 square metres;
- e) maximum *building height* – 11 metres.

14.411 In addition to the uses *permitted* in the OST Zone, a *tent and trailer park* with a maximum of forty five (45) sites shall also be *permitted*.

14.412 In addition to the uses *permitted* in the R1-A Zone, a country inn with a maximum of sixty (60) guest rooms shall also be *permitted*. For the purpose of this Subsection a country inn shall be defined as an establishment serving mainly the needs of the travelling or vacationing public by supplying food, refreshments, entertainment, and sleeping accommodation and which may include accommodation for staff, a beverage room, dining room, meeting room or similar use and a gift shop.

Notwithstanding Subsection 4.9 for the purposes of this Subsection the minimum *parking spaces* provided shall be in accordance with the following: country inn - 1.25 *parking spaces* for each guest room.

In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *front yard* – 6 metres;
- b) minimum *exterior side yard* – 6 metres;
- c) minimum *interior side yard* – 3 metres;
- d) minimum *rear yard* – 3 metres;
- e) maximum *building height* – 12 metres.

14.413 Notwithstanding the corresponding provisions in the R1-A Zone, the following shall apply on the lands delineated by this Subsection and identified on Schedule 14.413.1:

- a) a maximum of thirty two (32) *dwelling units* shall be *permitted*;
- b) minimum *lot area*:
 - a) Part 1 – 465 square metres;
 - b) Part 2 – 465 square metres;
 - c) Part 3 – 275 square metres;
 - d) Part 4 – 465 square metres;
- c) minimum *lot frontage*:
 - i. Part 1 – 12 metres;
 - ii. Part 2 – 7.3 metres;
 - iii. Part 3 – 4.2 metres;
 - iv. Part 4 – 9.7 metres;
- d) minimum *yard* requirements:
 - i. *front yard* – 18 metres;

- ii. *interior side yard* – 1.2 metres except where *dwelling units* on separate *lots* share a *common wall*, in which case the *interior side yard* shall be 0 metres;
- iii. *rear yard* - 9 metres;
- e) notwithstanding Subsection 4.2.3 *required parking spaces* may be *permitted* within the *required front yard*;
- f) minimum services – every *dwelling* house shall be connected to a public water system and a public sanitary sewer system;
- g) minimum *usable floor area* – 80 square metres;
- h) maximum *building height* – 8 metres.

14.414 In the R1 *Zone*, Subsection 5.1.4 shall not apply provided that any *dwelling* shall be connected to a public water system.

14.415 In addition to the minimum *side yard* requirements in the IC *Zone*, the *existing* easterly *side yard* for the museum shall be deemed to be the minimum *side yard* for that *building*.

14.416 In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *rear yard* – 6 metres;
- b) Subsection 3.31 shall not apply.

14.417 In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *lot frontage* – 9 metres;
- b) minimum *interior side yard* – 1.8;
- c) minimum *interior side yard* along a *common wall* – 0 metres.

14.418 In addition to the uses *permitted* in the R2 *Zone*, a day nursery shall also be *permitted* subject to the corresponding provisions in the R2 *Zone*.

14.419 In lieu of the corresponding provisions in the R5 *Zone* and the requirements of Subsection 4.0, the following shall apply:

- a) minimum *front yard* – 7.6 metres;
- b) minimum westerly *interior side yard* – 1.8 metres;
- c) maximum number of *apartment dwelling units* – eighteen (18);
- d) minimum number of *parking spaces* – twenty one (21);
- e) no *parking space* shall be located within the *required front yard*, *required exterior side yard*, or *required interior side yard*.

14.420 In addition to the uses *permitted* in the R3 Zone, an *apartment dwelling* house with a maximum of six (6) *dwelling units* shall also be *permitted*.

Any *building* or *structure* existing at the date of passing of the amending By-Law (June 5, 1995) shall be deemed to conform with the provisions of this By-Law provided that any new *buildings* or *structures* shall be in accordance with the provisions of Subsection 5.3 except that minimum *lot frontage* shall be 20.42 metres.

14.421 In addition to the uses *permitted* in the R2 Zone, a parking area shall also be *permitted*.

14.422 In addition to the uses *permitted* in the R5 Zone, an *apartment dwelling* with a maximum of six (6) *dwelling units* shall also be *permitted*.

Subsection 4.2.3 d) shall not apply. Subsection 4.9 b) shall not apply provided that one (1) *parking space* be provided on-site for each *dwelling*.

Notwithstanding Subsection 5.5.2, the *existing interior side yard* and *floor area ratio* at the date of passing of the amending By-Law (August 12, 1985) shall be deemed to conform with the corresponding provisions in the By-Law provided any additions, enlargements or new development conform with the *Zone* provisions set out in Subsection 5.5.2.

14.423 In the CG Zone, the minimum number of *parking spaces* for a licensed *restaurant* shall not apply provided the lands are used as a licensed *restaurant* with a maximum capacity of eighty (80) persons.

14.424 In addition to the uses *permitted* in the CBD Zone, a maximum of six (6) *dwelling units* shall also be *permitted*.

Notwithstanding Subsection 6.1.4, a maximum of two (2) residential *dwelling units* are *permitted* on the ground floor level only in the portion of the *building* which fronts onto Church Street West.

No portion of the ground floor *apartment* units are *permitted* within 7.6 metres of the front of the *building* facing Main Street.

Notwithstanding Section 4.0, the provision of *parking spaces* for residential uses is not *required*.

14.425 In the CG Zone, the minimum number of *parking spaces* for an unlicensed *restaurant* shall not apply provided the *restaurant* does not exceed a maximum dining area of 34 square metres.

14.426 In the R3 Zone, a *four-plex dwelling* and a *boarding or lodging house* shall not be *permitted*.

In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *lot frontage* – 20.12 metres;
- b) minimum *front yard* – 5.49 metres;
- c) minimum *exterior side yard* – 2.44 metres.

14.427 In the CS *Zone*, notwithstanding Subsection 4.9, the minimum number of *parking spaces* shall be 155 spaces or the requirement as calculated under Section 4.0, whichever is the lesser.

14.428 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *lot area* – 2, 660 square metres;
- b) minimum *lot frontage* – 38 metres.

The definition of “*lot*” as contained in Section 2.0 shall not apply provided that “*lot*” shall mean the combination of Lots 13 and 14 in Registered Plan 313.

14.429 In the R1 *Zone*, no *buildings* or *structures* shall be *permitted* within the southerly 20 metres of the subject lands and the minimum services requirement for connection to public water supply and a public sanitary sewer system shall not apply.

14.430 In lieu of the corresponding provisions in the R1-B *Zone*, the following shall apply:

- a) minimum *lot area* – 280 square metres.
- b) minimum services requirement for connection to public water supply and a public sanitary sewer system shall not apply.

14.431 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *lot area* – 3,000 square metres;
- b) minimum *lot frontage* – 40 metres;
- c) minimum services requirement for connection to public water supply and a public sanitary sewer system shall not apply.

14.432 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *lot area* – 1,390 square metres;
- b) minimum *lot frontage* – 30 metres;
- c) minimum services requirement for connection to public water supply and a public sanitary sewer system shall not apply.

14.433 In addition to the uses *permitted* in the IN *Zone*, a *restaurant* with a maximum of thirty (30) seats shall also be *permitted*.

14.434 In the R5 *Zone*, the number of *apartment* units shall be limited to a maximum of twenty two (22) two-bedroom *apartment* units.

14.435 In the R5 *Zone*, any *apartment dwelling* shall be limited to a maximum of twenty five (25) *dwelling units*. No *building* or *structure* shall be located nearer than 9 metres from the top of bank.

Subsection 4.9 b) shall not apply to any *apartment dwelling* for senior citizens provided that 0.56 *parking spaces* per *dwelling unit* are provided.

14.436 In addition to the uses *permitted* R5 Zone, a *convenience store* shall also be *permitted*.

In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) minimum front yard:
 - i. for an *apartment dwelling* house – 6 metres;
 - ii. for a *convenience store* – 0.6 metres;
- b) minimum exterior side yard:
 - i. for an *apartment dwelling* house – 6 metres;
 - ii. for a *convenience store* – 0.6 metres;
- c) minimum *interior side yard* – 4 metres;
- d) minimum *rear yard* – 6 metres;
- e) maximum number of *dwelling units* – eight (8).

Off *street* parking requirements as set out in Subsections 4.2.3 and 4.9 shall not apply to the lands identified as having reference to this Subsection provided that a minimum of thirteen (13) *parking spaces* be provided.

Subsection 3.26 shall not apply to the lands identified as having reference to this Subsection.

14.437 In lieu of the uses *permitted* in the R2 Zone, a *semi-detached* and/or a *duplex dwelling* shall be *permitted*.

In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *lot area* – 1,070 square metres;
- b) minimum *lot frontage* – 22 metres;
- c) minimum *rear yard* – 4.9 metres for the most northerly located *dwelling* house;
- d) minimum *usable floor area* – 44.6 square metres for the most northerly located *dwelling* house;
- e) any other yards *existing* at the date of passing of the amending By-Law (October 22, 1990) shall be deemed to conform to the corresponding provisions in the By-Law.

14.438 In addition to the uses *permitted* in the MG Zone, a *place of assembly* including such uses as trade shows and exhibitions shall also be *permitted*.

14.439 In the MG Zone, any *buildings* or *structures* or *open storage* shall be restricted to the area identified as Part 1 on Schedule 14.439.1.

14.440 In addition to the uses *permitted* in the MG Zone, a *laundromat* shall also be *permitted*.

14.441 In addition to the uses *permitted* in the MG Zone, an *automobile washing establishment* shall also be *permitted*.

In lieu of the corresponding provisions in the MG Zone, the following shall apply:

- a) minimum *lot area* – 1,492 square metres;
- b) minimum *lot frontage* – 20 metres;
- c) minimum *interior side yard* – 0.6 metres.

14.442 In lieu of the uses *permitted* in the R3 Zone, Subsection 3.26 and Subsection 3.26, a *single detached dwelling* and a *duplex* or *semi-detached dwelling* shall be *permitted*.

In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *lot area* – 1,300 square metres;
- b) minimum *lot frontage* – 18 metres;
- c) minimum *front yard* – 6 metres except that for any *duplex* or *semi-detached dwelling* the *front yard setback* shall be 20 metres;
- d) minimum *interior side yard* – 3 metres on one side and 1.2 metres on the other side;
- e) minimum *rear yard* – 9 metres;
- f) maximum *building height* – 11 metres;
- g) maximum number of *dwelling* houses per *lot* – two (2);
- h) minimum separation between a *dwelling* house and railway right-of-way – 9 metres.

14.443 In the R5 Zone, any *apartment dwelling* located on the subject lands shall be limited to a maximum of five (5) *dwelling units*. In lieu of the *required rear yard*, the minimum *rear yard* shall be 4 metres.

14.444 In addition to the uses *permitted* in the A Zone, a solar *farm* shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *lot area* – 5 hectares;
- b) minimum *front yard* – 20 metres;
- c) minimum *interior side yard* – 10 metres;
- d) minimum *exterior side yard* – 10 metres;
- e) minimum *rear yard* – 10 metres;
- f) maximum height for all *buildings* and *structures* – 10 metres;
- g) maximum *lot coverage* – 95 percent;
- h) for contiguous solar *farm* installations on abutting *lots*, the side or *rear yard* requirements between such *lots* may be waived.

14.445 In addition to the uses *permitted* in the R1-A Zone, a *convenience store*, personal service shop, *dry cleaning distribution station*, laundromat and *restaurant* shall also be *permitted*.

14.446 In addition to the uses *permitted* in the R1-A Zone, a *clinic* including physical therapy, training and rehabilitation, an office and a *personal service shop* shall also be *permitted*.

In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *interior side yard* (east) – 0 metres;
- b) minimum *rear yard* – 9 metres.

14.447 In addition to the uses *permitted* in the R1-A Zone, a plumbing equipment storage garage not including an office or fabricating shall also be *permitted*. No open storage shall be *permitted* and the storage garage shall not occupy more than 10 percent of the *lot area*.

14.448 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot area* – 445 square metres;
- b) minimum *lot frontage* – 12 metres;
- c) minimum *exterior side yard* – 3.5 metres.

14.449 In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *lot frontage* – 24 metres;
- b) minimum *interior side yard* – 1.8 metres.

Subsection 4.9 shall not apply for any *four-plex dwelling* and in lieu thereof a minimum of six (6) *parking spaces* shall be required.

14.450 In lieu of the corresponding provisions in the R3 *Zone*, the following shall apply:

- a) minimum *lot area* – 930 square metres;
- b) minimum *lot frontage* – 24 metres.

14.451 In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *lot frontage* – 14.3 metres;
- b) minimum *rear yard* – 7.5 metres.

14.452 In addition to the uses *permitted* in the R2 *Zone*, a community centre shall also be *permitted*. For the purpose of this Subsection, a community centre shall be defined as “land and *buildings* owned and operated by the province, *County* or community service club and used for the purpose of social and recreational activities, but excludes a *private club* as defined *herein*”.

Subsection 4.9 f) (minimum number of *parking spaces*) shall not apply to the lands identified as having reference to this Subsection where the *existing dwelling* on the lands is used for a community centre and that the minimum number of *parking spaces* shall be one (1) only as it relates to the community centre.

14.453 In addition to the uses *permitted* in the ML *Zone*, a *truck terminal* shall also be *permitted*.

14.454 In addition to the uses *permitted* in the CS *Zone*, a maximum of three (3) *dwelling units* in a *permitted building*, shall also be *permitted*.

14.455 In lieu of the corresponding provision in the R4 *Zone*, the following shall apply:

- a) minimum *rear yard* – 8.5 metres.

Notwithstanding the definition of *townhouses* as defined in Section 2.0, for the purposes of this Subsection, a townhouse shall mean a *dwelling* house comprising of four (4) or more *dwelling units* with each *dwelling unit* being divided one from the other by an above grade vertical *common wall*, a minimum of 10 square metres in area, and with each *dwelling unit* having direct access to a *yard*.

14.456 In lieu of the uses *permitted* in the OS *Zone*, the following uses shall be *permitted*:

- a) a *golf course*
- b) place of recreation ancillary to a *golf course* but excluding an arena
- c) golf driving range
- d) one (1) *dwelling unit*
- e) any use *permitted* in the A *Zone*, subject to the provisions of that *Zone*.

14.457 In addition to the uses *permitted* in the ML *Zone*, a *single detached dwelling* shall also be *permitted*.

14.458 In lieu of the uses *permitted* in the CHA Zone, a *vehicle sales or rental establishment, automobile service and repair station and farm implement sales and service establishment* shall be *permitted*. No open storage of automobile parts shall be *permitted*.

14.459 In the RH Zone, the provision of Subsection 3.11, frontage on a street, shall not apply.

14.460 In addition to the uses *permitted* in the RH Zone, a *duplex or a semi-detached dwelling* shall also be *permitted*.

14.461 In addition to the uses *permitted* in the RH Zone, a *duplex or semi-detached dwelling* shall also be *permitted*.

In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 29.5 metres.

14.462 In addition to the uses *permitted* in the RH Zone, a *duplex or semi-detached dwelling* shall also be *permitted*.

In lieu of the corresponding provision in the RH Zone, the following shall apply:

- a) minimum *lot frontage* – 22 metres.

14.463 In addition to the uses *permitted* in the A Zone, an electrical equipment repair shop shall also be *permitted* in the *accessory building* with a maximum *usable floor area* of 178 square metres.

14.464 In addition to the uses *permitted* in the CR Zone, a furniture manufacturing operation shall also be *permitted*.

14.465 In addition to the uses *permitted* in the A Zone, a peanut processing plant including facilities for grading, weighing, cleaning, shipping, storing and crushing peanuts shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *lot frontage* – 228 metres;
- b) minimum *front yard* – 15 metres;
- c) minimum *rear yard* – 45 metres;
- d) minimum *interior side yard* – 12 metres;
- e) *accessory buildings* are only *permitted* in the *rear yard*;
- f) no *outside storage* shall be *permitted*.

14.466 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *interior side yard* – 2.9 metres and 1.2 metres.

14.467 In addition to the uses *permitted* in the R1-A Zone, an art gallery with a maximum *usable floor area* of 112 square metres shall also be *permitted*.

14.468 In lieu of the corresponding provision in the R4 *Zone*, the following shall apply:

- a) minimum *lot frontage* – 20.1 metres.

14.469 In the R4 *Zone*, a maximum of twenty five (25) *dwelling units* shall be *permitted*.

14.470 In addition to the uses *permitted* in the CS *Zone*, a *custom workshop* shall also be *permitted*.

14.471 In addition to the uses *permitted* in the A *Zone*, the following uses shall be *permitted*;

- a) nano-brewery with a maximum *usable floor area* of 222 square metres;
- b) *restaurant* with a maximum *usable floor area* of 80 square metres (or less than 30 seats), which includes an outdoor patio with a maximum *usable floor area* of 36 square metres;
- c) accessory sale of brewery and *restaurant* related merchandise;
- d) *agricultural* related educational workshops, festivals, and events; and
- e) wedding ceremonies to a maximum of one hundred (100) people. [58-Z-2016]

14.472 In addition to the uses *permitted* in the R6 *Zone*, the following uses shall also be *permitted*:

- a) dwelling, single detached
- b) dwelling, semi-detached
- c) dwelling, duplex
- d) dwelling, tri-plex
- e) dwelling, four-plex
- f) boarding or lodging house
- g) bed & breakfast, subject to Subsection 3.4
- h) day care nursery
- i) group townhouse
- j) stacked townhouse
- k) street townhouse
- l) accessory residential dwelling unit, subject to Subsection 3.2.3. [58-Z-2015]

14.473 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 9.2 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 243.17 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [65-Z-2016]

14.474 In the R3 Zone, a *four-plex dwelling* and *boarding or lodging house* shall not be *permitted*.

14.475 In the R1-A Zone, no *building or structures* shall be *permitted* except that it is located at least 6 metres north of the sanitary sewer easement and at least 3 metres from the east and west *interior side yards* of Part 2 as shown on Schedule 14.475.1.

14.476 In addition to the uses *permitted* in the R5 Zone, a *boarding or lodging house* subject to the corresponding provisions in the R3 Zone shall also be *permitted*. Six (6) *parking spaces* for the *boarding or lodging house* shall be *permitted* within the *required front yard* and shall be *permitted* 1.5 metres from the *front lot line*.

14.477 In addition to the uses *permitted* in the A Zone, a *restaurant* and craft shop shall also be *permitted*.

14.478 Notwithstanding the uses *permitted* in the CS Zone, a *bar or night club, hotel, restaurant, restaurant, fast-food* and a *restaurant, take-out* shall not be *permitted*. Connection to a public water supply and a public sanitary sewer system is not *required* for the *existing dwelling*.

14.479 In lieu of the corresponding provisions in the R1-A Zone and as shown on Schedule 14.479.1, the following shall apply:

Part 1

- a) minimum *lot frontage* – 6 metres;
- b) minimum *rear yard* – 6 metres;

Part 2

- a) minimum *lot frontage* for one (1) *lot* comprised of the entirety of Part 2 – 8.9 metres.

14.480 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *lot frontage* – 14.41 metres.
- b) Notwithstanding Subsection 3.2.1, the maximum building height shall be 6 metres; and the maximum usable floor area shall be 94.3 square metres. [64-Z-2015]

14.481 In the CBD Zone, the *required* number of *parking spaces* may be provided on the immediate abutting *lots* subject to Special Provision 14.482.

14.482 In addition to the uses *permitted* in the MG Zone, a *parking lot* shall also be *permitted*.

14.483 In addition to the uses *permitted* in the R2 Zone and the requirements of Subsection 4.9, the following shall also be permitted:

- a) culinary educational facility with a maximum of eight (8) students
- b) minimum number of *parking spaces* - ten (10)
- c) *restaurant*.

14.484 In addition to the uses *permitted* in the R2 Zone, storage for the property owner's landscape business in the *existing accessory building* with a maximum *usable floor area* of 95 square metres shall also be *permitted*. No *outdoor storage* for the landscaping business shall be *permitted*.

