



TOWNSHIP OF ADDINGTON HIGHLANDS

ZONING BY-LAW NO. 0212/2006

Prepared by:



IBI GROUP

London Branch

#203 – 350 Oxford Street W.

LONDON, ON. N6H 1T3

THE CORPORATION OF THE TOWNSHIP OF ADDINGTON HIGHLANDS

BY-LAW NUMBER 0212/2006

BEING A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF ADDINGTON HIGHLANDS

WHEREAS the Council of the Corporation of the Township of Addington Highlands considers it desirable to enact a Zoning By-law in accordance with the provisions of Section 34 of the Planning Act, (R.S.O. 1990 as amended), to regulate the use of lands and the character, location and use of buildings and structures throughout the Township;

AND WHEREAS the Council of the Corporation of the Township of Addington Highlands further considers it advisable to restrict, prohibit and regulate the use of lands, as are hereinafter zoned, in order to implement the policies of the Official Plan;

AND WHEREAS this By-law conforms to the Official Plan for the Township of Addington Highlands;

THAT Zoning By-law Nos. 347, 356, 374, 375, 381, 389, 390, and 395 of the Township of Kaladar, Anglesea and Effingham are all hereby repealed;

NOW THEREFORE the Council of the Corporation of the Township of Addington Highlands **ADOPTS** the Zoning By-law of the Township of Addington Highlands comprised of the attached text and map schedules.

THIS BY-LAW shall come to force and take effect on its date of passing subject to the provisions of subsections 34(30) and (31) of the Planning Act, R.S.O. 1990, in the event a notice of appeal of this By-law is filed in accordance with subsection 34(19) of the Act.

Read a first time this ____ day of _____ 2006.

Read a second time this ____ day of _____ 2006.

Read a third time and finally passed this ____ day of _____ 2006.

(Ken Hook) Reeve

(Jack Pauhl) Clerk

EXPLANATORY NOTE - ZONING BY-LAW No. _____

The Council of a municipality may, under Section 34 of the Planning Act, R.S.O. 1990, pass a Zoning By-law to govern the use of land, and implement the Official Plan. The purpose of the By-law is to:

- i) Regulate the use of land and the character, location and use of buildings and structures;
- ii) Prohibit the juxtaposition of incompatible uses of land; and
- iii) Prohibit the erection and use of buildings and structures within various areas of The Corporation of the Township of Addington Highlands unless these are in compliance with the by-law.

The By-Law serves to:

- i) Implement the policies of the Township of Addington Highlands Official Plan;
- ii) Regulate development within the Township in order to minimize adverse affects on existing areas; and
- iii) Prohibit development which may be detrimental to the future orderly development of the Township.

The provisions of the By-Law will apply throughout all of the defined areas within the corporate limits of the Township of Addington Highlands. When the By-law is in force, no land shall be used and no building or structure shall be erected, altered or used in any manner except in conformity with the provisions of the By-law.

The By-law will not apply to prevent or hinder the continued use of any land, building or structure which, on the date of the passing of the By-law, was legally erected or used for any purpose prohibited by the By-law, so long as it continues to be used for that purpose.

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MAP SCHEDULES

Name	Schedule
Kaladar	A
Flinton.....	B
Flinton Corner and Surrounding Area	C
Northbrook.....	D
Glastonbury	E
Bishop Corners and Surrounding Area	F
Cloyne	G
Sheldrake / North Skootamatta	H
Skootamatta Lake	I1 – I2
Upper Mazinaw Lake.....	J
Campbell Bay	K
Buckshot Lake.....	L
Mackavoy – Stoll Lakes.....	M
Weslemkoon Lake.....	N1 – N3
Kilpecker Creek	O
Finch Lake.....	P
Vennachar and Surrounding Area.....	Q
Ashby Lake.....	R
Ferguson Corners and Surrounding Area.....	S
Vennachar Junction.....	T
South Denbigh.....	U
North Denbigh	V
West Denbigh.....	W
Ashby White Lake	X
Slate Falls.....	Y
Rural Areas	Z1 – Z24

1.0 INTERPRETATION AND ADMINISTRATION

1.1 Title of By-law

This By-Law may be cited as the "Township of Addington Highlands Zoning By-law ".