14.485 In lieu of the corresponding provision in the R3 Zone, the following shall apply:

- a) minimum *lot frontage* - 18.8 metres.

14.486 In the CBD Zone, no *parking spaces* shall be *required*.

14.487 In addition to the uses *permitted* in the CBD Zone, light assembly and light manufacturing shall also be *permitted*.

14.488 In addition to the uses *permitted* in the R2 Zone, a doctor's office in an *accessory building* shall also be *permitted*. Two (2) *parking spaces* shall be *permitted* in the *exterior side yard*.

14.489 In the R2 Zone, the minimum number of *parking spaces* for the *day care nursery* shall be three (3).

14.490 In addition to the uses *permitted* in the R1-A Zone, a second *dwelling unit* with a maximum *usable floor area* of 71 square metres to be located in a second *storey* of a detached garage shall also be *permitted*.

14.491 In addition to the uses *permitted* in the R1-A Zone, a second *dwelling unit* with a maximum *usable floor area* of 40 square metres to be located in a second *storey* of a detached garage shall also be *permitted*.

14.492 In addition to the uses *permitted* in the R1-A Zone, a *clinic* or *doctor's office* shall also be *permitted*. A minimum of five (5) *parking spaces* shall be provided.

14.493 In the R3 Zone, a maximum number of four (4) *dwelling units* shall be *permitted*.

14.494 In addition to the uses *permitted* in the CS Zone, office, all types shall also be *permitted*.

14.495 Notwithstanding the uses *permitted* in the CS Zone, a *bar* or *night club*, *hotel* or a *private club* shall not be *permitted*.

14.496 In addition to the uses *permitted* in the CS Zone, a *farm supply outlet* shall also be *permitted*. The minimum *lot frontage* shall be 9.2 metres.

14.497 In addition to the uses *permitted* in the MG Zone, a flea market and bingo hall shall also be *permitted*.

14.498 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *exterior side yard* – 3 metres;
- b) minimum *rear yard* of 1.2 metres applies solely to proposed Lot 32 as shown on Schedule 14.498.1.

14.499 In the R4 Zone, the maximum number of *dwelling units* shall be twenty (20).

14.500 Notwithstanding the uses *permitted* in the CS Zone, a *bar or night club*, florist shop, craft, souvenir and gift shop shall not be *permitted*.

14.501 In addition to the uses *permitted* in the A Zone, a *farm supply outlet* shall also be *permitted*. A *farm supply outlet* shall mean a *building* or part of a *building* used for the retail sale or rental of minor equipment and implements, parts, tools, hardware, seed, feed and clothing for *farm* use. The sale of chemicals is prohibited. *Outdoor storage* shall be limited to the area within 6 metres immediately adjacent to the west and south side of the most westerly *building* fronting the road.

14.502 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *exterior side yard* – 4 metres.

14.503 In lieu of the uses *permitted* in the R2 Zone, the following shall be permitted:

- a) minimum of 9 dwelling units of which, at least eight are in four semidetached dwellings;
- b) day care nursery;
- c) home occupation.

In lieu of the corresponding provisions of the R2 Zone, the following shall apply:

- a) minimum *lot frontage* for a *single detached dwelling* – 14.5 metres;
- b) minimum *lot frontage* for a *semi-detached dwelling corner lot* – 11.2 metres;
- c) minimum *exterior side yard* – 4 metres.

14.504 In lieu of the uses *permitted* in the CS Zone, a *building supply establishment*, *single detached dwelling* and a *home occupation* shall be *permitted*.

In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) minimum *interior side yard* – 1 metre;
- b) connection to public sanitary sewer system is not *required*.

14.505 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *exterior side yard* – 3 metres.

In lieu of the corresponding provisions in the R1-A Zone, the following shall apply for Lots 43 & 44 [16-Z-2020]:

- a) minimum *lot frontage*:
- i. *corner lot* - 16.80 metres.

14.506 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) maximum number of *dwelling units* – ten (10);
- b) notwithstanding the definition contained in Section 2.0, an *apartment dwelling* shall also mean a *dwelling* containing five (5) or more *dwelling units* which may have a separate entrance;
- c) minimum *interior side yard (right)* – 1.6 metres;
- d) maximum *building height* – two (2) storeys;
- e) notwithstanding Subsection 4.2.3, a *driveway* is *permitted* within 3 metres of the *lot line*;
- f) notwithstanding Subsection 4.2.3, a maximum of five (5) *parking spaces* are *permitted* between the *dwelling* and the *street line*.

14.507 In lieu of the corresponding provision in the R1-B Zone, the following shall apply:

- a) minimum *exterior side yard* – 3.5 metres.

14.508 In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) maximum *building height* – two (2) storeys;
- b) minimum *front yard* from Richardson Drive – 6.1 metres;
- c) minimum exterior side yard:
 - i. 3 metres from Greenock Street north side;
 - ii. 7.6 metres from Greenock Street south side;
- d) minimum separation between an internal *parking lot* and the front wall of each *building* – 6.1 metres;
- e) minimum *setback* from top of bank – 7.6 metres;
- f) minimum *rear yard* for each unit – 7.6 metres;
- g) maximum *lot coverage* – 25 percent.

14.509 In addition to the uses *permitted* in the CN Zone, an *existing* retail establishment focussing on the sale of fabrics and clothing, a *farmers market*, a *place of sports and recreation* and an adult training centre shall also be *permitted*.

14.510 In the MG Zone, a trucking operation shall not be *permitted*.

14.511 In addition to the uses *permitted* in the R1-A Zone, a water garden and fish pond supply and product outlet with a maximum *usable floor area* of 22.3 square metres shall also be

permitted. Outdoor storage of landscaping machinery and equipment and display of landscaping products in the front yard shall be prohibited.

14.512 In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *exterior side yard* – 3 metres;
- b) minimum *interior side yard* – 0 metres;
- c) maximum *building height* – two (2) storeys.

14.513 In addition to the uses *permitted* in the CN Zone, office of all types shall also be *permitted*.

14.514 In lieu of the corresponding provision in the R4 Zone, a *parking space* with a dimension of 3.3 metres by 5.3 metres shall be *permitted* within the attached garage of a *group townhouse*.

14.515 In addition to the uses *permitted* in the R2 Zone, a *business administration office* shall also be *permitted*. A minimum of four (4) *parking spaces* shall be provided for the *business administration office*.

14.516 In addition to the uses *permitted* in the R2 Zone, a *restaurant* shall also be *permitted*.

14.517 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) maximum number of *dwelling units* – twenty six (26);
- b) the lands are deemed to be one (1) *lot*;
- c) maximum *floor area ratio* shall not apply.

14.518 In addition to the uses *permitted* in the MG Zone, a *lumber yard* and *building supply establishment* shall also be *permitted*.

14.519 In addition to the uses *permitted* in the CM Zone, a *marine craft salvage yard* shall also be *permitted*.

14.520 In addition to the uses *permitted* in the CM Zone, a *marine craft salvage yard* and *industrial garage* shall also be *permitted*.

14.521 In addition to the uses *permitted* in the CN Zone, the following uses shall also be *permitted*;

- a) a *bakery*
- b) *garden centre*
- c) *tree and plant nursery*,
- d) *restaurant, take-out*,
- e) *outdoor patio or cafe* and
- f) *outdoor storage* accessory to a *permitted use*.

In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a) minimum *rear yard* for *accessory building* – 3 metres;
- b) minimum *rear yard* for an *accessory building*, existing at the date of passing of the amending By-Law (November 10, 2000) – 2.7 metres;
- c) maximum *usable floor area* for a *restaurant* – 25 square metres;
- d) minimum *parking spaces* – eight (8).

14.522 In addition to the uses *permitted* in the R2 Zone, three (3) *single detached dwellings*, one (1) *duplex dwelling* and one (1) *four-unit townhouse dwelling* shall also be *permitted*.

14.523 In addition to the uses *permitted* in the CN Zone, *automobile service and repair station* and an *animal hospital* shall also be *permitted*. The *animal hospital* operation must be carried on within an enclosed *building*.

14.524 In addition to the uses *permitted* in the CN Zone, a *boathouse*, *boat or sailing club*, *custom workshop*, *farmers market* and a *place of sports and recreation* shall also be *permitted*.

14.525 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *lot area* - 171.70 square metres;
- b) minimum *front yard* setback - 2 metres;
- c) minimum *interior side yard* left - 1 metres;
- d) minimum *rear yard* - 0 metres. [49-Z-2014]

14.526 Number not used.

14.527 In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) minimum *lot area* – 194 square metres;
- b) minimum *lot frontage* – 7.5 metres;
- c) minimum *front yard* – 2.5 metres;
- d) minimum *exterior side yard* – 3 metres;
- e) minimum *interior side yard* – 1.5 metres;
- f) maximum number of *dwelling units* – twenty two (22);
- g) planned road allowance widths shall not apply;
- h) location of *parking space*: depth of *required parking space* may include a portion of a public road allowance and in such case shall be measured from the curb of the *street* to the exterior front wall of the *private garage* or *dwelling* if no *private garage*;
- i) maximum number of dwelling units in the *townhouse dwelling* - two (2).

14.528 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) maximum number of *dwelling units* – two (2);
- b) planned road allowance widths shall not apply;
- c) location of *parking space*: depth of *required parking space* may include a portion of a public road allowance and in such case shall be measured from the curb of the *street* to the exterior front wall of the *private garage* or *dwelling* if no *private garage*.

14.529 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *rear yard* – 3.6 metres.

14.530 In the R1-A Zone, three (3) guest parking spaces are *permitted* in the *front yard*.

14.531 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *interior side yard*:
 - i. detached garage – 3 metres and 1.5 metres;
 - ii. attached garage – 1.5 metres on both sides;
 - iii. minimum *usable floor area* – 112 square metres.

14.532 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot frontage* – 12 metres;
- b) for the purpose of the By-Law, *lot* shall consist of the entirety of Lots 8, 9, 10 and 11, Block 66, Plan 207.

14.533 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *rear yard* – 6 metres.

14.534 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot frontage* – 5 metres;
- b) minimum *front yard* – 2.4 metres;
- c) all other *yards* existing at the date of passing of the amending By-Law (November 10, 2000) shall be deemed to conform to the corresponding provisions in the By-Law.

14.535 In lieu of the corresponding provisions in the R1-A *Zone* and as shown on Schedule 14.535.1, the following shall apply:

- a) minimum *lot frontage* for Lot 4 – 10 metres;
- b) minimum *interior side yard* – 1.52 metres both sides;
- c) minimum *rear yard* for Lots 2 and 4 – 3.04 metres;
- d) the *lot line* abutting Grand St shall be deemed to be the *front lot line* for Lot 4.

14.536 In the R1-A *Zone*, the requirement for connection to a public sanitary sewer shall not apply. Frontage on an opened, constructed and year round maintained *street* is not required.

14.537 Notwithstanding Subsection 3.26, a second *single detached dwelling* may be permitted.
[40-Z-2014]

14.538 In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *rear yard* – 5 metres;
- b) maximum number of *dwelling units* – twenty six (26).

14.539 Notwithstanding the uses *permitted* in the R4 *Zone*, a *duplex*, *tri-plex* or *four-plex* shall not be *permitted*.

In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *lot frontage* – 28.1 metres;
- b) minimum *interior side yard* – 6 metres;
- c) maximum *building height* – 7.3 metres and one (1) *storey*;
- d) maximum number of *dwelling units* – four (4);
- e) a *deck* or *unenclosed porch* shall not be *permitted* in the *interior side yard*;
- f) any *patio* (meaning not built up and fully supported by grade) in the *interior side yard* shall not be nearer than 3 metres of the *interior side lot line*.

14.540 In addition to the uses *permitted* in the CS *Zone*, a commercial storage facility shall also be *permitted*. *Parking lots*, *parking spaces*, *driveways* and display areas shall not be *permitted* in the required *front yard* apart from one (1) entrance to the subject lands.

14.541 In lieu of the corresponding provision in the R2 *Zone*, the following shall apply:

- a) minimum *rear yard* – 7 metres.

14.542 Notwithstanding the uses *permitted* in the R1-B *Zone*, the maximum number of *dwelling units* shall be forty (40). The road is deemed to be an improved road and not subject to Section 3.28 – Planned Road Allowance Width for purposes of a Plan of Condominium.

14.543 In addition to the uses *permitted* in the R4 Zone, *single detached dwelling* and *semi-detached dwelling* shall also be *permitted*.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) total number of multi-unit *dwelling*s may not exceed 40 percent of the total number of *dwelling units* within each development phase;
- b) *lot frontage* – 0 metres for *lots* within a condominium providing that the condominium has a minimum of 12 metres of frontage on an improved *street* or registered and constructed condominium road;
- c) minimum *building setback* – 7.5 metres except where the side wall of a *building* abuts another Zone in which case the minimum *yard* shall be 3 metres;
- d) maximum *lot coverage* – 40 percent;
- e) minimum separation distance between *buildings* on the same *lot*: 3 metres between the end walls of *dwelling*, 15 metres between the front or rear walls of *dwelling*s, and in all other cases the minimum separation distance between walls shall be 9 metres.

14.544 Notwithstanding the uses *permitted* in the OS Zone, a *golf course* is the sole *permitted* use.

14.545 In addition to the corresponding provisions in the R5 Zone, the following shall apply:

- a) maximum number of units – 135 per *lot*;
- b) maximum height – six (6) *storeys*. [32-Z-2018]

14.546 Notwithstanding the uses *permitted* in the CSC Zone, a *retail store* and a *supermarket* shall not be *permitted*.

14.547 In addition to the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *lot frontage* – 30 metres;
- b) minimum *rear yard* – 60 metres from top of bank;
- c) connection to a public sanitary sewer is not *required*.

14.548 In addition to the corresponding provisions in the R1-A Zone, no part of any *building* shall be located further than 45 metres from the north property line.

14.549 In addition to the uses *permitted* in the R1-A Zone, a *restaurant* and a *spa* in connection with the *restaurant* shall be *permitted*. No part of any *building* shall be located further than 45 metres from the north property line.

14.550 In addition to the corresponding provisions in the R1-A Zone, the *setback* from the top of bank shall be 50 metres.

- 14.551 In lieu of the uses *permitted* in the A Zone, a *single detached dwelling* and a *home occupation* shall be *permitted*. The minimum *lot area* shall be 0.9 hectares.
- 14.552 In lieu of the uses *permitted* in the A Zone, a *single detached dwelling* and a *home occupation* shall be *permitted*. The *setback* to the top of bank is 4 metres for the east slope and 10 metres for the south slope.
- 14.553 In lieu of the corresponding provisions in the R4 Zone, the following shall apply:
- a) minimum *interior side yard* (right) – 6 metres;
 - b) maximum *building height* – 14 metres;
 - c) no *deck or unenclosed porch* shall be nearer than 3 metres from an *interior side lot line*.
- 14.554 In the R4 Zone, the maximum number of *group townhouse dwelling units* shall be fourteen (14).
- 14.555 In the R4 Zone, the maximum number of *group townhouse dwelling units* shall be thirty (30).
- 14.556 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:
- a) minimum *interior side yard* – 7.5 metres;
 - b) minimum *rear yard* – 4.5 metres;
 - c) maximum number of *dwelling units* – thirty (30);
 - d) maximum *usable floor area ratio* shall not apply.
- 14.557 In addition to the uses *permitted* in the R1-A Zone, an *Accessory Residential Dwelling Unit* shall also be *permitted*. The minimum *rear yard* shall be 5 metres and a swimming pool is *permitted* in the *front yard*. [7-Z-2020]
- 14.558 In lieu of the corresponding provisions in the IN Zone, the following shall apply:
- a) minimum *front yard* – 1 metre;
 - b) minimum *interior side yard* – 0.9 metres;
 - c) minimum *rear yard* – 6 metres.
- 14.559 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:
- a) minimum *front yard* – 7.62 metres;
 - b) minimum *exterior side yard* – 8.5 metres;
 - c) minimum *interior side yard* – 2.65 metres;
 - d) minimum *rear yard* – 8.55 metres;
 - e) parking is *permitted* in the *front and exterior side yards*.

14.560 In addition to the uses *permitted* in the R1-B Zone, two (2) tourist cabins shall be *permitted* on Part 1 on Schedule 14.560.1

In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) Minimum *lot area*:
 - i. Part 2 on Schedule 14.560.1, interior lot – 365 square metres;
 - ii. Part 3 on Schedule 14.560.1, corner lot – 410 square metres.

[63-Z-2016]

14.561 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) frontage on an *improved street* – not required;
- b) minimum *front yard* – 0 metres.

14.562 In lieu of the uses *permitted* in the CBD Zone and subject to Subsection 14.568, fifty seven (57) *vacation homes* and an accessory property management office shall be *permitted*.

14.563 In lieu of the uses *permitted* in the CBD Zone and subject to Subsection 14.568, two (2) *vacation homes* and *boarding or lodging house* shall be *permitted*.

14.564 In lieu of the uses *permitted* in the CBD Zone, Subsection 14.568 shall apply. Further, notwithstanding the definition of *tourist cabin* as set out in Section 2.0, the *existing tourist cabins* may also be occupied on a year round full time occupancy basis. The *existing tourist cabins* consist of five (5) *single detached dwellings* of 55 square metre *usable floor area*, six (6) *single detached dwellings* of 46 square metre *usable floor area*, one (1) *single detached dwelling* of 32.5 square metre *usable floor area* and a *semi-detached dwelling* with two (2) *dwellings units* of 46 square metre *usable floor area*.

14.565 In the CBD Zone, the minimum number of *parking spaces* for a *retail store* or *merchandise shop* shall be ten (10).

14.566 In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) minimum *lot area* for an *existing building* – 559 square metres;
- b) minimum exterior side yard for an existing building – 2 metres;
- c) minimum *rear yard* for an *existing building* – 1.2 metres.

14.567 In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) minimum *front yard* for a gasoline island and support columns – 3 metres;
- b) three (3) *parking spaces* within the Main Street and Harbour Street *sight triangle* shall be *permitted*.

14.568 In lieu of the uses *permitted* in the CBD Zone, the following shall be *permitted*:

- a) amusement *arcades* and rides
- b) antique store
- c) *bar or night club*
- d) boat rentals
- e) *boutique*
- f) *convenience store*
- g) dock, pier or wharf
- h) *dwelling units* in a non-residential *building* provided no *dwelling units* are located on the ground floor – maximum two (2)
- i) *existing single detached dwelling*
- j) *existing vacation home*
- k) *hotel*
- l) *parking lot*
- m) place of entertainment
- n) *place of sports and recreation*
- o) retail fish sales
- p) *restaurant*
- q) *restaurant, fast-food*
- r) *restaurant, take-out*
- s) tourist cabins.

In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) maximum *building height* – 11 metres;
- b) maximum usable floor area for a:
 - i. *convenience store* – 200 square metres;
 - ii. *boutique* – 100 square metres.

14.569 In addition to the uses *permitted* in the R5 Zone, an *apartment dwelling* containing a maximum of thirty two (32) *dwelling units* shall also be *permitted*. The maximum *building height* shall be four (4) *storeys*. Subsections 4.2.2 and 4.2.3 d) do not apply.

14.570 In addition to the uses *permitted* in the CM Zone, a *restaurant, fast food*, shall also be permitted.

In lieu of the corresponding provision in the CM Zone, the following shall apply:

- c) minimum *exterior side yard* – 3.92 metres.

14.571 In addition to the uses *permitted* in the CM Zone, a *retail store* shall also be *permitted*.

14.572 In addition to the uses *permitted* in the CM Zone, one (1) *dwelling unit* on the second floor of any *permitted building* shall also be *permitted*. The maximum *usable floor area* for a *dwelling unit* shall be no greater than the *dwelling unit, existing* on the date of the passing of the amending By-Law (November 10, 2000).

14.573 In addition to the corresponding provisions of the R4 Zone, the following shall apply:

- a) Subsection 3.21 shall apply;
- b) maximum number of *dwelling units* – forty (40);
- c) southerly *lot lines* abutting River Drive shall be deemed to be the *front lot line*;
- d) minimum *rear yard* - 3 metres;
- e) these *dwelling units* shall be considered *group townhouses* which may be divided above or below grade either vertically or horizontally;
- f) notwithstanding Subsection 5.4.4, a *townhouse dwelling* can also contain a maximum of sixteen (16) *dwelling units* in each *building* with the units constructed back to back and may include portions of the respective *dwelling units* constructed over part of the other *dwelling units*;
- g) notwithstanding the definition contained in Section 2.0, the side of any *building* facing and abutting Grand Street shall be deemed to be the front of the *building*.

14.574 In lieu of the corresponding provisions in the CM Zone, the following shall apply:

- a) minimum *interior side yard* – 5.2 metres (south) and 1.2 metres (north);
- b) maximum *usable floor area* – 125.4 square metres;
- c) an *accessory building* shall not be *permitted* within the south *interior side yard*.

14.575 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *exterior side yard* – 0.35 metres;
- b) minimum *interior side yard* – 1.5 metres.

14.576 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- a) minimum *rear yard* – 3.6 metres.

14.577 In lieu of the corresponding provision in the R1-A *Zone*, the following shall apply:

- b) minimum *rear yard* – 6 metres.

14.578 In addition to the uses *permitted* in the CS *Zone*, a furniture store shall also be *permitted*.

14.579 In lieu of the corresponding provisions in the R5 *Zone*, the following shall apply:

- a) minimum *rear yard setback* – 3 metres;
- b) maximum *building height* – three (3) storeys;
- c) maximum number of *dwelling units* – twenty eight (28);
- d) Subsection 4.2.3 (d) does not apply.

14.580 In lieu of the corresponding provisions in the R1-B *Zone*, the following shall apply:

- a) minimum *lot area* – 405 square metres;
- b) minimum *front yard* – 4.6 metre;
- c) minimum *exterior side yard* – 1 metre;
- d) minimum *interior side yard* – 1 metre;
- e) minimum *rear yard* – 3 metres.

14.581 In lieu of the uses *permitted* in the R4 *Zone*, a maximum of twenty nine (29) *dwelling units* shall be *permitted*.

In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *front yard* – 3 metres;
- b) minimum *rear yard* – 3 metres.

14.582 In lieu of the corresponding provisions in the R4 *Zone*, the following shall apply:

- a) minimum *lot frontage* for an end *townhouse dwelling unit* – 8.2 metres;
- b) minimum *front yard* with an attached *private garage*:
 - i. to the main wall of a *dwelling* – 4.5 metre;
 - ii. to the front of a *private garage*.

14.583 In lieu of the uses *permitted* in the R4 Zone, thirty two (32) *dwelling units* shall be *permitted*.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) no part of any *dwelling unit* shall be *permitted* within the area identified as Part 1 on Schedule 14.583.1;
- b) *lot* shall be defined as the entirety of the subject lands as shown on Schedule 14.583.1;
- c) *single detached dwellings* may be *permitted* on the same *lot* in accordance with the Zone provisions of *group townhouses*.

14.584 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) minimum *interior side yard (right)* – 7.5 metres;
- b) minimum *rear yard* – 3 metres;
- c) minimum *setback* from top of bank – 10 metres.

14.585 In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *rear yard* – 5 metres;
- b) maximum number of *parking spaces permitted* in the *exterior side yard* – three (3).

14.586 In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot frontage* – 0 metres;
- b) frontage on an improved *street* – not *required*;
- c) minimum *rear yard* – 50 metres from the top of bank.

14.587 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *lot area*:
 - i. *interior lot* – 1,497.33 square metres;
- b) minimum *interior side yard (left)*:
 - i. existing detached garage – 1.79 metres

In lieu of the uses permitted in the A Zone, only the following uses shall be permitted:

- a) An *existing* accessory building without a *single detached dwelling* on the same lot.
[35-Z-2016]

14.588 In lieu of the uses *permitted* in the RR Zone, a *vacation home* and *home occupation* shall be *permitted*.

In lieu of the corresponding provision in the RR Zone, the following shall apply:

- c) minimum *rear yard* – 50 metres.

14.589 In addition to the uses *permitted* in the RR Zone, the following shall be *permitted*:

- a) *convenience store*
- b) *dwelling, single detached*
- c) *restaurant*
- d) *restaurant, take-out*
- e) *tourist cabins*.

In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) maximum *usable floor area* for a *convenience store* – 100 square metres;
- b) maximum number of seats for a *restaurant* – twenty (20).

14.590 In addition to the uses *permitted* in the RR Zone, a single detached dwell shall also be *permitted*.

In lieu of the corresponding provision in the RR Zone, the following shall apply:

- a) the *setback* from the top of bank shall be 30 metres from the top of the upper most shoreline protection wall.

14.591 In addition to the uses *permitted* in the RR Zone, five (5) rental *vacation homes* shall also be *permitted*.

14.592 In lieu of the uses *permitted* in the CS Zone, an *automobile service and repair station* and automobile sales shall be *permitted*. The requirement to connect to public water and public sanitary services shall not apply.

14.593 In lieu of the corresponding provision in the MX Zone, frontage on a *street* shall not be *required*.

14.594 The requirement to connect to public water and public sanitary sewer services shall not apply. No *building* shall be *permitted* within 85 metres of the east *lot line*.

14.595 In addition to the uses *permitted* in the A Zone, a ginseng drying facility including cold storage and a *bunk house* for seasonal workers employed by a ginseng drying facility shall also be *permitted*.

In lieu of the corresponding uses in the A Zone, the following shall apply:

- a) minimum *rear yard* – 30 metres.

14.596 In addition to the uses *permitted* in the A Zone, a second *single detached dwelling* shall also be *permitted*. [28-Z-2015]

14.597 In addition to the uses *permitted* in the R1-B Zone, a four (4) *vehicle* garage to accommodate construction *vehicles* shall also be *permitted*. *Outdoor storage* of construction *vehicles* shall be prohibited.

A garage used to accommodate construction *vehicles* shall meet the following provisions:

- a) located within the *rear yard* only;
- b) minimum *setback* from *side lot line* and *rear lot line* – 1.2 metres;
- c) maximum *building height* – 4.6 metres;
- d) maximum *lot coverage* – 16 percent.

14.598 In addition to the uses *permitted* in the R1-B Zone, a *business administration office* not exceeding 279 square metres and two (2) *apartment dwelling units* shall also be *permitted*.

In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *interior side yard* – 8.96 metres;
- b) minimum *rear yard* – 10.6 metres;
- c) notwithstanding Section 4.0, *required* parking may be located within 0.61 metres of the westerly property line.

14.599 In addition to the uses *permitted* in the ML Zone, a *business administration office* shall also be *permitted*.

In lieu of the corresponding provisions in the ML Zone, the following shall apply:

- a) minimum *interior side yard* (right) – 1.6 metres;
- b) minimum *rear yard* – 0 metres.

14.600 In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *corner lot area* – 369 square metres;
- b) minimum *front yard* – 2.74 metres.

14.601 In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) minimum *interior side yard* – 0 metres;
- b) minimum *rear yard* – 1.6 metres.

14.602 In addition to the uses *permitted* in the MG Zone, the following shall also be *permitted*:

- a) *arcade*
- b) *bowling alley*
- c) *fitness facility*
- d) *indoor golf*
- e) *pool hall*
- f) *accessory day care*
- g) *accessory restaurant* with a maximum gross floor area of 152 square metres.

14.603 In addition to the uses *permitted* in the MG Zone, a meeting hall and banquet hall shall also be *permitted*.

14.604 In addition to the uses *permitted* in the CS Zone, an office, all types, with a maximum usable floor area of 725 square metres shall also be *permitted*.

In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) minimum *front yard*: 1.22 metres;
- b) minimum *exterior side yard* – 2.40 metres.

In lieu of Section 4.2.4 Parking Requirements, the following shall apply:

- d) For commercial or industrial properties, no *parking lot* shall be located closer than 1.0 metres from any *interior lot line* abutting a residential Zone. [25-Z-2020]

14.605 In the MG Zone, general material manufacturing, transportation uses, fuel storage depot and *vehicle* related uses shall not be *permitted*. The minimum *interior side yard setback* shall be 1.76 metres from the *existing industrial building*.

14.606 Notwithstanding the uses *permitted* in the MG Zone, general material manufacturing, transportation uses, fuel storage depot and *vehicle* related uses shall not be *permitted*.

14.607 In lieu of the corresponding provision in the R2 Zone, the following shall apply:

- a) minimum *rear yard* – 3.84 metres.

14.608 In the MG Zone, general material manufacturing, transportation uses, fuel storage depot and *vehicle* related uses shall not be *permitted*.

In lieu of the corresponding provisions in the MG Zone, the following shall apply:

- a) minimum *interior side yard* – 2.8 metres;
- b) minimum *rear yard* – 8.5 metres.

14.609 That in lieu of the corresponding requirements of the RR Zone, the following shall apply;

- a) minimum lot frontage - 0 metres. [OMB decision April 8, 2015 re 19-Z-2015]

14.610 In lieu of the uses *permitted* in the CSC Zone, a *supermarket* shall be *permitted*.

For the purpose of this Subsection a *supermarket* shall be defined as one (1) *building* in which a balanced line of food store type merchandise such as canned, bottled, packaged and frozen foods, fresh meat and poultry, fish, fresh fruits and vegetables, prepared food products, bakery products, dairy products, candy and confectionery and other food products are sold.

Non-food retail items such as but not limited to newspapers, magazines, paper products, tobacco products, health and beauty aids, housewares, flowers and plant and other non-food articles may also be sold. Services may also be offered for sale provided they are subordinate to the main use. A community kitchen and public eating area for consumables produced on-site and an accessory *clinic or doctor's office* and a fitness centre within the *supermarket* are also *permitted*.

Maximum total floor area - 12,449 square metres.

Maximum floor area for food store type merchandise (FSTM) - 6,503 square metres.

Maximum floor area for *department store* type merchandise (DSTM) - 3,523 square metres (a total of the *existing* floor area devoted to DSTM of 1,014 square metres plus an additional 2,509 square metres). This may be increased to a total maximum floor area for *department store* type merchandise (DSTM) to 4,034 square metres after January 1, 2011 or until such time as Council has received an acceptable market study demonstrating market support and providing justification to allow the increase in floor area for additional DSTM.

14.611 In lieu of the uses *permitted* in the CSC Zone, a *department store* shall be *permitted*.

In lieu of the corresponding provisions in the CSC Zone, the following shall apply:

- a) maximum usable area for a *department store* - 7,500 square metres;
- b) outdoor sales and display area shall not form part of usable area;
- c) minimum *lot area* - 3.6 hectares;
- d) minimum *interior side yard* east side - 0 metres;
- e) maximum *lot coverage* - 21 percent;
- f) maximum *lot area* devoted to accessory outdoor sales and display area - 2.5 percent.

14.612 In addition to the uses *permitted* in the CSC Zone, a home and automobile supply store shall also be *permitted*. A *lumber yard and building supply establishment*, place of entertainment, *retail store* and *supermarket* shall not be *permitted*.

Maximum total floor area for a home and automobile supply store – 9,941 square metres.

Outdoor sales and display area shall not form part of the total floor area.

Subsection 1.4.3 shall not apply.

The holding (H) symbol shall be removed when Council is satisfied that the following requirements have been met:

- a) a detailed engineering design, including a storm water management plan and report and an erosion and sediment control plan have been prepared to the satisfaction of the *County*, the Long Point Region Conservation Authority, the Ministry of the Environment, the Ministry of Natural Resources and the Ministry of Transportation;
- b) the Long Point Region Conservation Authority and/or the Department of Fisheries and Oceans has provided a clearance letter confirming that the applicant has or will satisfy all requirements pursuant to the *Federal Fisheries Act*;
- c) the Long Point Region Conservation Authority confirms that the applicant has obtained its permit regarding the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses;
- d) that the land necessary to extend Ireland Road has been conveyed free and clear of all encumbrances to the *County* or alternatively that it will be conveyed if development proceeds on the remaining lands to phase 2;
- e) appropriate easements for access and servicing purposes be provided to the property owner to the west if *required* by the *County*;
- f) an urban design brief has been prepared to the satisfaction of the *County*, addressing the matters set out in Section 7.4 of the Norfolk *County* Official Plan. In particular, the urban design brief shall provide options for landscaping and built form which are consistent or complimentary to the urban design brief prepared in regard to the commercial development proposed for lands to the south. In addition, the urban design brief shall provide detail on the proposed gateway feature which shall be complimentary to the feature proposed on the south side of the Queensway East;
- g) execution of a development agreement addressing site development and servicing;
- h) the implementation of all necessary road improvements.

14.613 In lieu of the uses *permitted* in the CSC Zone, a *lumber yard and building supply establishment* shall be *permitted*.

Maximum total floor area for a *lumber yard and building supply establishment* is 7,943 square metres.

Outdoor sales and display area shall not form part of the total floor area.

Subsection 1.4.3 shall not apply.

Subsection 3.11 shall not apply to development on the subject lands.

The holding (H) symbol shall be removed when Council is satisfied that the following requirements have been met:

- a) a detailed engineering design, including a storm water management plan and report and an erosion and sediment control plan have been prepared to the satisfaction of the *County*, the Long Point Region Conservation Authority, the Ministry of the Environment, the Ministry of Natural Resources and the Ministry of Transportation;
- b) the Long Point Region Conservation Authority and/or the Department of Fisheries and Oceans has provided a clearance letter confirming that the applicant has or will satisfy all requirements pursuant to the *Federal Fisheries Act*;
- c) the Long Point Region Conservation Authority confirms that the applicant has obtained its permit regarding the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses;
- d) appropriate easements for access and servicing purposes be provided to the property owner to the west if *required* by the *County*;
- e) an urban design brief has been prepared to the satisfaction of the *County*, addressing the matters set out in Section 7.4 of the Norfolk *County* Official Plan. In particular, the urban design brief shall provide options for landscaping and built form which are consistent or complimentary to the urban design brief prepared in regard to the commercial development proposed for lands to the south. In addition, the proposed gateway feature shall be complementary to the feature proposed on the south side of the Queensway East;
- f) execution of a development agreement addressing site development and servicing;
- g) the implementation of all necessary road improvements;
- h) that the holding (H) provision of this By-Law shall be removed upon a site plan agreement being entered into with the municipality and registered on title in accordance with the standard site plan policies of the *County*.

14.614 In lieu of the uses *permitted* in the IR Zone, a *place of worship* shall be *permitted*.

14.615 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 6.89 metres; and
- b) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 334.5 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [1-Z-2017]

14.616 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *lot area* – 900 square metres;
- b) minimum *lot frontage* – 14 metres.

14.617 In addition to the uses *permitted* in the R4 Zone, a *private club* and accessory recreational facilities shall also be *permitted*.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) Subsection 5.4.2 (b), (d), (e) and (g) do not apply to development on the lands identified by this Subsection;
- b) development on lands identified by this Subsection shall maintain a 7.5 meter *setback* from the south and west property boundaries of the subject lands;
- c) all remaining *setbacks* shall be deemed to be *interior side yards* and shall maintain a 6.0 metre *setback*;
- d) notwithstanding Subsections 4.3.1 and 4.3.2, twenty six (26) visitor *parking spaces* and six (6) barrier-free *parking spaces* will be *required*.

14.618 In lieu of the corresponding provision in the IC Zone, frontage on an open and assumed public road is not *required*.

14.619 In addition to the uses *permitted* in the CS Zone, office, all types, within the *existing buildings* shall also be *permitted*.

14.620 In addition to the uses *permitted* in the CS Zone, retail sales and service of water softeners and retail sales of bottled water and related items shall also be *permitted*.

14.621 In addition to the uses *permitted* in the MG Zone, a bingo hall, *place of assembly*, *special event sales* including an *auction centre*, a *lumber yard* and *building supply establishment* and resale of used household goods shall also be *permitted*. [16-Z-2017]

14.622 In addition to the uses *permitted* in the MG Zone, a *business administration office* shall also be *permitted*.

14.623 In addition to the uses *permitted* in the MG Zone and Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) Two (2) *existing single detached dwellings* shall be *permitted*;
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 11.27 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 647.35 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision;
- c) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 9.5 metres. [36-Z-2018]

14.624 In addition to the uses *permitted* in the MG Zone, an animal shelter, including a small office, area for storage of food and supplies, indoor kennels, outdoor runs and associated fundraising activities shall also be *permitted*.

14.625 In addition to the uses *permitted* in the CS Zone, a woodworking operation including the assembly of crafts and furniture, spray booth, counselling and life skills training shall also be *permitted*.

14.626 In addition to the uses *permitted* in the CS Zone, a retail floor covering sales outlet and *industrial garage* shall also be *permitted*.

14.627 In addition to the uses *permitted* in the CS Zone, office, all types, within the *existing buildings* shall also be *permitted*.

14.628 In addition to the uses *permitted* in the MG Zone, an emergency helicopter landing pad shall also be *permitted*.

14.629 In addition to the uses *permitted* in the R6 Zone, *group townhouses* shall also be *permitted*.

In lieu of the corresponding provisions in the R6 Zone, the following shall apply:

- a) maximum *building height* for the *apartment dwellings* – six (6) storeys;
- b) maximum number of *apartment dwelling units* – sixty four (64);
- c) *parking spaces* are *permitted* between an *apartment dwelling* and the *street line* provided no part of any *parking space* is located within 6 metres of the *street line*;
- d) *group townhouses* shall comply to the Zone provisions in the R4 Zone.

14.630 In addition to the uses *permitted* in the CS Zone, a home and agricultural supply establishment shall also be *permitted*.

14.631 In lieu of the corresponding provision in the MG Zone, the following shall apply:

- a) minimum *rear yard* – 4.2 metres.

14.632 In addition to the uses *permitted* in the OS Zone, a *public utility yard* and emergency services training shall also be *permitted*. The minimum *lot frontage* shall not apply.

14.633 In addition to the uses *permitted* in the CS Zone, a ceramic shop and studio shall also be *permitted*.

14.634 In addition to the uses *permitted* in the CS Zone, a firearms service and repair shop to a maximum *usable floor area* of 487 square metres and accessory retail sales to include firearms, archery and accessory items, issuance of licenses and provision of related government services associated with a *permitted* use shall also be *permitted*. An external archery service and set up area shall be prohibited.

14.635 In addition to the uses *permitted* in the CS Zone, offices relating to *permitted* uses on the adjacent properties to the east and west shall also be *permitted*.

14.636 In addition to the uses *permitted* in the R4 Zone, an *apartment dwelling* with a maximum of forty (40) *dwelling units* shall also be *permitted*. The *yard, floor area ratio, height and usable floor area* provisions in the R6 Zone shall apply to the *apartment dwelling*:

- a) maximum number of *group townhouse dwelling units* – thirty (30);
- b) maximum number of *stacked townhouse dwelling units* – six (6);
- c) minimum number of *parking spaces* – eighteen (18).

Subsection 5.4.4 shall not apply to the *building* that includes the six (6) *stacked townhouse dwelling units* and the six (6) *group townhouse dwelling units*.

Minimum *usable floor area* for *stacked townhouse dwelling units* – 56 square metres.

14.637 In lieu of the corresponding provision in the IC Zone, the minimum *interior side yard* adjacent to the *rear lot line* of an abutting *lot* identified as Special Policy 14.638 – 1.6 metres.

14.638 In lieu of the corresponding provision in the IC Zone, the following shall apply:

- a) minimum *rear yard* – 1.6 metres.

14.639 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *front yard* – 4 metres;
- b) connection to a public water supply and public sanitary sewer system shall not be *required*.

14.640 In the R6 Zone, *parking spaces* are allowed between an *apartment dwelling* and the *street line*.

14.641 In addition to the uses *permitted* in the CS Zone, office, all types, within the *existing buildings* shall also be *permitted*.

14.642 In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) minimum *lot frontage* – 13 metres;
- b) minimum *front yard* 4.5 metres;
- c) minimum *rear yard* – 3 metres from Main Street.