1.2 Declaration

The Zoning Schedules contained herein are declared to form part of this By-law.

1.3 Application of By-law

The provisions of this By-Law shall apply and be enforceable with respect to all lands under the jurisdiction of the Township of Addington Highlands. The definitions and interpretations given herein shall govern unless the context requires otherwise.

1.4 Interpretation

The definitions and interpretations given herein shall govern unless the context requires otherwise. For the purposes of this By-law:

- words used in the present tense include the future;
- words in singular number include the plural and words in the plural include the singular number;
- the word "shall" is mandatory;
- the word "may" is permissive;
- the words "used" and "occupied" shall include the words "arranged" and "designed to be used or occupied"
- words in the present tense include the future;
- Words in the masculine gender include the feminine gender and vice versa.

1.5 Headings

The headings of the Parts, Sections, Subsections and Clauses of this By-law or on the Zoning Schedules, together with the explanatory note, have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.

1.6 Requirements

The provisions of this By-law shall be held to be the minimum (min.) requirement EXCEPT where the word maximum (max.) is used, in which case the maximum requirement shall apply.

1.7 Zoning By-law Administration and Enforcement

This By-law shall be administered and enforced by the Chief Building Official or such other person as may be appointed by the council of the Corporation of the Township of Addington Highlands.

1.8 Building Permit Issued

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Building Official and a building permit under the Building Code Act has been issued prior to the date of passing of this By-law, provided:

- i) When the building or structure is erected, it shall be used for the purpose for which the building permit was issued;
- ii) The erection of such building or structure is commenced within six months of the date of passing of this By-law and provided the erection of such building or structure is completed within a reasonable time after the erection thereof is commenced, and
- iii) The building permit has not been revoked pursuant to the Building Code Act.

1.9 Issuance of Building Permits

- i) No building permit shall be issued where the proposed building, structure or excavation or where the proposed use or activity would be in violation of the provisions of this By-law.
- ii) Where the approval of another agent or authority is required, this shall mean that the written approval of such agent or authority shall be obtained by the applicant and submitted to the Chief Building Official at such time as an application is made for a building permit.
- iii) Every application for a building permit on flood prone lands, except for a boat house permitted as an accessory use, shall be accompanied by a plan(s) drawn to the appropriate scale showing the following:
 - (a) the location and use of all existing and proposed buildings and structures;
 - (b) existing and final contours at 0.3 metre intervals;

- (c) erosion and siltation control procedures;
- (d) the location of the floodline where available; and
- (e) flood proofing measures

1.10 Inspection

- i) The Chief Building Official, Building Inspector or any other officer or employee of the Corporation, acting under the direction of the Council, in accordance with applicable law, is hereby authorized to enter, at all reasonable hours, upon any property or premises in which there is reason to believe that the provisions of this By-law are not being obeyed, for the purpose of carrying out the duties under this By-law.
- ii) The Chief Building Official, Building Inspector or other employee of the Corporation shall not enter any room or place actually being used as a dwelling without the consent of the occupier, except under the authority of a search warrant issued under the Provincial Offences Act.

1.11 Buildings or Structures to be Moved

No building or structure normally requiring a building permit for construction shall be moved within the area affected by this By-law without a permit from the Chief Building Official.

1.12 Occupancy

1.12.1 CERTIFICATE OF OCCUPANCY

No change shall be made in the use of any land, building, structure or excavation until a Certificate of Occupancy has been issued by the Chief Building Official, to the effect that the proposed use conforms to this By-law.

1.12.2 OCCUPANCY OF UNCOMPLETED DWELLINGS

No dwelling shall be used for human habitation until the Building Code Act and the regulations thereunder have been complied with and, in any event, not before the main side walls and roof have been erected; the external siding and roofing completed; and kitchen, heating and sanitary conveniences have been installed and rendered usable, safe and fit for human habitation.

1.13 Conformity with By-law

1.13.1 BUILDINGS, STRUCTURES, EXCAVATIONS, AND USES

No building, structure, or excavation shall hereafter be erected, altered, used, or made nor shall the use of any land, building, structure, or excavation hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

1.13.2 LAND DIVISION (LOTS)

No lot shall be changed in area, depth, or width either by the conveyance of land or otherwise, if the effect of such action is to cause the original, adjoining, remaining, or new lot or building or structure thereon, to be in contravention of this By-law.