14.643 In addition to the uses *permitted* in the CS Zone, office, all types, within the *existing buildings* shall also be *permitted*.

14.644 In addition to the uses *permitted* in the CN Zone, the following uses shall also be *permitted*:

- a) art gallery
- b) arts, crafts and photographic studio and accessory retail
- c) “brew your own” beer/wine making
- d) commercial moving business
- e) fitness centre
- f) florist shop
- g) furniture sales accessory to the commercial moving and warehousing business
- h) health care services
- i) *merchandise service shop*
- j) *offices* accessory to a *permitted* use
- k) warehouse (excluding storage of food items, chemicals and hazardous materials).

The following uses shall not be *permitted*:

- a) *clinic or doctors’ offices*
- b) *convenience store*
- c) *day care nursery*
- d) fruit and vegetable outlet
- e) laundromat
- f) *long-term care facility*
- g) place of worship
- h) *restaurant, takeout*
- i) *video store.*

Health care services are defined to exclude the services of a general practitioner (medical doctor) but shall include such services as physiotherapy, massage therapy, chiropractic and other similar health related services and it shall be limited to a maximum *usable floor area* of 141 square metres.

Other than the warehouse use, the total *usable floor area* for all other non-residential uses shall be limited to a maximum of 218 square metres.

The accessory sale of used furniture is limited to a maximum *usable floor area* of 141 square metres.

Outdoor storage is prohibited.

Required yards for the non-residential uses shall be deemed to be those *existing* at the date of passing of the amending By-Law (December 14, 2004).

The number of *parking spaces required* shall not apply with the exception of *single detached, semi-detached and duplex dwellings* in which case all requirements set out in Subsection 4.9 shall apply.

A minimum of eight (8) *parking spaces* shall be provided on the lands identified as Subsection 14.645.

14.645 In lieu of the uses *permitted* in the R2 Zone, a *parking lot* shall be *permitted*. A minimum of eight (8) *parking spaces* shall be provided solely for the uses located the lands identified as Subsection 14.644. The requirements for *parking aisle* and location of a *parking lot* shall not apply.

14.646 In lieu of the uses *permitted* in the CS Zone, *existing* uses and all uses *permitted* in the CS Zone, shall be *permitted* provided they are located in non-mixed use *buildings*. A business office equipment and supply sales outlet with a maximum gross leasable area of 1,860 square metres and a *convenience store* of 1,590 square metres shall be *permitted*, without a residential component.

One (1) bulk food store may be *permitted* on either the lands delineated by this Special Provision or on lands delineated by Special Provision 14.819.

The lands identified as having reference to this Special Provision are deemed to be one (1) *lot*.

The frontage on Norfolk Street North shall be deemed to be the *front lot line*.

The minimum *sight triangle* for the Riverside Road, Queensway West and Norfolk Street North (northwest corner of Highway 3 and Highway 24) intersection shall be measured back at a distance of 7.5 metres.

CS Zone uses only, located in non-mixed use *buildings* shall conform to the corresponding provisions in the CS Zone.

The bulk food store shall conform to the corresponding provisions in the CS Zone with the exception that a 0.5 metre minimum *interior side yard setback* is *permitted* for the *building* as shown in the detail on Schedule 14.646.1.

Maximum gross leasable area for a bulk food store: 522.8 square metres.

14.647 In addition to the uses *permitted* in the CS Zone, a seafood enhancement facility and *Cannabis Production and Processing [25-Z-2018]*, subject to General Provisions 3.21, shall also be *permitted*.

In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) minimum *front yard setback* – 1.9 metres;
- b) minimum *interior side yard (right)* – 0 metres;

c) minimum *rear yard setback* – 2.5 metres.

14.648 In the CS Zone, the property is deemed to be one (1) *lot*. The minimum *lot frontage* shall be 14 metres. Any *existing buildings, parking space* dimensions and *aisle* widths at the date of passing of the amending By-Law (August 30, 1999) shall be deemed to conform with this By-Law.

14.649 In addition to the uses *permitted* in the R2 Zone, *professional offices* and *personal service offices* shall also be *permitted*.

14.650 In the CS Zone, a minimum of two (2) barrier-free *parking spaces* shall be provided. Minimum *setback* for a gas bar kiosk shall be 3.0 metres to a property line and 2.5 metres to a *sight triangle*. In the HL Zone, a garbage enclosure shall be *permitted*.

14.651 In lieu of the corresponding provision in the CS Zone, the following shall apply:

b) minimum *exterior side yard* – 9.4 metres from Gilbertson Drive.

14.652 In addition to the uses *permitted* in the CS Zone, offices, all types, shall also be *permitted* in *existing buildings*.

14.653 In addition to the uses *permitted* in the MG Zone, a *government office* with a maximum *usable floor area* of 3,300 square metres and the existing *parking lot* shall also be *permitted*. [14-Z-2020]

14.654 In lieu of the uses *permitted* in the CR Zone, only the following uses shall be *permitted*:

a) Commercial greenhouse

b) Tree and plant nursery, open storage accessory thereto

c) Fruit and vegetable outlet. [62-Z-2016]

14.655 In lieu of the corresponding provisions in the R2 Zone, the requirement for connection public sanitary services shall not apply and *lot frontage* on a *street* shall not be *required*.

14.656 In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

a) minimum *rear yard* – 5.5 metres;

b) minimum number of *parking spaces* – twelve (12).

14.657 The minimum number of *parking spaces* for a *tri-plex* shall be four (4). Two (2) of the *required parking spaces* shall have direct access to the *street*.

14.658 In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

a) minimum *lot frontage* – 13.16 metres;

b) minimum *usable floor area* – 50 square metres per *dwelling unit*;

c) the accessory garage may be located 0.3 metres from the *interior side lot line*;

d) total parallel *parking space* and aisle width requirements – 5.8 metres for the parking area and aisle width between the *lot line* or fence and the *existing*

dwelling.

14.659 In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum *lot frontage* – 17 metres;
- b) maximum *lot coverage* – 35 percent;
- c) minimum *parking spaces* – 1.5 spaces per *dwelling unit*.

14.660 In lieu of the corresponding provision in the CRB Zone, a maximum of three (3) *dwelling units* shall be *permitted*.

14.661 In lieu of the corresponding provisions in the CRB Zone, the following shall apply:

- a) minimum *parking spaces* for offices and/or clinic – in accordance with Subsection 4.9 or twenty three (23) *parking spaces* whichever is less;
- b) minimum *parking aisle* width – 6 metres for 90 degree parking.

14.662 In the CRB Zone, a *convenience store*, community centre, *dry cleaning distribution station*, financial institution, funeral home, fire hall, library, police station, *place of assembly* and *place of sports and recreation* shall not be *permitted*.

14.663 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) minimum *rear yard* – 8 metres;
- b) minimum *interior side yard* – 3 metres;
- c) maximum number of *dwelling units* – six (6).

14.664 In lieu of the corresponding provisions in the R6 Zone, the following shall apply:

- a) minimum *front yard* – 1.5 metres except that any portion of an *apartment dwelling* greater than six (6) *storeys* shall be *setback* a minimum of 12 metres;
- b) minimum *exterior side yard* – 1.5 metres;
- c) minimum *interior side yard* – 6.5 metres;
- d) maximum *building height* – eight (8) *storeys*;
- e) maximum number of *dwelling units* – seventy four (74);
- f) minimum *parking aisle* width – 6.6 metres for 90 degree parking;
- g) *setback* of parking from an *interior lot line* shall not apply.

Notwithstanding the provisions of Section 4.0, the provisions of Subsection 4.2.1 shall not apply.

14.665 In lieu of the corresponding provisions in the MG Zone, the following shall apply:

- a) minimum *setback* shall not apply to a bridge connecting two (2) *buildings*;

- b) minimum *front yard* (Union Street) – 4 metres;
- c) minimum *rear yard* – 0 metres where the *building* will connect to the *existing building* to the south allowing 110 square metres of gross floor area within 9 metres of the rear property line.

14.666 In lieu of the corresponding provision in the MG Zone, the following shall apply:

- c) minimum *rear yard* – 0 metres where the *building* will connect to the *existing building* to the north allowing 55 square metres of gross floor area within 4.6 metres of the rear property line.

14.667 In the IN Zone, the following shall apply:

- a) the subject lands shall be deemed to be a *lot*;
- b) the provisions in the Zone do not apply to a *place of worship*;
- c) the parking requirements shall not apply to a *place of worship*;
- d) obstruction of *sight triangles* shall not apply to a *place of worship*.

14.668 In addition to the uses *permitted* in the CBD Zone, a *tri-plex dwelling* which shall not be *required* to meet Subsection 6.1.4 shall also be *permitted*.

14.669 In addition to the uses *permitted* in the CBD Zone, a five (5) unit *dwelling* which shall not be *required* to meet Subsection 6.1.4 shall also be *permitted*.

14.670 In addition to the uses *permitted* in the HL Zone, docks and docking facilities and display *structures* shall also be *permitted*.

14.671 In lieu of the corresponding provision in the CS Zone, the following shall apply:

- a) minimum *rear yard* – 4 metres.

14.672 In addition to the uses in the A Zone, the following uses shall also be *permitted*:

- a) a peanut processing, handling, storage facility for locally grown peanuts;
- b) accessory retail sales with a maximum *usable floor area* of 49 square metres.

Notwithstanding Subsection 12.1.1 a *single detached dwelling* shall not be *permitted*.

14.673 In addition to the uses *permitted* in the CS Zone, office, all types and a *retail store* to a combined maximum floor area of 168 square metres shall also be *permitted*. For the purposes of this Subsection *retail store* shall be limited to the sale of bottled water and u-fill water centre, sale and service of water treatment equipment including: water softeners, filtration systems, ultraviolet disinfecting systems, reverse osmosis drinking water systems, and water coolers, hot tubs, spas, saunas, replacement filters, chemicals and accessories are *permitted*.

14.674 Notwithstanding the uses *permitted* in the CSC Zone, a *supermarket* and all uses *permitted* in the CS Zone shall be *permitted* subject to the corresponding provisions in the CS Zone.

14.675 In addition to the uses *permitted* in the CSC Zone, a *department store* shall also be *permitted*.

In lieu of the corresponding provisions in the CSC Zone, the following shall apply:

- a) minimum *interior side yard* – 15 metres;
- b) minimum northern *exterior side yard* from Queensway East – 13.7 metres;
- c) minimum *front yard* from Donly Drive for an *automobile gas station* – 45 metres;
- d) minimum *exterior side yard* from Queensway East for an *automobile gas station* – 20 metres;
- e) maximum *lot coverage* for all *buildings* – 26 percent;
- f) maximum *lot coverage* for a *supermarket* component of the shopping centre – 7.3 percent;
- g) all properties denoted by this Subsection shall be deemed to be one (1) *lot*;
- h) maximum usable area for a *department store* – 4,645 square metres;
- i) maximum usable area for comparison goods shopping and a *department store* in total – 5,574 square metres;
- j) maximum number of comparison goods shopping stores – three (3) per *retail store* category;
- k) “comparison goods shopping” shall mean a *building* or part of a *building* used for *retail stores* providing a comparison shopping function and shall include the following *retail store* categories: women’s apparel, men’s apparel, shoes, jewellery, beauty products, books and cd’s, recreational products including games, software and sporting goods, gifts and crafts, and 50 percent of the *usable area* of general merchandise stores such as Sears Catalogue Store. For greater clarity, this definition does not include a *department store*, an automotive/home improvement store or an agricultural related hardware store which may include sales of work apparel and other accessory products.

14.676 In addition to the uses permitted in the A Zone, a storage building for the specific purposes of storage of agricultural products, farm equipment and personal residential storage shall also be *permitted*.

- a) maximum *usable floor area* of a storage building – 223 square metres;
- b) minimum *rear yard* – 1.5 metres;
- c) minimum *interior side yard* left – 1.5 metres;
- d) maximum *building height* – 11 metres. [54-Z-2014]

14.677 In addition to the uses *permitted* in the CSC Zone, the following uses shall also be permitted:

- a) *retail stores*
- b) a *department store* with a maximum floor area of 10,350 square metres. Food store type merchandise is *permitted* within the *department store*. Maximum total floor area for food store type merchandise within the *department store* shall be 1,858 square metres. Outdoor sales and display area shall not form part of the total floor area.

Excluded uses on the lands delineated by this Subsection include:

- a) an individual store which is primarily devoted to the sale of jewellery
- b) an individual store which is primarily devoted to the sale of electronics
- c) *office, personal service.*

In lieu of the corresponding provisions in the CSC Zone, the following shall apply:

- a) minimum *front yard* from Ireland Road – 6 metre;
- b) minimum parking requirements – one (1) *parking space* for every 21 square metres of *usable floor area*. [50-Z-2014 and OMB order April 10, 2015]

14.678 In lieu of the corresponding provision in the R1-A Zone, the following shall apply:

- d) minimum *lot frontage* – 12.5 metres.

14.679 In addition to the uses *permitted* in the A Zone, an upland game recreational hunting preserve shall also be *permitted*.

14.680 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *lot area* – 440 square metres;
- b) minimum *exterior side yard* – 3 metres;
- c) minimum *interior side yard*:
 - i. detached garage – 3 metres and 1 metres;
 - ii. attached garage – 1 metres on both sides;
 - iii. on a *corner lot* – 1 metres;
- d) maximum *lot coverage* – 42 percent.

14.681 In lieu of the corresponding provision in the R4 *Zone*, the following shall apply:

- a) minimum *interior side yard* – 9 metres for *group townhouses, duplex, tri-plex and four-plex*.

14.682 In lieu of the corresponding provisions in the R2 *Zone*, the following shall apply:

- a) minimum *exterior side yard* – 3 metres;
- b) minimum *interior side yard* where a *private garage* is attached to a *dwelling* – 1 metre.

14.683 In lieu of the corresponding provision in the R6 *Zone*, the minimum *exterior side yard* shall be 3 metres.

14.684 In lieu of the corresponding provisions in the R1-B *Zone*, the following shall apply:

- a) minimum *lot area* – 350 square metres;
- b) minimum *exterior side yard* – 3 metres;
- c) maximum *lot coverage* – 42 percent.

14.685 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) Minimum separation: between a *farm processing facility* and a *dwelling* on an adjacent *lot*: 26.59 metres. [64-Z-2016]

14.686 In addition to the uses *permitted* in the R4 *Zone*, a maximum twelve (12) unit *apartment building* shall also be *permitted*.

Relief from Subsection 4.2.3 c) and d) to allow parking between the *dwelling* and the *street line* and to allow parking at 0.97 metres to the *interior lot line* abutting other residential *Zones*.

In lieu of the corresponding provision in the R4 *Zone*, the following shall apply:

- a) minimum *rear yard* – 3.0 metres.

14.687 In lieu of the corresponding provisions in the R5 *Zone*, the following shall apply:

- a) minimum *rear yard* – 7 metres;
- b) *parking spaces* shall be allowed between an *apartment dwelling* and the *street line*.

14.688 In addition to the uses *permitted* in the A *Zone*, *farm implement storage and display* shall also be *permitted*.

14.689 In lieu of the corresponding provisions in the IN *Zone*, the following shall apply:

- a) minimum *rear yard* – 5 metres;
- b) connection to public water supply and public sanitary sewer shall not be *required*.

14.690 In lieu of the corresponding provisions in the A *Zone*, the maximum *usable floor area* for

an *automobile service and repair station* home industry shall be 205 square metres.

14.691 In lieu of the corresponding provision in the CR Zone, the following shall apply:

- a) minimum *rear yard* – 4 metres.

14.692 In addition to the uses *permitted* in the RH Zone, two (2) greenhouses no greater than 5.48 metres by 45.72 metres in size shall also be *permitted*.

14.693 In addition to the uses *permitted* in the CN Zone, an *automobile gas station* shall also be *permitted*.

In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a) minimum *exterior side yard* for gasoline pump island – 3 metres;
- b) minimum *interior side yard* – 4.5 metres;
- c) minimum *rear yard* – 4.5 metres;
- d) maximum *usable floor area* for a *convenience store* – 223 square metres.

14.694 In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a) minimum *rear yard* – 1 metre;
- b) maximum *usable floor area* of a *convenience store* – 400 square metres;
- c) maximum *parking aisle* width:
 - i. adjacent to West Street – 1 metre;
 - ii. adjacent to Payne Avenue – 0.3 metres;
- d) maximum *parking spaces* – eleven (11);
- e) maximum *usable floor area* of a *convenience store* for video sales and rental purposes – 42 percent of the maximum *usable floor area* of a *convenience store*;
- f) maximum *lot coverage* – 50 percent.

14.695 In the CN Zone, the maximum number of *parking spaces* shall be twenty (20).

14.696 In the IC Zone, a reduction of *parking space* depth on west boundary of 0.7 metres to allow 5.1 metre depth; a reduction of aisle width of 1.3 metres to allow aisle width of 6.0 metres for 90 degree parking shall be *permitted*.

14.697 In addition to the uses *permitted* in the R2 Zone, a *clinic or doctor's office* for one (1) general practitioner shall also be *permitted*.

14.698 In lieu of the corresponding provision in the R4 Zone, the minimum *rear yard setback* with an attached garage shall be 7 metres.

14.699 In lieu of the corresponding provisions in the R2 Zone, the following shall apply:

- a) minimum *lot frontage* – 13.5 metres;
- b) minimum *interior side yard* (left) – 3 metres except that an *unenclosed porch* or steps may project into the *required setback* area not more than 1.2 metres;
- c) location of *required parking* – not more than three (3) *required parking spaces* located within the *required front yard*.

14.700 In addition to the uses *permitted* in the OS Zone, the following uses shall also be *permitted*:

- a) *auction centre*
- b) boarding, training and showing of *livestock, farmers market, lottery events*
- c) musical events
- d) *place of assembly*
- e) *private club*
- f) *restaurant* accessory to a *permitted* use
- g) short term shows and events
- h) special event sales
- i) *tent and trailer park* accessory to a *permitted* use
- j) warehouse for the storage of dry materials.

A minimum 15 metre *setback* shall be *required* from South Drive for any lottery event.

For the purpose of this Subsection, “short term shows and events” shall mean the use of land, *buildings* or *structures* for the purpose of entertainment or amusement such as home and garden shows, trade shows, demolition derbies, and horse, pet, poultry or other *livestock* shows for a short term. Short term, for the purposes of this definition, shall mean not longer than fourteen (14) days of consecutive duration or 30 days total duration during any calendar year for any individual show or event.

14.701 In addition to the uses *permitted* in the R2 Zone, a *garden supply centre, nursery and florist shop* shall also be *permitted*.

14.702 In lieu of the corresponding provision in the R2 Zone, the maximum size of an *accessory building or structure* shall be 160 square metres.

14.703 In addition to the uses *permitted* in the R2 Zone, a *boarding or lodging house* shall also be *permitted*.

14.704 In addition to the uses *permitted* in the R2 Zone, a *lumber yard and building supply establishment* shall also be *permitted*.

Permitted structures within the area identified as the subject lands on Schedule 14.704.1, shall be a privacy fence and accessory signage. No part of any *building* shall be *permitted* within 23 metres of John Street. The *rear lot line* shall be defined as the northerly *lot line*. Minimum *setback* for *structures* (excluding privacy fence) from *rear lot line* – 3 metres.

14.705 In addition to the uses *permitted* in the R2 Zone, a *clinic* and a community health centre not to exceed a total of 123 square metres *usable floor area* shall also be *permitted*.

The *front lot line* shall be defined as the *lot line* adjacent to Norfolk Street South. *Rear lot line* shall be defined as the *lot line* located along the west side of the *lot*, opposite Norfolk Street South. No parking is *permitted* in the *front yard*.

14.706 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) minimum *front yard* – 12 metres;
- b) minimum *side yard* – 4.5 metres;
- c) minimum *rear yard* – 13.5 metres;
- d) maximum *lot coverage* – 30 percent;
- e) maximum number of *dwelling units* – twenty three (23);
- f) maximum *building height* – 9.2 metres.