1.14 Violation and Penalties

Any person or corporation who uses any lot or erects or alters a building or structure in a manner in contravention of this By-law is guilty of an offence, and upon conviction, is liable for the penalties as herein outlined:

1.14.1 PERSON

- 1.14.1.1 Any person convicted of, by a Court of competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice, a penalty not exceeding the sum of Twenty Five Thousand (\$25,000.00) Dollars (exclusive of costs) for the first offence; and
- 1.14.1.2 For a subsequent offence, a penalty not exceeding the sum of Ten Thousand (\$10,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

1.14.2 CORPORATION

- 1.14.2.1 Any Corporation convicted of, by a Court of competent jurisdiction, a breach of this By-law shall forfeit and pay at the discretion of the convicting Justice, a penalty not exceeding the sum of Fifty Thousand (\$50,000.00) Dollars (exclusive of costs) for the first offence; and
- 1.14.2.2 For a subsequent offence, a penalty not exceeding the sum of Twenty-Five Thousand (\$25,000.00) Dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

1.14.3 CONTINUATION OF OFFENCE

Upon a conviction being entered under the provisions of subsection (a) or (b) of this Section, the Court

in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this By-law, make an Order prohibiting the continuation or repetition of the offence by the person or Corporation convicted.

1.15 Remedies

Where any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or the Corporation pursuant to the provisions of the Planning Act or the Municipal Act.

1.16 Public Acquisition

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to, or acquired by, any Public Authority for public use.

1.17 Other By-laws, Regulations or Acts

1.17.1 NOT TO AFFECT OTHER BY-LAWS

This By-law shall not be interpreted so as to reduce or mitigate any other by-law, regulation, or restriction lawfully imposed by this Corporation or any other governmental authority having jurisdiction to do so.

1.17.2 COMPLIANCE WITH OTHER BY-LAW

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

1.17.3 CONFLICT

In the event of a conflict between this By-law and any general or special Township By-law, this By-law shall prevail.

1.17.4 OTHER JURISDICTIONS

No other by-law, regulation, or Act shall be interpreted so as to reduce or mitigate any requirement of this By-law, unless, the other by-law, regulation, or Act was specifically intended to affect zoning and the governmental authority responsible for the by-law, regulation, or Act has the jurisdiction to do so.

1.18 Requests for Amendments

Request for an amendment to this By-law shall be accompanied by the Corporation's "APPLICATION FOR ZONE CHANGE".

1.19 Validity

If any section, clause or provisions of this By-law, including anything contained on the Key Map and Schedules attached hereto, 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 provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed.

1.20 Zoning By-law Enactment

THIS By-law shall come to force and take effect on its date of passing subject to the provisions of subsections 34(30) and (31) of the Planning Act, R.S.O. 1990, in the event a notice of appeal of this By-law is filed in accordance with subsection 34(19) of the Act.

2.0 DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions and interpretations apply:

- 2.1 "ABATTOIR" means a building or structure specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.
- 2.2 "ACCESSORY BUILDING OR STRUCTURE" means a detached building or structure that is not used for human habitation and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.
- 2.3 "ACCESSORY USE" means a use customarily incidental and subordinate to, and, exclusively devoted to the main use of the lot, building or structure and located on the same lot.
- 2.4 "ACCESSORY DWELLING" - See "Dwelling".
- 2.5 "ACCESSORY DWELLING UNIT" - See "Dwelling Unit".
- 2.6 "AGRICULTURE / AGRICULTURE USE" means the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, truck gardening, berry crops, tree crops, nurseries, aviaries, apiaries or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot.
- 2.7 "AGRICULTURE PRODUCE SALES OUTLET" means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 2.8 "ALTER" means;
- when used in reference to a building or part thereof, means to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof;
 - when used in reference to a lot, the word "alter" means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard setback, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise.
 - When used in reference to a use, means the purpose for which the lot, building or structure is occupied.
 - The words "ALTERED" and "ALTERATION" shall have corresponding meanings.
- 2.9 "ANIMAL SHELTER" means the land and the buildings used for the care of lost abandoned or neglected animals, operated by a public or semi-public authority, or non-profit organization.