14.707 In addition to the uses *permitted* in the CRB Zone, a used book store with a maximum *usable floor area* of 30 square metres shall also be *permitted*.

In lieu of the corresponding provisions in the CRB Zone, the following shall apply:

- a) minimum *exterior side yard* – 2 metres from Stanley Street;
- b) minimum *interior side yard* – 1.1 metres.

14.708 In addition to the uses *permitted* in the CBD Zone, a swimming pool sales and service establishment and a woodworking or cleaning equipment and supply shop shall also be *permitted*.

14.709 In lieu of the corresponding provisions in the CBD Zone, the total number of *parking spaces required* is fifty eight (58) for the following *permitted* uses (gross floor area) – 1,906 square metres retail; 316 square metres *place of sports and recreation*; 1,022 square metres (500 seats) movie theatre, 372 square metres *restaurant*.

14.710 In lieu of the corresponding provisions in the CBD Zone, none of the *yard* requirements shall apply, maximum *lot coverage* is 90 percent and maximum height for an addition or extension is 5 metres.

In lieu of Subsection 6.1.4, the *first storey* to any *dwelling units* are not required to be level with the established grade of the *street*, and *dwelling units* are permitted on the

Robinson Street frontage of the *first storey*. [57-Z-2018]

14.711 In lieu of the corresponding provisions in the R1-A or R1-B *Zone*, the following shall apply:

- b) Minimum service requirement for connection to public water supply and public sanitary sewer system shall not apply. [66-Z-2016]

14.712 In lieu of the corresponding provisions in the R5 *Zone*, the following shall apply:

- a) minimum *front yard* - 2 metres;
- b) minimum *interior side yard* - 0 metres;
- c) minimum *rear yard* - 0 metres;
- d) maximum floor area ratio:
 - i. two (2) *storey building* - 0.85;
 - ii. three (3) *storey building* - 0.88;
- e) minimum *parking spaces* - eight (8);
- f) minimum aisle width for 90 degree parking - 6 metres;
- g) *parking spaces* shall be allowed between an *apartment dwelling* and the *street line*;
- h) one (1) *parking space* shall be *permitted* to project 2.5 metres into the southerly *sight triangle*.

14.713 In lieu of the corresponding provisions in the R6 *Zone*, the following shall apply:

- a) *front lot line* shall mean the most westerly *lot line*;
- b) minimum *front yard* - 2 metres;
- c) minimum *exterior side yard* - 3.5 metres;
- d) minimum *interior side yard* (left) - 3.5 metres;
- e) minimum *interior side yard* (right) - 4 metres;
- f) maximum *building height* - five (5) *storeys*;
- g) maximum number of *dwelling units* - sixty six (66);
- h) lofts forming part of an *apartment dwelling unit* shall not be considered a separate *storey*;
- i) minimum *parking space* width - 3 metres;
- j) minimum *parking aisle* width - 6.6 metres for 90 degree parking;
- k) *parking spaces* adjacent to southerly wall of the *apartment dwelling* may be used for

commercial parking purposes;

- l) *setback* from a *street line* or property line for a *parking lot* shall not apply;
- m) minimum barrier-free *parking space* width – 3.65 metres;
- n) minimum number of *parking spaces* – eighty six (86).

Notwithstanding the provisions of Section 4.0, the provisions of Subsection 4.2.1 shall not apply.

14.714 In lieu of the corresponding provisions in the CBD *Zone*, the following shall apply:

- a) minimum *setback* from a *street*:
 - i. 0.8 metres from *street line* of Chapel Street;
 - ii. 0 metres from *street line* of Metcalfe Street;
 - iii. 6.5 metres from *street line* of Talbot Street;
- b) minimum *parking space* width - 2.74 metres;
- c) minimum *parking spaces*:
 - i. the greater of 390 spaces or one (1) per 31 square metres of *usable floor area* excluding storage and warehousing floor areas;
 - ii. for storage and warehousing floor areas – one (1) per 180 square metres;
- d) minimum *parking aisle* width - 6 metres for 90 degree parking adjacent to northerly limit of any new construction;
- e) all properties denoted by this Subsection shall be deemed to be one (1) *lot*.

14.715 In lieu of the corresponding provisions in the R2 *Zone*, the maximum size of a personal service *home occupation* shall be 70 square metres. There shall be no parking *required* and there shall be no limits on the number of employees for the personal service *home occupation*.

14.716 In lieu of the corresponding provisions in the R3 *Zone*, the following shall apply:

- a) minimum *interior side yard* for a *tri-plex* – 2.8 metres;
- b) minimum *parking space* aisle width – 2.86 metres;
- c) minimum number of *parking spaces* for a *tri-plex* – five (5).

14.717 In addition to the uses *permitted* in the R2 *Zone*, a *clinic* or *doctors' offices* shall also be *permitted*.

In lieu of the corresponding parking width provisions, the following shall apply:

- a) for cars parked side by side – 2.8 metres;

- b) for cars parked adjacent to a wall or fence – 3 metres.

14.718 In addition to the uses *permitted* in the RR Zone, two semi-detached *vacation homes* shall be *permitted* on Part 1. Semi-detached *vacation home* shall mean a building divided into two (2) dwelling units by a vertical common wall with no internal access between dwelling units and each dwelling having frontage on a street, which shall only be used for vacations, recreation or seasonal purposes. Permanent year-round residency is not *permitted*.

In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot area*:
 - i. interior lot – 400 square metres;
 - ii. corner lot – 400 square metres;
- b) minimum *front yard*: Part 1 – 3.75 metres, Part 2 – 0.35 metres;
- c) minimum *exterior side yard*: Part 1 – 2.5 metres; Part 2 – 3.25 metres
- d) minimum *rear yard* – 5.9 metres;
- e) maximum *building height* – 8 metres;

In lieu of the corresponding provisions in Section 3.6, *Decks and Porches*, the following shall apply:

A *deck* or *unenclosed porch* may:

- a) project 3 metres into the *required rear yard* but in no circumstance be closer than 2.5 metres from the *rear lot line*; and,
- b) project 3 metres into the *required front yard* or *required exterior side yard* but in no circumstance be closer than 0.5 metres from a *front lot line* or *exterior side lot line*.

In lieu of the corresponding provisions in Section 4.2, *Location of Parking on a Lot*, the following shall apply:

- a) all required parking may be located within the *required front yard* or *required exterior side yard*. [22-Z-2017]

14.719 In lieu of the uses *permitted* in the CN Zone, a *clinic* or *doctor's office* with a maximum *usable floor area* of 557.4 square metres shall be *permitted*.

14.720 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *front yard* – 2.5 metres;
- b) minimum *usable floor area* – 60 square metres.

14.721 In addition to the uses *permitted* in the R3 Zone, a *dwelling* with a maximum of seven (7) *dwelling units* shall also be *permitted*.

In lieu of the corresponding provisions in the R3 Zone as it applies to the *dwelling*,

existing on the date of passing of the amending By-Law (March 9, 2010), the following shall apply:

- a) minimum *front yard* – 1.62 metres;
- b) minimum *exterior side yard* – 3 metres;
- c) minimum *interior side yard* – 0 metres;
- d) minimum *rear yard* – 2.99 metres;
- e) minimum *usable floor area* – 44 square metres per *dwelling unit*.

14.722 In lieu of the corresponding provisions in the R5 *Zone*, the following shall apply:

- a) minimum *rear yard* – 5.95 metres from South Drive;
- b) minimum *rear yard* – 0 metres;
- c) maximum number of *dwelling units* – thirty (30);
- d) maximum of thirteen (13) *parking spaces* between *apartment dwelling* and *street line*.

14.723 In lieu of the corresponding provisions in the R2 *Zone*, the following shall apply:

- a) minimum *lot area* – 350 square metres;
- b) minimum *rear yard* – 6 metres.

14.724 In lieu of the corresponding provision in the R2 *Zone*, the requirement for frontage on a *street* shall not apply.

14.725 In lieu of the corresponding provisions in the R2 *Zone*, the following shall apply:

- a) minimum *lot area* – 440 square metres;
- b) minimum *front yard* – 4.5 metres;
- c) the requirement for frontage on a *street* shall not apply;
- d) the southerly *lot line* abutting Mason’s Lane shall be deemed to be a *front lot line*.

14.726 In lieu of the corresponding provisions in the R2 *Zone*, the following shall apply:

- a) minimum *lot area* – 440 square metres;
- b) minimum *front yard* – 4.7 metres.

14.727 In addition to the uses *permitted* in the R4 *Zone*, one (1) *single detached dwelling*, *duplex dwelling*, *semi-detached dwelling* and *tri-plex dwellings* shall also be *permitted*.

14.728 In lieu of the corresponding provision in the R4 *Zone*, the minimum *exterior side yard* shall be 3 metres.

14.729 In addition to the uses *permitted* in the CN *Zone*, an *automobile gas station* shall also be

permitted.

14.730 In lieu of the corresponding provision in the R1-B Zone, the minimum *lot frontage* shall be 8 metres.

14.731 In addition to the uses *permitted* in the R2 Zone, a community centre shall be *permitted* with a minimum of two (2) *parking spaces*.

14.732 In lieu of the corresponding provisions in the R5 Zone, the maximum number of *dwelling units* shall be twelve (12) and *parking spaces* shall be allowed between an *apartment dwelling* and the *street line*.

14.733 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) the maximum *floor area ratio* does not apply;
- b) maximum number of *dwelling units* – eight (8);
- c) minimum *front yard* shall not apply to the *existing building*.

14.734 In lieu of the corresponding provision in the R2 Zone, the minimum *lot frontage* for a *single detached dwelling* shall be 8 metres.

14.735 In lieu of the corresponding provision in the R1-B Zone, the following shall apply:

- b) minimum *exterior side yard* – 3 metres.

14.736 In addition to the uses *permitted* in the IC Zone, a correctional centre shall also be *permitted*.

14.737 In addition to the uses *permitted* in the MG Zone, one (1) *dwelling unit* in the *existing building* shall also be *permitted*. Connection to a public sanitary sewer system is not *required* and the *interior side yard* shall be zero between the two (2) *existing buildings* through the loading dock.

14.738 In addition to the uses *permitted* in the MG Zone, a day program facility for seniors and disabled adults and accessory offices shall also be *permitted*.

14.739 In addition to the uses *permitted* in the MG Zone, the following uses shall also be *permitted*:

- a) *clinic or doctors' offices*
- b) fitness and health care facilities ancillary to a *clinic*
- c) offices, all types.

In lieu of the corresponding provisions in the MG Zone, the following shall apply:

- a) minimum *lot frontage* – 13.5 metre;
- b) minimum *front yard* – 1.5 metres;
- c) minimum *interior side yard* – 1.5 metres.

14.740 In lieu of the corresponding provisions in the IN Zone, the following shall apply:

- a) the northerly property line shall be deemed the *front lot line*;
- b) minimum *front yard* – 10.5 metres;
- c) minimum *interior side yard* – 12 metres.

14.741 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *exterior side yard* – 3.0 metres;
- b) maximum *lot coverage* – shall not apply.

With the exception of fences, no *building* or *structure* (including pools) shall be *permitted* within the area shown as the subject lands on Schedule 14.741.1 which delineates the location of an easement in favour of Union Gas Ltd.

14.742 In lieu of the corresponding provision in the R4 Zone, the maximum *building height* is one (1) *storey*.

14.743 In the OS Zone, no *buildings* or *structures* shall be *permitted*.

14.744 In lieu of the corresponding provision in the R2 Zone, the minimum *lot frontage* shall be 15 metres.

14.745 In lieu of the corresponding provisions in the R5 Zone, a maximum of six (6) *dwelling units* shall be *permitted*. The minimum *front yard setback* shall be 6 metres. *Parking spaces* shall be allowed between an *apartment dwelling* and the *street line*.

14.746 In addition to the uses *permitted* in the CS Zone, office, all types, within *existing buildings* shall also be *permitted*.

14.747 In lieu of the corresponding provision in the R2 Zone, the minimum *lot frontage* for a *single detached dwelling* shall be 8 metres.

14.748 In addition to the uses *permitted* in the CSC Zone, a *supermarket* and comparison goods shopping shall also be *permitted*.

In lieu of the corresponding provisions in the CSC Zone, the following shall apply:

- a) minimum *front yard* from Parker Drive - 3.7 metres;
- b) minimum *interior side yard*:
 - i. 6.7 metres from northern boundary;
 - ii. 6 metres from western boundary;
- c) minimum *front yard* from Parker Drive for an open storage compound – 0 metres;
- d) minimum *exterior side yard* from Charlton Crescent for an open storage compound – 0.6 metres;
- e) maximum *lot coverage* – 35 percent;

- f) minimum number of *parking spaces* – 190;
- g) all properties denoted by this Subsection shall be deemed to be one (1) *lot*;
- h) maximum *usable floor area* for comparison goods shopping – 15 percent;
- i) maximum number of comparison goods shopping stores – one (1) per *retail store* category;
- j) “comparison goods shopping” shall mean a *building* or part of a *building* used for *retail stores* providing a comparison shopping function and shall include the following *retail store* categories: women’s apparel, men’s apparel, shoes, jewellery, beauty products, books and cd’s, recreational products including games, software and sporting goods, gifts and crafts, and 50 percent of the *usable floor area* of general merchandise stores such as Sears Catalogue Store. For greater clarity, this definition does not include a *department store*, an automotive/home improvement store or an agricultural related hardware store which may include sales of work apparel and other accessory products.

14.749 In lieu of the uses *permitted* in the CN Zone, only an *animal hospital* shall be *permitted*.

14.750 In lieu of the uses *permitted* in the CS Zone, an *automobile body shop*, *automobile service and repair station*, *automobile parts shop* and *vehicles* sales or rental establishment shall only be *permitted*. All painting and repairs of *vehicles* and *vehicle* parts are to occur within an enclosed *building*. No *open storage* of *vehicles* or parts, other than *vehicles* which are currently licensed is *permitted*.

14.751 Notwithstanding the uses *permitted* in the MX Zone, a concrete and asphalt mixing plant and a stone *quarry* shall not be *permitted*. Any *building* or *structure* as well as *outdoor storage* which shall include the stockpiling of materials and the parking of *vehicles* or parts of *vehicles*, including trailers or parts of truck trailers or other equipment are prohibited within 120 metres of the *front lot line*. This prohibition does not apply to a properly constructed berm, used to mitigate noise impact and to provide visual screening. Temporary stacking of *vehicles* is *permitted* along the internal haul road.

14.752 In addition to the uses *permitted* in the A Zone, a *garden supply centre* and florist shop shall also be *permitted*. No open storage or parking associated with the *garden supply centre* is *permitted* within the *front yard*.

14.753 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) connection to public water supply and public sanitary sewer systems not *required*;
- b) minimum *rear yard setback* – 3 metres;
- c) an *accessory building* may be constructed with a maximum *building height* of 5 metres;
- d) an *accessory building* may be constructed within the *front yard*;
- e) an *accessory building* may be constructed to a maximum *usable floor area* of 100 square metres.

14.754 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *interior side yard* – 8 metres (west);
- b) connection to public water and public sanitary sewer systems is not *required*.

14.755 In lieu of the corresponding provisions in the A *Zone*, the following shall apply:

- a) minimum *lot area* – 675 square metres;
- b) minimum *lot frontage* – 28 metres.

14.756 In lieu of the corresponding provision in the A *Zone*, the following shall apply:

- a) minimum *lot frontage* – 24 metres.

14.757 In addition to the uses *permitted* in the A *Zone*, the following uses shall also be *permitted*:

- a) *contractor's yard* and *accessory buildings* or *structures*;
- b) storage and repair of equipment used in conjunction with the adjacent extractive industrial operation (sand and gravel *pit*).

In lieu of the corresponding provisions, the following shall apply:

- a) frontage on an approved *street* shall not apply;
- b) all petroleum storage shall be in above ground containers that meet the requirements of the Technical Standards and Safety Act. Any spills shall be removed and disposed of at a facility approved by the Ministry of the Environment. Fuel containers shall be placed in a steel, secondary containment *structure*. The fuel area shall be constructed on a compacted clay floor and shall be a covered *structure*;
- c) all scrap that is temporarily stored shall be completely removed before February 28 in each calendar year.

14.758 In addition to the uses *permitted* in the A *Zone*, a winery and accessory *restaurant* with a maximum capacity of twenty (20) persons and accessory retail with a maximum *usable floor area* of 38 square metres shall also be *permitted*.

14.759 In the A *Zone*, Subsection 1.4., more than one *Zone* on a lot, shall not apply.

14.760 In addition to the uses *permitted* in the OS *Zone*, a motel and accessory *dwelling unit* shall also be *permitted*.

In lieu of the corresponding provisions in the OS *Zone*, the following shall apply:

- a) minimum *rear yard* (north) – 33.8 metres;
- b) minimum *rear yard* (east) – 31.3 metres.

14.761 In addition to the uses *permitted* in the CS *Zone*, sale of *farm* produce and seafood shall also be *permitted*. Connection to public water and public sanitary sewer system shall

not be *required*.

14.762 In addition to the uses *permitted* in the A Zone, the following shall also be *permitted*:

- a) antique sales
- b) *automobile service and repair station*, specifically limited to a business specializing in glass installation for automobiles only
- c) contractor's office, including retail sales and display areas up to 35 percent total *usable floor area* of unit in which it is located, accessory to a storage and warehousing operation
- d) *custom workshop*
- e) *outdoor storage* shall be prohibited
- f) storage and warehousing
- g) two (2) offices, *professional* which shall include the office of a registered massage therapist and/or naturopath with a maximum *usable floor area* of 130 square metres, including retail sale of accessory products.
- h) *Day care nursery* [6-Z-2020]

14.763 In addition to the uses *permitted* in the CR Zone, a *vehicle sales and rental establishment* shall also be *permitted*.

14.764 In addition to the uses *permitted* in the A Zone, a solar *farm* shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *front yard* – 20 metres;
- b) minimum *interior side yard* – 10 metres.

14.765 In addition to the uses *permitted* in the A Zone, a solar *farm* shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum *lot area* – 5 hectares;
- b) minimum *front yard* – 20 metres;
- c) minimum *interior side yard* – 10 metres;
- d) minimum *exterior side yard* – 10 metres;
- e) minimum *rear yard* – 10 metres;
- f) maximum height for all *buildings and structures* – 10 metres;
- g) maximum *lot coverage* – 95 percent;
- h) for contiguous solar *farm* installations on abutting *lots*, the side or *rear yard*

requirements between such *lots* may be waived.

14.766 In addition to the uses *permitted* in the A Zone, a printing and publishing establishment, *place of assembly*, manufacturing and sale of scented container candles and related crafts and the sale of fruit and vegetables shall also be *permitted*.

14.767 In addition to the uses *permitted* in the CR Zone, an automobile sales establishment shall also be *permitted*. No *building* or *structure* shall be located closer than 8 metres to Kent Creek and the automobile sales establishment shall be limited to a maximum of fifteen (15) *vehicles* at any one time.

14.768 In addition to the uses *permitted* in the CR Zone, a motel, motor hotel, *vehicle sales and rental establishment*, police station, fire hall and ambulance service shall also be *permitted*.

14.769 In addition to the uses *permitted* in the CBD Zone, a mini storage/public storage facility shall also be *permitted*.

In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) minimum *interior side yard* abutting a residential Zone – 3 metres;
- b) minimum *rear yard* – 0 metres.

14.770 In lieu of the corresponding provisions of the R1-A Zone, on the lands delineated by this Subsection and more accurately shown on Schedule 14.770.1., the following shall apply:

- a) minimum *interior side yard* (Part 1) – 1.2 metres;
- b) minimum *rear yard* for Parts as shown on Schedule 14.770.1:
 - i. Part 2 – 9 metres
 - ii. Part 3 – 6 metres
 - iii. Part 4 – 4 metres

The requirements of Subsection 3.11 shall not apply to the condominium units.

The requirements of Subsection 3.26 shall not apply to the subject lands, and that a maximum of forty (40) *single detached dwellings* shall be *permitted* on this *lot*.

Section 2.0 – definition of *lot* shall not apply to the condominium units. [27-Z-2015]

14.771 In addition to the uses *permitted* in the A Zone, an industrial woodworking operation shall also be *permitted*.

In lieu of the corresponding provisions of the A Zone, the following shall apply:

- a) maximum *usable floor area* – 4,645 square metres;
- b) there shall be no open storage *permitted*.

14.772 In lieu of the corresponding requirements in the A Zone, the following shall apply:

- a) minimum *lot frontage* – 60 metres;
- b) minimum *interior side yard* – 11 metres.

14.773 In the OST Zone, Subsection 3.15.1 shall not apply to any motor home located on the subject lands. Subsection 1.4.3 shall not apply to the subject lands.

14.774 In addition to the uses *permitted* in the A Zone, an automobile wrecking yard and a *vehicle sales and rental establishment* shall also be *permitted*.

14.775 In addition to the uses *permitted* in the A Zone, a *farm* machinery and *vehicle* repair business shall also be *permitted*.

14.776 In addition to the uses *permitted* in the A Zone, a craft store/art studio with a maximum *usable floor area* of 185.8 square metres and a maximum area for display of items outdoors of 37.16 square metres shall also be *permitted*.

14.777 Notwithstanding the uses *permitted* in the CBD Zone, a *hotel*, motel or motor hotel shall not be *permitted*.

14.778 Notwithstanding the uses *permitted* in the RH Zone, four (4) *dwelling units* shall also be *permitted* in the existing building.

14.779 In lieu of the uses *permitted* in the CS Zone, the following uses shall be *permitted*:

- a) antique shop
- b) art gallery and museum
- c) bakery
- d) beauty salon and tanning salon
- e) craft and gift shop
- f) *dwelling, single detached*
- g) miniature golf
- h) *restaurant*
- i) sale of marine related sports equipment.

In lieu of the corresponding provisions in the CS Zone, the following shall apply:

- a) the *existing lot area* and *lot frontage* are deemed to comply with Subsection 6.3.2;
- b) a miniature golf course located on the subject lands shall maintain a minimum 4.5 metre *setback* from the easterly *lot line* of the subject lands and a minimum 1.0 metre *setback* from all other *lot lines*;
- c) a miniature golf course requires one (1) *parking space* for each miniature golf hole located on the lands subject to this provision;

- d) a miniature golf course located on the subject lands is deemed to comply with Subsection 4.2.1.

14.780 Notwithstanding the corresponding RR *Zone* provisions, the minimum *lot area* shall be 485 square metres and the maximum *building height* shall be 8 metres for the *vacation home* and the *boathouse*.

14.781 In addition to the uses *permitted* in the A *Zone*, a sawmill and ancillary *open storage* shall also be *permitted* subject to the following:

- a) minimum *front yard* – 37 metres.

14.782 In lieu of the uses *permitted* in the A *Zone*, a *single detached dwelling* and *home occupation* shall be *permitted* subject to a minimum *lot area* of 400 square metres.

14.783 In lieu of the corresponding provisions in the RR *Zone*, the following shall apply:

- a) minimum *front yard* – 3.04 metres;
- b) minimum *rear yard* – 6.09 metres;
- c) the southern right-of-way shall be deemed to be an improved *street*.

The definition of *lot* and *lot area* as defined in Section 2.0 shall not apply and in lieu the following shall apply:

- a) *lot* shall mean Lots 31, 32 and 33 in registered Plan 143;
- b) *lot area* shall mean the total horizontal area within the *lot lines* of a *lot* as defined in (a) above;

14.784 In lieu of the corresponding provisions in the R1-A or R1-B *Zone*, the following shall apply:

- a) minimum *lot area* – 3,200 square metres;
- b) minimum services requirement for connection to public water supply and a public sanitary sewer system shall not apply

14.785 In addition to the uses *permitted* in the CR *Zone*, a *bake shop* shall also be *permitted*.

14.786 In lieu of the corresponding provisions in the RR *Zone*, the following shall apply:

- a) minimum *lot area* – 1,020 square metres;
- b) minimum *lot frontage* – 28 metres.

14.787 In addition to the uses *permitted* in the RH *Zone*, a *boat building and repair* and *small engine repair and related sales operation* shall also be *permitted*. *Open storage* shall only be *permitted* within 25 metres of the westerly property boundary and shall be limited to a maximum of six (6) boats at any one time.

14.788 In addition to the uses *permitted* in the CR *Zone*, a *body shop* and a *vehicle sales and rental establishment* shall also be *permitted*.

14.789 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) minimum *side yard* (south) – 0.9 metres;
- b) minimum *rear yard* – 0.9 metres;
- c) one (1) *parking space* shall be provided on-site for each *dwelling unit* plus one (1) additional on-site *parking space*.

14.790 In addition to the uses *permitted* in the CM Zone, trailer park with a maximum of fifty (50) sites shall also be *permitted*. A trailer park shall be defined as an area of land used for the parking of seasonal trailers for recreational purposes. A seasonal trailer is a trailer or motorcoach of such size and dimensions so as to be designed to be located at a single location for the entire summer recreational season but shall not include a *mobile home*.

14.791 In addition to the uses *permitted* in the CHA Zone, a *duplex* or a *semi-detached dwelling* shall also be *permitted*. The *yard setbacks*, existing at the time of passing of the amending By-Law (July 10, 1989) are deemed to comply with the corresponding provisions.

14.792 In addition to the uses *permitted* in the A Zone, a tea room and craft shop contained in one (1) *building* having a maximum *usable floor area* of 115 square metres shall also be *permitted*.

14.793 In the A Zone, the southerly 9 metres of the lands delineated by this Subsection shall be maintained in a natural state and no *buildings* or *structures* shall be *permitted*.

14.794 In addition to the uses *permitted* in the CHA Zone, a custom woodworking shop shall also be *permitted*.

In lieu of the corresponding provisions in the CHA Zone, the following shall apply:

- a) minimum *lot area* – 1,137 square metres;
- b) minimum *lot frontage* – 25.3 metres;
- c) minimum *interior side yard* – 0.9 metres;
- d) minimum *rear yard* – 2.4 metres;
- e) any *required* new ventilation of the commercial *building* shall be located on the east side.

14.795 In addition to the uses *permitted* in the R2 Zone, the retail sale of antiques and collectibles from an *existing dwelling* shall also be *permitted* provided this use does not exceed 45 square metres.

14.796 In lieu of the corresponding provisions of the RR Zone, for a *vacation home* the following shall apply:

- a) maximum *lot coverage* - 24 percent

Accessory uses to the residential use shall not be *permitted* and Subsection 3.2 shall not apply to the subject lands.

14.797 In lieu of the corresponding provisions in the RR *Zone*, the following shall apply to Parts 1 and 2 on Schedule 14.797.1:

- a) minimum *lot area* – 600 square metres;
- b) minimum *lot frontage* – 13 metres;
- c) minimum *interior side yard (right)* – 2 metres;
- d) maximum *lot coverage* – 28 percent per *dwelling house*;
- e) an on-site sewage disposal system shall be *permitted* on Part 3 on Schedule 14.797.1.

14.798 In the R4 *Zone*, the maximum number of *dwelling units* shall be twenty six (26).

14.799 In lieu of the uses *permitted* in the CN *Zone*, the following uses shall be *permitted*:

- a) *animal hospital*
- b) *clinic or doctors' offices*
- c) *convenience store*
- d) *day care nursery*
- e) *dry cleaning distribution station*
- f) *dwelling units* in any *permitted commercial building* – one (1) or more
- g) *financial institution*
- h) *office, business administration*
- i) *office, personal service*
- j) *office, professional*
- k) *personal service shop*
- l) *pharmacy*
- m) *retail store associated with a clinic or doctor's office.*

14.800 In the OST *Zone*, the maximum number of trailer camping sites shall be fifty five (55) and a *setback* of 10 metres shall be maintained from the top of bank of the ponds.

14.801 In addition to the uses *permitted* in the A *Zone*, a ginseng processing plant, small scale stone custom fabricating shop specializing in counter tops and sinks shall also be *permitted*.

14.802 In addition to the uses *permitted* in the A *Zone*, a fowl slaughtering operation with a maximum *usable floor area* of 47 square metres shall also be *permitted*.

- 14.803 In addition to the uses *permitted* in the A Zone, a *duplex dwelling, automobile service and repair station and automobile body shop* shall also be *permitted*.
- 14.804 In lieu of the corresponding provision in the A Zone, the minimum *rear yard* shall be 3.76 metres.
- 14.805 In lieu of the corresponding provision in the R1-A Zone, the minimum *setback* from the top of bank shall be 5 metres.
- 14.806 In lieu of the corresponding provision in the CM Zone, the following shall apply:
- a) minimum *rear yard* – 4 metres.
- 14.807 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:
- a) minimum *exterior side yard* – 3.6 metres;
 - b) minimum *interior side yard* – 2.4 metres;
 - c) minimum *rear yard* – 7 metres.
- 14.808 In addition to the uses *permitted* in the R3 Zone, a maximum of four (4) *dwelling units* within the *existing building* shall also be *permitted*. The minimum number of *parking spaces* for the four (4) *dwelling units* shall be four (4).
- 14.809 In addition to the uses *permitted* in the R2 Zone, a *bed & breakfast* containing only one (1) room for guests shall also be *permitted*.
- In lieu of the corresponding provisions in the R2 Zone, the following shall apply:
- a) minimum *exterior side yard* – 3 metres;
 - b) minimum *interior side yard* – where a *private garage* is attached to a *dwelling* – 1 metre;
 - c) no parking spaces are required for the *bed & breakfast*.
- 14.810 In addition to the uses *permitted* in the CS Zone, the uses *existing* at the time of the date of passing of the amending By-Law (August 30, 1999), offices, all types, within *existing buildings*, shall also be *permitted*.
- 14.811 In lieu of the corresponding provisions in the R2 Zone, the following shall apply:
- a) minimum *interior side yard* (left) – 0.89 metres;
 - b) minimum *interior side yard* – where a *private garage* is not attached – 0.87 metres.

14.812 Notwithstanding the uses *permitted* in the CBD Zone, the following shall not be *permitted*:

- a) ambulance service
- b) *automobile gas station*
- c) *automobile service and repair station*
- d) *automobile washing establishment*
- e) bus or taxi terminal
- f) *dry cleaning establishment*
- g) *dwelling, apartment*
- h) fire hall
- i) funeral home
- j) *hotel*
- k) *lumber yard and building supply establishment*
- l) *parking lot*
- m) police station
- n) *retirement home*
- o) *vehicle sales or rental establishment*
- p) warehouse
- q) *wholesale outlet.*

In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) maximum floor area of a *restaurant* – 260 square metres;
- b) maximum *parking space* width:
 - i. 2.7 metres for 45 degree parking;
 - ii. 2.9 metres for 90 degree parking;
- c) minimum barrier-free *parking space* length – 5.8 metres;
- d) minimum number of *parking spaces* – sixty six (66).

Notwithstanding the provisions of Section 4.0, the provisions of Subsection 4.2.1 shall not apply.

14.813 In addition to the uses *permitted* in the CRB Zone, a bridal *boutique* shall also be *permitted*. A minimum number of five (5) *parking spaces* shall be *required*.

14.814 In addition to the uses *permitted* in the CS Zone, offices, all types, within *buildings*, existing on the date of passing of the amending by-Law (August 30, 1999), shall also be *permitted*.

14.815 In addition to the uses *permitted* in the CN Zone, a florist shop and a *restaurant* with a maximum *usable floor area* of 139.4 square metres shall also be *permitted*.

In lieu of the corresponding provisions in the CN Zone, the following shall apply:

- a) maximum *lot coverage* – 22 percent;
- b) *required parking spaces* – one (1) per 25 square metres of usable area;
- c) no parking within 3 metres of a *lot line*.

14.816 Notwithstanding the uses *permitted* in the MG Zone, general material manufacturing, transportation uses, fuel storage depot and *vehicle* related uses shall not be *permitted*.

14.817 Notwithstanding the uses *permitted* in the A Zone, a *single detached dwelling* shall not be *permitted*. No *building* or *structure* shall be *permitted* within 7 metres from the top of bank of the municipal drain.

14.818 Notwithstanding the provisions of the A Zone, an *accessory building* with a maximum *usable floor area* of 268 square metres in advance of the main use shall be *permitted*.

14.819 In addition to the uses *permitted* in the CS Zone, one (1) bulk food store shall also be *permitted* on either the lands delineated by Special Provision 14.646 or on lands delineated as this Subsection.

CS Zone uses only, located in non-mixed use *buildings* shall conform to the corresponding provisions in the CS Zone.

Maximum gross leasable area for a bulk food store of 479 square metres shall be *permitted*.

The bulk food store shall conform to the corresponding provisions in the CS Zone.

14.820 In addition to the uses *permitted* in the A Zone, a *farm implement sales and service establishment* shall also be *permitted*.

14.821 In addition to the uses *permitted* in the CHA Zone, a motel, motor hotel, miniature golf, golf driving range and baseball pitch shall also be *permitted*.

14.822 In lieu of the uses *permitted* in the IR Zone, a *place of worship* shall be *permitted*.

14.823 Notwithstanding the uses *permitted* in the OS Zone, a *single detached dwelling*, one (1) *dwelling unit* in any non-residential *building* and a *home occupation* shall not be *permitted*.

14.824 In addition to the uses *permitted* in the R2 Zone, a *restaurant* on the first floor of the *dwelling* shall also be *permitted*. The *restaurant* shall be limited to sixty (60) seats. No special events associated with the *restaurant* business, including tents, shall be *permitted*. No parking associated with the *restaurant* business shall be *permitted* within 45 metres of the *rear lot line*.

14.825 In lieu of the parking requirements in the CBD Zone, Subsection 4.9 c), two (2) *parking spaces* for three (3) *dwelling units* shall be *permitted*.

14.826 In addition to the uses *permitted* in the A Zone, a microbrewery, snack processing facility, accessory retail and *restaurant* [49-Z-2016], shall also be *permitted*.

In addition to the uses *permitted* in the A Zone, a microbrewery, snack processing facility, accessory retail and *restaurant* shall also be *permitted* and the following shall apply:

- a) that accessory retail shall be limited to a retail factory outlet of craft beer and the sale of related confectionary food products and those produced on the premises to a maximum of 90 square metres; [49-Z-2016]
- b) that the area used for the microbrewery processing area shall be limited to a maximum of 335 square metres;
- c) that for the purposes of this Subsection a microbrewery shall be defined as a brewing operation using locally grown hops and malting barley;
- d) that the snack processing facility shall be limited to a maximum of 725 square metres;
- e) that for the purposes of this Subsection a snack processing facility shall be defined as a kettle chip manufacturing operation using locally grown potatoes;
- f) that the office/employee area shall be limited to a maximum of 260 square metres;
- g) that the maximum *permitted* total floor area of the *building* housing the microbrewery, snack processing and accessory retail shall not exceed 2,800 square metres;
- h) that the number of employees engaged in the microbrewery, snack processing facility, office and accessory retail shall be limited to ten (10) employees or the full-time equivalent thereto. Employees engaged solely in crop production, harvesting and delivery shall not be included in the number of employees for the purposes of the aforesaid limitation;
- i) that the maximum *usable floor area* for the restaurant shall be limited to 125 square metres. [49-Z-2016],

14.827 In lieu of the corresponding provision of the R4 Zone, the following shall apply:

- a) minimum *lot frontage* - 9.14 metres.

14.828 In the R4 Zone, a “lot” shall be defined as *lots* within the condominium plan.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) minimum *lot frontage*:
 - i. *interior lot* – 6.5 metres;

- ii. *corner lot* – 9 metres;
- b) *minimum exterior side yard* – 3.0 metres;
- c) *minimum interior side yard* – 1.2 metres;
- d) *minimum rear yard*:
 - i. attached garage 6.0 metres

In lieu of the parking provisions in Subsection 4.2 Location of Parking on a *Lot*, the following shall apply:

- i. No parking lot shall be located closer than 1.2 metres from a *dwelling* on the lot or *any interior lot line* abutting another residential Zone.

In lieu of the parking provisions in Subsection 4.3 Accessible Parking, the following shall apply:

- ii. A minimum of 3 Type A accessible *Parking Spaces* are required. [55-Z-2016]

14.829 In addition to the uses *permitted* in the CS Zone, a lawyer's office and real estate office shall also be *permitted*.

14.830 In lieu of the corresponding provision of the R1-A Zone, the following shall apply:

- a) *minimum top of bank setback* - 6 metres.

14.831 In addition to the uses *permitted* in the R1-A or B Zone, one (1) *Accessory Residential Dwelling Unit* with a maximum *usable floor area* of 37 square metres shall also be *permitted*. [7-Z-2020]

14.832 In addition to the uses in the CBD Zone, the following shall apply:

- a) A minimum setback of 0.9 metres shall be *permitted* for the *interior lot line* abutting a residential zone.
- b) That the front *lot line* be deemed as King Street. [29-Z-2018]

14.833 In addition to the uses *permitted* in the R3 Zone, the development of a *four-plex* with a minimum *interior side yard* (right) of 1.2 metres and a minimum *front yard* of 1.5 metres shall also be *permitted*.

14.834 In addition to the uses *permitted* in the A Zone, a composting operation for leaf and yard waste, woodchips, sawdust, mulch and horse manure shall also be *permitted* on the subject lands. There shall be no *buildings permitted* that are accessory to the composting operation.

14.835 In addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:

- a) *cafe* and licensed patio to serve wine produced on the premises and other non-alcoholic beverages and light meals may be *permitted* within the currently *existing* winery *building*. The *cafe* and licensed patio shall be accessory to the winery on

the premises and shall have a combined maximum size of thirty (30) seats;

- b) passive, non-motorized trail system on lands exclusive of the woodlands, provincially significant wetlands, and adjacent areas to provincially significant wetlands identified as Part 1 on attached Schedule 14.835.1;
- c) classroom and seminar room may be *permitted* within the winery *building, existing* on the date of passing of the amending By-Law (July 12, 2011) for such things as agricultural, culinary, wine-making and similar classes and seminars. Such use may not exceed 163 persons;
- d) a winery production *building* may be *permitted* on the lands identified as Part 2 on Schedule 14.835.1. No portion of this *building* is to be used for retail sales.

14.836 In addition to the uses *permitted* in the A Zone, a truck inspection station including associated repairs with a maximum *usable floor area* of 78 square metres shall also be *permitted*. A *parking lot*, wash bay, parts inventory, oil changes or oil tank for waste or clean oil shall not be *permitted*.

14.837 In addition to the uses *permitted* in the MG Zone, a pre-treatment facility for an ice cream plant shall also be *permitted*.

14.838 In lieu of the corresponding provision of the A Zone, the following shall apply:

- a) minimum *lot frontage* – 6.7 metres.

14.839 In lieu of the corresponding provision in the RH Zone, the following shall apply:

- b) minimum *lot frontage* – 18.2 metres.

14.840 In lieu of the uses *permitted* in the CHA Zone, the following uses shall be *permitted*:

- a) ambulance service
- b) *animal hospital*
- c) antique shop
- d) art gallery
- e) *automobile gas station*
- f) *automobile service and repair station*
- g) *automobile washing establishment*
- h) bake shop
- i) *bed & breakfast*
- j) *clinic or doctors' offices*
- k) commercial greenhouse, tree and plant nursery and may include open storage thereto

- l) community centre
- m) *contractor shop*
- n) *contractor supply and service shop*
- o) *convenience store*
- p) *country store*
- q) *custom workshop*
- r) *day care nursery*
- s) *dry cleaning distribution station*
- t) *dwelling, single detached or dwelling unit in a non-residential building – maximum one (1)*
- u) *farm implement sales and service establishment*
- v) financial institution
- w) fire hall
- x) fruit and vegetable outlet
- y) funeral home
- z) furniture manufacturing operation
- aa) *garden centre, tree and plant nursery*
- bb) hardware store
- cc) *home occupation*
- dd) laundromat
- ee) library
- ff) merchandise service shop
- gg) mini storage
- hh) museum
- ii) *office, all types*
- jj) *outdoor storage accessory to permitted uses*
- kk) *parking lot*
- ll) *personal service shop*

- mm) *place of assembly*
- nn) *place of sports and recreation*
- oo) *police station*
- pp) *private club*
- qq) *restaurant*
- rr) *restaurant, fast-food*
- ss) *restaurant, take-out provided there is no drive through*
- tt) *training and rehabilitation centre*
- uu) *vehicle sales or rental establishment.*

14.841 In addition to the uses *permitted* in the A Zone, a *farm supply outlet* shall also be *permitted*. A *farm supply outlet* shall be defined as a *building* or part of a *building* used for the retail sale or rental of minor equipment and implements, parts, tools, hardware, fertilizer, sprays, seed, and feed for *farm* use.

14.842 In addition to the uses *permitted* in the A Zone, a *farm implement sales and service establishment* shall also be *permitted*.

No *outdoor storage* or display shall be *permitted* between the *buildings* and Highway 3.

14.843 In addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:

- a) *farm experience* special events including: festivals, workshops, *farm* tours, and wedding ceremonies to a maximum of 100 people for wedding ceremonies
- b) lavender production kitchen-laboratory
- c) *restaurant* or tearoom with patio to a maximum of thirty (30) seating
- d) wine tasting
- e) winery
- f) accessory retail including lavender *boutique*, limited to the sale of goods primarily produced on the *farm*, and to a maximum *usable floor area* of 120 square metres.

14.844 In addition to the uses *permitted* in the A Zone, the following uses shall also be *permitted*:

- a) *farm experience* special events accessory to the *farm* and/or winery including: festivals, workshops, *farm* tours, and wedding ceremonies to a maximum of 100 people for wedding ceremonies.

14.845 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) minimum *front yard* – 60 metre;

- b) maximum number of *dwelling units* – forty four (44).

In lieu of the corresponding provisions of Section 4.0, the following shall apply:

- a) minimum number of visitor *parking spaces* – eleven (11);
- b) *parking spaces* shall be *permitted* in the *front yard*.

14.846 In addition to the uses *permitted* in the A Zone, an administrative office for the oversight and management of land holdings held by an environmental agency shall also be *permitted* to a maximum *usable floor area* of 190 square metres.

14.847 In lieu of the corresponding provisions in the R1-A Zone, the following shall apply:

- a) frontage on an *improved street* – not required;
- b) minimum *lot frontage* – 0 metres;
- c) minimum *front yard* – 1.2 metres;
- d) minimum number of *parking spaces* – 1. [56-Z-2014]

14.848 In addition to the uses *permitted* in the A Zone, a composting operation for leaf and yard waste, shall also be *permitted*. There shall be no *buildings permitted* that are accessory to the composting operation.

14.849 In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot frontage* – 7.9 metre;
- b) minimum *front yard setback* – 1.8 metre;
- c) minimum *rear yard setback* – 3.59 metre.

Subsection 3.11 does not apply.

14.850 Notwithstanding the uses permitted in the A Zone, the lands shall be considered as a buffer area and notwithstanding any provision of this By-Law to the contrary there shall be no development, *building* or *structure permitted*. [57-Z-2004]

14.851 In addition to the uses *permitted* in the CSC Zone, a *retail store* and *supermarket* shall also be *permitted*.

14.852 In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) minimum *corner lot area* – 155 square metres;
- b) minimum *corner lot frontage* – 9.8 metres;
- c) maximum *lot coverage* – 100 percent;
- d) maximum number of *parking spaces* for retail store – none.

14.853 In lieu of the corresponding provisions in the RR Zone, the following provisions shall apply:

- a) minimum *lot area* – 446 square metres;
- b) minimum *lot frontage* – 12.35 metres;
- c) minimum *interior side yard* (right) - 1.10 metres;
- d) maximum *lot coverage* – 26 percent.

14.854 In lieu of the corresponding provisions of A Zone, the following shall apply:

- a) minimum *lot frontage* – 9.16 metres;
- b) minimum *interior side yard* (right) – 0.29 metres.

14.855 In addition to the uses *permitted* in the OS Zone, a greenhouse for leisure and recreational horticultural purposes shall also be *permitted*.

14.856 In addition to the uses *permitted* in the MG Zone, a medical marihuana production facility shall also be *permitted*. Further, that no *building* or *structure* or portion thereof used for *Cannabis Production and Processing* [25-Z-2018] purposes be located closer than 76 metres to any residential Zone or any *dwelling*.

14.857 In addition to the uses *permitted* in the ML Zone, a fitness centre and related accessory retail sales shall also be *permitted*, with a maximum total *usable floor area* of 300 square metres.

14.858 In addition to the uses *permitted* in the A Zone, a value added *farm* business for the use of an educational workshop for spinning and weaving wool to make clothing and artwork; and tearoom and *boutique* limited to 120 square metres combined for both uses and limited to primarily the sale of on *farm* products and to a maximum of twenty (20) seats for customers shall also be *permitted*.

14.859 In lieu of the corresponding provision in the A Zone, the following shall apply:

- a) minimum *lot frontage* of 9.14 metres.

14.860 In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) minimum *lot frontage* – 14.36 metres;
- b) maximum *building height* – 8 metres (measured to the peak of the roof).

A maximum of two (2) single detached dwellings shall also be permitted.

14.861 In addition to the uses *permitted* in the IR Zone, the following uses shall be *permitted*:

- a) a microbrewery for craft beer with secondary accessory *retail store* within the *existing* building;
- b) a *restaurant* within the *existing* building, with associated patios;
- c) special events within the *existing* building;
- d) large scale special events in the event field including concerts (maximum of five (5) per year, May through October, for a total of seven (7) days for each event,

including set-up and clean-up); and,

- e) *special event sales* accessory to any *permitted* event. [38-Z-2017]

14.862 In lieu of the corresponding provisions of the A Zone, the following shall apply:

- a) minimum *lot frontage* – 9 metres;
- b) minimum *interior side yard* (northerly) – 25 metres.

That an environmental protection zone be established as shown on Schedule 14.862.1 and that no *buildings* or *structures* be constructed and no grading or grooming of the land shall occur in the environmental protection zone.

14.863 In the R4 Zone, notwithstanding Subsection 4.9, one (1) *parking space* for each *dwelling unit* shall be *permitted*.

14.864 In addition to the uses *permitted* in the A Zone, a *home industry* defined as monument sales and associated outdoor monument display area shall also be *permitted*.

In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) maximum *usable floor area* of the home industry – 222.96 square metres;
- b) maximum number of employees – three (3);
- c) maximum outdoor monument display area – 55.04 square metres.

14.865 In addition to the uses *permitted* in the A Zone, a truck inspection station as a secondary use to the existing farming operation, including associated repairs for only agricultural vehicles, with a maximum *usable floor area* of 465 square metres shall also be *permitted*.

14.866 In lieu of the corresponding provision in the RR Zone, on Part 1 shown on Schedule 14.866.1 the following provision shall apply:

- a) *lot frontage* – 12.22 metres.

An on-site sewage disposal system shall be *permitted* on those lands described as Part 3 on the attached Schedule 14.866.1.

14.867 In lieu of the corresponding provision in the A Zone, the following shall apply:

- a) minimum *lot frontage* for a *lot of record* – 20 metres.

14.868 In addition to uses *permitted* in the R2 Zone, a *clinic or doctors' office* shall also be *permitted*. Notwithstanding Subsection 7.8 Number of Parking Spaces;

- a) minimum four (4) *parking spaces* for the *clinic or doctor's office*;
- b) when a *clinic or doctor's office* is in operation within the *single detached dwelling* a minimum of one (1) *parking space* for the residential use shall be *required*.

14.869 In lieu of the corresponding provision of the R2 Zone, the following shall apply:

- a) minimum *exterior side yard* – 3 metres.

14.870 In lieu of the corresponding provision of the R1-B *Zone*, the following shall apply:

- a) minimum *exterior side yard* – 3 metres.

14.871 In addition to the uses permitted in the A *Zone*, notwithstanding the definition of pit or quarry nothing contained herein shall prohibit the levelling or removal of any hill, provided:

- a) it is for the purpose of extending, increasing or improving the lands for agricultural purposes;
- b) no excavation takes place below the average grade of the land surrounding the hill; and
- c) there is a hill to be levelled. [OMB decision April 10, 2015] [44-Z-2018]

14.872 In lieu of the corresponding provisions in the IN *Zone*, the following shall apply:

- a) minimum *exterior side yard* - 3 metres;
- b) maximum number of *dwelling units* – forty (40);
- c) minimum number of *parking spaces* – twenty one (21);
- d) *dwelling units* in any *permitted* non-residential building – maximum forty (40).

The Grove Street property line shall be deemed to be the *front lot line*.

Existing *parking lot* shall be *permitted* between the existing *structure* and the *street line*.

Setback from a *street line* or property line for a *parking lot* shall not apply.

Existing *parking lot* shall be *permitted* within a *sight triangle*.

Parking is *permitted* in the *front yard*. [60-Z-2014]

14.873 In addition to the uses permitted in the A *Zone*, a truck inspection station including associated repairs for agricultural *vehicles* with a maximum *usable floor area* of 600 square metres as an agriculture-related use shall also be *permitted*. [61-Z-2014]

14.874 In addition to the uses permitted in the RH *Zone*, a contractor's yard and shop with a maximum *usable floor area* of 112 square metres shall also be *permitted*. [62-Z-2014]

14.875 In lieu of the parking space dimensions, a *parking space* with a dimension of 3.0 metres by 5.8 metres shall be *permitted* within the attached garage of a *group townhouse* in the R4 *Zone*. [70-Z-2014]

14.876 In addition to the uses *permitted* in the R5 *Zone*, a retirement home - a multiple dwelling where all dwelling units do not contain full kitchens but where the building provides communal facilities such as kitchen/ dining facilities, laundry facilities, lounges and where residents are supervised in their daily living activities, shall also be *permitted*.

In lieu of the corresponding provisions in the R5 *Zone*, the following shall apply:

- a) minimum unit *usable floor area* for a *dwelling unit* – 31.86 square metres;
- b) minimum *rear yard* – 4.5 metres;
- c) maximum *building height* –four (4) storeys;
- d) minimum required *parking spaces* – 0.4 parking spaces per *dwelling unit*;
- e) total of forty six (46) *parking spaces* for the *dwelling units*, visitors and staff parking:
 - a) maximum number for *parking spaces* in phase 1 – twenty eight (28);
 - b) maximum number of *parking spaces* in phase 2 – eighteen (18). [1-Z-2015]

14.877 In addition to the *permitted* uses of the RH Zone, an *apartment dwelling* house with a maximum of fourteen (14) *dwelling units*, shall also be *permitted*.

In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area* – 14,000 square metres;
- b) minimum *lot frontage* – 30 metres;
- c) minimum *front yard* – 9 metres;
- d) minimum *interior side yard* – 4 metres;
- e) minimum *rear yard* – 9 metres;
- f) maximum *building height* –11 metres.

The *apartment dwelling* shall be *permitted* with private water servicing and waste water servicing, subject to any applicable regulatory approvals. [2-Z-2015]

14.878 Notwithstanding the provisions of the ML Zone, the following shall apply;

- a) Minimum required *parking spaces* – 7. [2-Z-2015]

14.879 In addition to the *permitted* uses of the CMT Zone, an *apartment dwelling* with a maximum of forty eight (48) *dwelling units* shall be *permitted*. [4-Z-2015]

In lieu of the corresponding provisions in the CMT Zone, the following shall apply:

- a) minimum *front yard* setback – 0 metres;
- b) minimum *interior side yard* (right) – 2.89 metres;
- c) minimum *rear yard* setback – 1.40 metres;
- d) minimum *lot coverage* – 92 percent;
- e) maximum *building height* – 14.20 metres;
- f) minimum required *parking spaces* – forty eight (48);

- g) *parking space* width adjacent to a wall – 3.0 metre.

14.880 In lieu of the corresponding provisions of the RH *Zone*, the following shall apply:

- a) maximum *building height* of the accessory to residential building (existing metal barn) – 7.15 metres;
- b) maximum *usable floor area* of the accessory to residential building – 501.7 square metres;
- c) the accessory to residential building shall be used for personal storage only. [8-Z-2015]

14.881 In addition to the uses permitted in the MG *Zone*, an agricultural greenhouse operation shall also be *permitted*.

In lieu of the corresponding provisions of the MG *Zone*, the following shall apply:

- a) minimum *front yard* setback - 10.2 metres
- b) minimum number of *parking spaces* – twenty six (26). [14-Z-2015]

14.882 In addition to the uses permitted in the ML *Zone*, the retail sale of flooring products shall also be *permitted*. [16-Z-2015]

14.883 In lieu of the corresponding provisions in the R1 *Zone* and more accurately shown on Schedule 14.883.1, the following provisions shall apply:

- a) minimum *front yard* setback – 0.5 metres;
- b) an on-site private sewage system shall be *permitted*.

Further that no *building* or *structure* or portion thereof shall be located closer than 6 metres from top of bank. [18-Z-2015]

14.884 In addition to the uses permitted in the A *Zone*, a zip line course with trails, and an assembly building with a maximum *usable floor area* for retail space of 107.1 square metres shall also be permitted. [20-Z-2015] [47-Z-2018]

14.885 In lieu of the corresponding provision in the R1 *Zone*, the following shall apply:

- a) minimum *rear yard* setback – 5.5 metres. [23-Z-2015]

14.886 In addition to the uses permitted in the R5 *Zone*, a retirement home and *long-term care facility* shall also be *permitted*. For the purpose of this special provision, a retirement home shall mean a multiple *dwelling unit* where all *dwelling units* do not contain full kitchens but where the building provides communal facilities such as kitchen/ dining facilities, laundry facilities, lounges and where the residents are supervised in their daily living activities. A retirement home shall not be considered an emergency shelter [19-Z-2020]

In lieu of the corresponding provision in the R5 *Zone*, the following shall apply:

- a) maximum of *dwelling units* (as defined in this special provision) – 150;

- b) maximum *building height* – 3 storeys. [25-Z-2015]

14.887 In lieu of the corresponding provisions in the R1 *Zone*, the following shall apply:

- a) minimum *lot frontage* - 10.40 metres;
- b) minimum *interior side yard* - 2.75 and 0.61 metres;
- c) minimum *exterior side yard* - 3 metres. [53-Z-2014]

14.888 In lieu of the corresponding provisions in the R6 *Zone*, the following shall apply:

- a) minimum *lot frontage*: 21.38 metres;
- b) total number of *parking spaces*: 78;
- c) maximum *floor area ratio*:
 - i. four (4) *storey building* – 0.82 [69-Z-2018]

14.889 In addition to the uses *permitted* in the OS *Zone*, a storm water management pond and related access/elements shall also be *permitted*. [53-Z-2014]

14.890 In addition to the uses *permitted* in the OS *Zone*, a *place of sports and recreation* and a *private club* shall also be *permitted*. [53-Z-2014]

14.891 In addition to the uses *permitted* in the OS *Zone*, a park/walkway shall also be *permitted*. [53-Z-2014]

14.892 In addition to the provisions of the CSC *Zone*, the maximum *usable floor area* for the lands delineated by this special provision shall be 14,400 square metres. This shall be divided into two Stages. Stage 1 shall permit a maximum *usable floor area* of 8,826 square metres of commercial useable floor area and Stage 2 shall permit a maximum *usable floor area* of 5,574 square metres of commercial useable floor area set out as follows:

Stage 1 of the development shall permit a maximum of:

- b) 3,716 square metres for supermarket uses;
- c) 3,716 square metres for commercial uses subject to the following provisions:
 - i. a minimum store size of 371 square metres shall be permitted with the exception of a total of four (4) stores which shall be permitted to be less than 371 square metres.
- d) 1,394 square metres of service commercial uses shall also be *permitted*.

Stage 2 of the development shall permit a maximum of 5,574 square metres of shopping centre commercial uses subject to the lifting of the Holding symbol and the provision of an updated market impact analysis which demonstrates that the requirements of Policy 9.7.3 of the Norfolk County Official Plan are satisfied. The updated market impact analysis must assess the market impacts of Stage 1 at a point in time when 85% of the non-food retail space referred to in 14.892 b) and 14.892 c) above

is occupied and has been open for business for a minimum of one year.

Outdoor sales and display areas shall not form part of the total floor area.

Subsection 1.4.3 shall not apply.

Subsection 3.11 shall not apply to development on the subject lands. [41-Z-2015]

14.893 That the minimum lot frontage and lot coverage provision in the Lakeshore (L) Zone shall not apply to the lands delineated as having reference to this subsection and further described as Part 1 and the following provision shall apply in lieu thereof:

- a) *Lot frontage* - 12.21 metres;
- b) *Maximum lot coverage* - 18.07 percent;
- c) That notwithstanding Section 33 of the Zoning By-law 1-DE 80, an on-site sewage disposal system shall be permitted on those lands delineated as having reference to this subsection and further described as Part 3. [3-Z-2015]

14.894 In addition to the uses *permitted* in the HL Zone, a septic tank and tile bed shall also be *permitted*. [59-Z-2015]

14.895 In lieu of the corresponding provision in Section 3.2 g), Accessory Uses to Residential Uses, the following shall apply:

- a) No building or structure which is accessory to any permitted residential use shall occupy more than 10 percent of the lot area, for all accessory buildings together, to a maximum of 182.96 square metres usable floor area. Swimming pools shall not constitute a structure for the purposes of this provision. [65-Z-2015]

14.896 In lieu of the corresponding provision in Subsection 3.2 g), Accessory Uses to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 420.4 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [3-Z-2016]

14.897 In lieu of Subsection 6.1.4 of the CBD Zone, the following shall apply:

The first storey of any *apartment dwelling* constructed within the CBD Zone shall be level with the established grade of the *street*, and the frontage (Water Street) of the first storey shall be dedicated to retail, office or service uses with a minimum of 90 square metres.

Subsection 6.1.5 Step Back of Upper Floors shall not apply. [2-Z-2016]

14.898 In addition to the applicable regulation and provisions contained in this By-Law, Section 3.36 Surplus Farm Dwelling Severance Properties shall also apply to the lands having reference to this Subsection and shall supersede any Section of the By-Law where there is a conflict. [1-Z-2016]

14.899 In lieu of the corresponding provision in Section 3.2 g), *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 221.86 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [8-Z-2016]

14.900 In addition to the uses *permitted* in the Agricultural (A) Zone, the manufacturing of min-barns/sheds using a maximum of 1.7 hectares of land including a maximum of 742.8 square metres of indoor space within accessory agricultural buildings as a *home industry* with a maximum of four (4) employees shall be *permitted*. [11-Z-2016]

14.901 In addition to the uses *permitted* in the IC Zone, a bake shop with accessory retail sales and a café shall be *permitted*. [30-Z-2016]

14.902 In lieu of the corresponding provisions in Section 3.21(d), the following shall apply:

- a) No building or structure or portion thereof used for *Cannabis Production and Processing* [25-Z-2018] purposes situated in the Agricultural Zone (A) may be located closer to an existing dwelling than 100 metres. [14-Z-2016]

14.903 In addition to the uses *permitted* in the A Zone, the following shall be *permitted*:

- a) Music concerts (maximum of five (5) per year, May through October, for a total of seven (7) days for each event, including set-up and clean up)
- b) Other shows and events such as: medieval times, car shows, fundraisers, etc. (maximum of 10 per year, for a total of two (2) days in length including set-up and clean up)
- c) Accessory vendors (food/ drink/ merchandise) to any permitted event
- d) Accessory camping to any permitted event (maximum of 500 camp sites)
- e) Accessory parking to any permitted event
- f) Fitness camps
- g) Wedding ceremonies [12-Z-2016]

14.904 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 7.6 metres; and
- b) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 620 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [29-Z-2016]

14.905 Notwithstanding the uses *permitted* in the MR Zone, the following uses shall not be permitted:

- a) Automobile body shop;
- b) Automobile service and repair station;
- c) Dwelling, single detached
- d) Fuel storage depot for home and farm use;
- e) Lumber yard;
- f) Office, industrial as an accessory to an industry on the same lot;
- g) Seasonal storage of recreational vehicles and recreational equipment as a secondary use to a farm;
- h) Storage of school buses

In addition to the uses permitted in the MR *Zone*, the following uses shall also be permitted:

- a) *Office, as an accessory use to a permitted use;*
- b) *Dwelling, single detached, accessory to a permitted use. [22-Z-2016]*

14.906 In addition to the uses *permitted* in the Service Commercial (CS) *Zone*, *retail store* shall be *permitted*. [19-Z-2016]

14.907 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 223 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [36-Z-2016]

14.908 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 6.4 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 165.37 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [37-Z-2016]

14.909 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- c) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 167.23 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [40-Z-2016]

14.910 In lieu of the corresponding provisions in the Agricultural (A) Zone, the following shall apply:

- a) maximum *usable floor area* for an *accessory building* – 220.74 square metres;
- b) maximum *building height* for an *accessory building* – 6.7 metres. [31-Z-2016]

14.911 In addition to the uses *permitted* in the RH Zone, a *duplex dwelling* shall be *permitted*. [18-Z-2018]

14.912 In lieu of the corresponding provisions in Section 3.36, *Surplus Farm Dwelling Severance Properties*, the following shall apply:

- a) Any *existing accessory buildings and structures existing* on the severed lot at the time of severance shall be deemed to be granted relief from the applicable *building height and accessory building or structure lot coverage* regulations existing at the time of severance and relief from the *usable floor area* regulation to a maximum of 552 square metres. [3-Z-2017]

14.913 In lieu of the uses *permitted* in the IC Zone, only the following uses shall be *permitted*:

- a) Adult education and training facility
- b) Ambulance service
- c) Art gallery
- d) Community centre
- e) Museum
- f) Pharmacy accessory to a hospital or *clinic or doctors' offices*
- g) *Place of assembly*
- h) *Place of entertainment*
- i) *Place of sports and recreation*, public and private
- j) *Place of worship*
- k) *Private club*
- l) School, all types
- m) *Training and rehabilitation centre*
- n) *Accessory uses to a permitted use on the same lot: restaurant, fast-food restaurant, take-out restaurant, convenience store, craft souvenir and gift shop and financial institution*
- o) All office uses
- p) Private utility yard

- q) Design and production studio
- r) Indoor storage and warehousing

For the purposes of this application *Private Utility Yard* shall mean “land or buildings used for storage, repair and maintenance of vehicles, equipment or materials used in connection with supplying or delivering private utilities, telecommunications or internet services and may include as accessory uses administrative offices”.

In lieu of the corresponding provisions in the IC Zone, the following shall apply:

- a) Minimum *interior side yard* – 2.6 metres [39-Z-2016]

14.914 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 8 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 479 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [41-Z-2016]

14.915 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 6.86 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 200.11 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [52-Z-2016]

14.916 In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area*: 2500 square metres;
- b) minimum *exterior side yard*: 0.53 metres. [15-Z-2018]

14.917 In lieu of the corresponding provisions in the RH Zone, the following shall apply:

- a) minimum *lot area*: 2445 square metres;
- b) minimum *front yard*: 4.87 metres. [17-Z-2018]

14.918 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *front yard*: 1.15 metres [4-Z-2017]

14.919 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall

exceed a *building height* of 5.6 metres;

- b) An *accessory building or structure* may occupy part of a front yard; and
- c) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 223 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [14-Z-2017]

14.920 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 8 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 286 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [21-Z-2017]

14.921 In lieu of Section 2.2, an *accessory building or structure* shall mean a detached *building or structure* shall mean a detached *building or structure* used for an *accessory use*, such as, without limitation, a detached garage or the storage or shelter of materials, equipment or other items, and may contain a *dwelling unit* or a *habitable room*.

In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 7.62 metres; and
- b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 278.7 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [23-Z-2017]

14.922 In lieu of the corresponding provisions in the R1-A Zone and R2 Zone, the following shall apply:

- a) minimum *exterior side yard* – 3 metres. [26-Z-2017]

14.923 In addition to the uses permitted in the HL Zone, a *single detached dwelling* shall also be *permitted* on lands identified on Schedule 14.923.1. All proposed *decks*, parking and septic system must be included within the subject lands.

Subsection 3.11.1 shall not apply. [25-Z-2017]

14.924 In addition to the uses permitted in the HL Zone, a *single detached dwelling* shall also be *permitted* on lands identified on Schedule 14.924.1. All proposed *decks*, parking and septic system must be included within the subject lands.

Subsection 3.11.1 shall not apply. [24-Z-2017]

14.925 In lieu of the corresponding provisions in the CSC Zone, the following shall apply:

- b) minimum front yard – 9 metres [28-Z-2017]

14.926 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 190 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [39-Z-2017]

14.927 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 6.7 metres; and
- b) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 223 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [40-Z-2017]

14.928 In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) minimum front yard – 4.85 metres;
- b) number of parking spaces:
 - i. total *parking spaces* – 4 [33-Z-2017]

14.929 In lieu of the corresponding provision in Section 3.14, *Home Occupation*, the following shall apply:

- a) A *home occupation* may occupy a maximum of 165 square metres, including a maximum display space of 49 square metres. [35-Z-2017]

14.930 In lieu of the corresponding provisions in the CBD Zone, the following shall apply:

- a) The first story of any *apartment dwelling* constructed in the CBD Zone shall be level with the established grade of the *street*, and the frontage (Pond Street) of the first storey shall maintain retail, office or service uses with a minimum of 90 square metres;
- b) Subsection 6.1.5 Step Back of Upper Floors shall not apply;
- c) Subsection 4.2.3 Location of
- d) Parking on a *Lot*, d) shall not apply;
- e) Subsection 4.11.2 Parking in a Central Business District (CBD) Zone shall not apply. [36-Z-2017]

14.931 In lieu of the corresponding provisions in the A Zone, the following shall apply:

- a) minimum lot area:

i. 3.2 hectares;

b) minimum front yard-11.96 metres;

c) minimum exterior side yard - 11.22 metres [48-Z-2017]

14.932 In lieu of the corresponding provisions in the HL *Zone*, the following shall apply:

a) maximum *lot coverage* for all accessory buildings – 13.35 percent;

b) maximum *usable floor area* for all accessory buildings – 58.06 square metres. [34-Z-2017]

14.933 In lieu of the corresponding provisions in the A *Zone*, the following shall apply:

a) minimum *front yard* – 5 metres

Section 3.11.1 shall not apply. [42-Z-2017]

14.934 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

a) No *building or structure* which is accessory to any *permitted* residential use shall exceed a *building height* of 6.5 metres; and

b) No *building or structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 427.35 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [3-Z-2018]

14.935 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

a) No building or structure which is accessory to any permitted residential use shall occupy more than 10 percent of the lot area, for all accessory buildings together, to a maximum of 195.1 square metres usable floor area. Swimming pools shall not constitute a structure for the purposes of this provision. [53-Z-2017]

14.936 In lieu of the corresponding provisions in the A *Zone*, the following shall apply:

a) minimum *lot area*:

i. *lot* – 0.35 hectares. [57-Z-2017]

14.937 In lieu of the corresponding provisions in the A *Zone*, the following shall apply:

a) minimum *lot area*:

i. *lot* – 36 hectares. [58-Z-2017]

14.938 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

a) minimum *lot area* – 1567 square metres. [9-Z-2018]

14.939 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 483 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [12-Z-2018]

14.940 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) minimum *lot area*: 2680 square metres;
- b) minimum *exterior side yard*: 2.47 metres. [17-Z-2018]

14.941 In lieu of the corresponding provisions in the R3 *Zone*, the following shall apply:

- a) minimum *lot frontage*:
 - i. *interior lot* – 18.31 metres;
- b) minimum *front yard* – 5.61 metres;
- c) minimum *interior side yard* – 1.25 metres;
- d) number of *parking spaces*:
 - i. total *parking spaces*: 5. [26-Z-2018]

14.942 In lieu of the corresponding provisions in the Shopping Centre Commercial (CSC) *Zone*, the following shall apply:

- a) maximum *building height* – 30 metres. [32-Z-2018]

14.943 In lieu of the corresponding provisions in the R1-A *Zone*, the following shall apply:

- a) minimum *exterior side yard* – 2.69 metres;
- b) minimum *rear yard* – 2.86 metres.

In addition to the *permitted* locations listed in the first paragraph of Section 3.2.3, an *accessory residential dwelling unit* shall also be *permitted* in an *existing accessory building or structure*. Section 3.2.3 a) to l) applies. [30-Z-2018]

14.944 In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) minimum *lot frontage*:
 - i. *interior lot* – 18.67 metres. [37-Z-2018]

14.945 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses to Residential Uses*, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 372 square metres *usable floor area*. Swimming pools shall not

constitute a *structure* for the purposes of this provision. [43-Z-2018]

14.946 1) In lieu of the uses *permitted* in the HL Zone, only the following uses shall be *permitted*:

- a) public park as defined for the purpose of this special provision as lands owned and/or operated by the County of Norfolk, Long Point Region Conservation Authority or other government agency provided there are no *buildings* or *structures* located thereon;
- b) day use, which is defined as being personal use and enjoyment of a vacant lot for a day, which may include launching boats.

2) The following uses shall be prohibited and are listed for the purposes of clarity and to avoid any confusion, and such prohibited uses are in addition to all other uses that are not permitted uses listed above:

- a) *tent and trailer park*;
- b) *recreational vehicles*;
- c) overnight storage or overnight parking of trailers, tents and *vehicles*;
- d) *buildings* or *structures* of any type including *decks*, change houses and sanitary facilities; and
- e) *dock, pier* or *wharf*.

3) Site alteration and new development shall not be *permitted*. [38-Z-2018]

14.947 In addition to the uses *permitted* in the A Zone, wedding ceremonies and a café with a maximum of 30 seats combined indoor and outdoor shall also be *permitted*. [48-Z-2018]

14.948 Notwithstanding the *permitted* uses in the A Zone, a *single detached dwelling* shall not be *permitted*.

In lieu of the corresponding provisions of the A Zone, the following shall apply:

- a) Minimum *lot frontage* – 0 metres. [68-Z-2018]

14.949 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 152 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision.
- b) *Accessory uses* are permitted on a *lot* prior to the main *building* or use being established. [65-Z-2018]

14.950 In addition to the uses *permitted* in the MG Zone, *place of sports and recreation* and *place of assembly* shall also be *permitted*. [64-Z-2018]

14.951 Number not used.

14.952 Number not used.

14.953 In addition to the uses *permitted* in the A Zone, a ginseng storage, grading, and processing facility shall be *permitted*. The facility may use ginseng produced by the *farm operation* or by other *farms* in Norfolk County. [70-Z-2018]

14.954 In addition to the uses *permitted* in the Hazard Land (HL) Zone, a *single detached dwelling* and septic system shall also be *permitted*. [4-Z-2019]

14.955 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 139.35 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision. [2-Z-2019]

14.956 In addition to the uses *permitted* in the A Zone, ten (10) glamping sites and associated amenities shall be *permitted*, as well as special events within the existing barn, to a maximum of 90 square metres. [71-Z-2018]

14.957 In lieu of the corresponding provisions in the A Zone, the following shall apply:

No land shall be used and no *building* or *structure* or part thereof shall be erected for the purpose of an *animal kennel* nearer than 15.70 metres to any lot line. [10-Z-2019]

14.958 In lieu of the corresponding provisions in Section 3.2, *Accessory Uses* to Residential Uses, the following shall apply:

- a) No *building* or *structure* which is accessory to any *permitted* residential use shall occupy more than 10 percent of the *lot area*, for all *accessory buildings* together, to a maximum of 369.68 square metres *usable floor area*. Swimming pools shall not constitute a *structure* for the purposes of this provision.
- b) No *building* or *structure* which is accessory to any *permitted* residential use shall exceed a maximum *building height* of 7.62 metres. [9-Z-2019]

14.959 Number not used.

14.960 In addition to the uses *permitted* in the A Zone, the following shall be *permitted*:

- a) place of recreation
- b) shows and events accessory to a place of recreation to a maximum of six (6) per year
- c) accessory parking to any *permitted* event. [26-Z-2019]

14.961 In lieu of the corresponding provisions in the Agricultural (A) Zone, the following shall apply:

12.1.4 Location of an Animal Kennel

- b) 60 metres to any Rural Commercial *Zone* (CR), Institutional *Zone* (IC, IN, IR) or any *dwelling* house located on a separate *lot*. [14-Z-2019]

14.962 Number not used.

14.963 In lieu of the corresponding provision in the RH *Zone*, the following shall apply:

- a) minimum *lot area*:
 - i. *interior lot* – 2,832 square metres. [18-Z-2019]

14.964 In lieu of the corresponding provisions in the MG *Zone*, the following shall apply:

- a) minimum setback to a residential *Zone* – 10 metres;
- b) maximum *building height* – 5.4 metres;
- c) maximum *usable floor area* – 446 square metres;

In lieu of the uses *permitted* in the MG *Zone*, only the following uses shall be *permitted*: marine storage and open storage of marine craft. [33-Z-2019]

14.965 In lieu of Subsection 6.1.4, one *dwelling unit* shall be *permitted* on the Alice Street frontage of the *first storey*. [31-Z-2019]

14.966 In addition to the uses *permitted* in the A *Zone*, a *contractor's yard* and landscape business shall be *permitted* on the lands identified as Part 1 on Schedule 14.966.1.

In lieu of the corresponding provisions in the A *Zone*, a minimum *lot area* of 16 hectares shall be *permitted*. [30-Z-2019]

14.967 In lieu of Subsection 3.2.3 d) and f), two (2) *accessory residential dwelling units* shall be *permitted* per *lot*.

In lieu of the requirements of Subsections 3.2.3 l) and 4.2.4 e), less than 50 percent of the *required front yard* may be maintained as landscaped open space. One (1) required parking space per *accessory residential dwelling units* shall be *permitted* in the *required front yard*. [38-Z-2019]

14.968 In lieu of the corresponding provisions in the RR *Zone*, the following shall apply:

- a) minimum *lot area* – 1300 square metres;
- b) minimum *lot frontage* – 14 metres. [32-Z-2019]

14.969 In addition to the uses *permitted* in the Agricultural (A) *Zone*, a *tourist cabin* shall be *permitted*. [40-Z-2019]

14.970 In addition to the uses *permitted* in the RH *Zone*, a *semi-detached dwelling* shall be *permitted*.

In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- a) maximum of three (3) *dwellings* on a *lot* including one (1) *single detached dwelling*, and one (1) *semi-detached dwelling* (one *dwelling unit* per side);

- b) minimum *front yard* – 2.8 metres;
- c) minimum *interior side yard* – 0.5 metres;
- d) minimum *interior side yard* with an attached garage for an *existing single detached dwelling* – 0 metres;
- e) maximum *usable floor area* for all *accessory buildings or structures* – 136.6 square metres. [46-Z-2019]

14.971 In addition to the uses *permitted* in the RH Zone, a *chip wagon* shall also be *permitted*. [50-Z-2019]

14.972 Number not used.

14.973 In addition to the uses *permitted* in the HL Zone, a *vacation home* shall be *permitted*.

In lieu of the corresponding provisions in the RR Zone, the following shall apply:

- a) maximum *lot coverage* – 19.01 percent. [55-Z-2019]

14.974 In addition to the uses *permitted* in the R2 Zone, a *rooming house* having a maximum of four bedrooms shall also be *permitted*. [59-Z-2019]

14.975 In lieu of the corresponding provisions in the D Zone, the following shall apply:

- b) minimum *lot area* – 8.094 hectares. [57-Z-2019]

14.976 Number not used.

14.977 In lieu of the corresponding provision in the R4 Zone, the following shall apply:

- c) minimum *lot frontage*:
 - i. *interior lot* – 26 metres;
- d) maximum *building height* for dwellings adjacent to the R1-A Zone: – one (1) storey. [3-Z-2020]

14.978 In lieu of the corresponding provision, subsection 6.1.4 shall not apply. [1-Z-2020]

14.979 In lieu of the corresponding provision in the R4 Zone, development adjacent to an R1-B or R2 Zone shall have a maximum building height of 9.8 metres.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply as they relate to street townhouse (per unit):

- a) Minimum lot frontage:
 - i. Corner lot – 10
 - ii. 2 metres;
- b) Minimum exterior side yard – 2.8 metres

In lieu of the corresponding provisions in the R4 Zone, the following shall apply as they relate to stacked townhouse:

- c) number of parking spaces:
 - i. residential parking spaces -36;
- ci) minimum exterior side yard -2.8 metres;

In lieu of Section 4 -Parking Requirements, the following shall apply:

- e) 4.1.3 Parking Space Dimensions, for a parallel parking space, the following shall apply:
 - i. Width -2.5 metres
 - ii. Length -6.7 metres
- f) 4.1.4 Parking Aisle Requirements, for two-way traffic, the following shall apply:
 - i. two-way traffic -6.3 metres
- g) 4.2.5 Parking and Landscape Area, the following shall apply:
 - i. A minimum of 20 percent of the front yard shall be maintained as landscape area.
 - ii. In the case of a comer lot, a minimum of 20 percent of each of the front yard and exterior side yard shall be maintained landscape area. [9-Z-2020]

14.980 Number not used

14.981 In lieu of corresponding provisions Section 3.2.3 b) ii) and Section 3.2.3 i) respectively, the following shall apply:

- a) an *accessory residential dwelling unit* within an *accessory building* shall be permitted a maximum of 320 metres from the primary residential *dwelling unit*; and
- b) the *accessory residential dwelling unit* shall not be larger than 75 percent of the total gross floor area of the primary *dwelling unit* excluding any *deck* or *unenclosed porch*. [15-Z-2020]

14.982 Number not used.

14.983 Number not used.

14.984 In lieu of corresponding provisions in the Hamlet Residential *Zone*, the following shall apply:

- a) minimum *lot frontage*:
 - i. *interior lot* – 22.03 metres; [18-Z-2020]

14.985 In addition to the uses *permitted* in the Agricultural (A) *Zone*, a farm machinery and equipment repair business shall be *permitted* at a maximum of 4,800 square feet. [20-Z-2020]

14.986 In addition to the uses permitted in the MG Zone, a Gymnasium shall also be permitted.

For the purpose of special provision, a Gymnasium shall be defined as "a place of sports and recreation which is characterized by a large room used for various indoor sports and usually equipped with gymnastic apparatus."

In lieu of the corresponding provisions in the MG Zone and Section 4.9, the following shall apply:

- a) number of parking spaces:
 - i. total parking spaces – 40;
 - ii. barrier-free parking spaces – two (2). [17-Z-2020]

14.987 In addition to the uses *permitted* in the Hazard Land (HL) Zone, the following *uses* shall be *permitted*:

- a) Dwelling, single detached
- b) Bed & breakfast, subject to Subsection 3.4
- c) Home occupation
- d) An accessory structure (not habitable, with a permit from appropriate authority)

In lieu of the corresponding provisions, the following shall apply:

- a) minimum *front yard*: - 6 metres;
- b) minimum *interior side yard*:
 - i. from attached garage – 1.2 metres;
 - ii. from other *interior side yard* – 4 metres;
- c) minimum *rear yard*:
 - i. 39.5 m from the *rear lot line*;
 - ii. 4.0 m from the Stable Top of the Slope;
- d) maximum *building height*: 11 metres; [23-Z-2020]

14.988 Number not used.

14.989 In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *lot area*:
 - i. *interior lot* – 300 square metres; [21-Z-2020]

Special Provision Site Specific Schedules

15.0 Approval

That the effective date of this By-Law shall be the date of final passage thereof.

Read a first and second time this 15th of July, 2014.

Read a third time and finally passed this 15th of July, 2014.

Mayor

Clerk/Manager of Council Services

16.0 Schedules

16.1 **Schedule A - Zoning Schedules**

16.2 **Schedule B – Wellhead**

16.3 **Schedule C - Parking**