- 2.10 "ANTIQUÉ SALES ESTABLISHMENT" means a building or part of a building or structure where antiques, arts and crafts are offered or kept for sale at retail, and may include a "craft shop".
- 2.11 "ARENA" means a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate thereto.
- 2.12 "ASPHALT PLANT, PORTABLE" means a facility:
- with equipment to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stock piling and storage of bulk materials used in the process;
 - which is not of permanent construction but which is to be dismantled at the completion of the construction project; and
 - Which does not remain at one location for more than one year or for the duration of a specific road project; whichever is shorter.
- 2.13 "ASSEMBLY HALL" means a building, or part of a building, where facilities are provided for such purposes as meetings, athletic, civic, educational, political, religious or social events and may include a gymnasium, banquet hall, private club, fraternal organization, or similar use.
- 2.14 "ATTIC"- See "STOREY".
- 2.15 "AUCTION OUTLET" means a building or part of a building or structure in which goods, wares, merchandise, substances, articles or things are offered for sale to the general public by an auctioneer and may include a livestock auction sales barn.
- 2.16 "AUDITORIUM" means a building, or part of a building or structure, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include a gymnasium or other similar facility or use but shall not include an arena.
- 2.17 "BAKERY" means a building, or part thereof, used for producing, mixing, compounding, or baking bread, biscuits, cakes or other baked products, which may or may not include a retail store where such products are sold.
- 2.18 "BASEMENT" - see "STOREY".
- 2.19 "BASEMENT, WALKOUT"- see "STOREY".
- 2.20 "BED AND BREAKFAST ESTABLISHMENT" means a single unit dwelling in which no more than three guest rooms are made available for the overnight accommodation of the traveling or vacationing public, and in which the proprietor may offer lodging and breakfast for monetary compensation. A Bed and Breakfast Establishment shall not include a boarding or rooming house, hotel, motel, group home, an eating establishment or any other establishment otherwise defined or classified herein.

- 2.21 "BEVERAGE ROOM" means a building or premises, other than a restaurant which is licensed under the Liquor Licence Act.
- 2.22 "BLOCK" means the smallest unit of land, the boundaries of which consist entirely of public streets, rivers, railway lines, public parks or any combination thereof or a block of land as shown in a registered plan of subdivision.
- 2.23 "BOARDING HOUSE" or "LODGING HOUSE" - See "DWELLING".
- 2.24 "BOAT HOUSE" means a detached accessory building or structure, which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy of the lot.
- 2.25 "BUILDING" means a structure, other than a wall or fence, having a roof, supported by columns or walls or supported directly on the foundation, and used for the shelter, accommodation or enclosure of persons, animals or goods.
- 2.26 "BUILDING BY-LAW" means any By-law of the Corporation passed pursuant to the Building Code Act and regulations passed thereunder.
- 2.27 "BUILDING LINE" means a line within a lot drawn parallel to a lot line and establishes the minimum distance between the lot line and the nearest point of any building or structure which may be erected.
- 2.28 "BUILDING OFFICIAL" means the officer or employee of the Corporation of the Township of Addington Highlands charged with the duty of:
- Enforcing the Building Code Act, and regulations;
 - Enforcing the provisions of the Building By-Law.
 - The definition shall include any inspector likewise appointed.
- 2.29 "BUILDING PERMIT" means a building permit issued by the Chief Building Official of the Township of Addington Highlands under the Building By-law and the Building Code Act.
- 2.30 "BUILDING SUPPLY OUTLET" means a building or structure, and associated outdoor yard area, where building or construction and home improvement materials are offered or kept for sale and may include the fabrication of certain materials related to home improvements.
- 2.31 "BULK STORAGE TANK" means a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.32 "BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE" means a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice,

consultation or treatment and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

- 2.33 "BY-LAW" means the Township of Addington Highlands Zoning By-law.
- 2.34 "BY-LAW ENFORCEMENT OFFICER" means any officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.
- 2.35 "CABIN" means a cabin for sleeping which is not a cottage, which may or may not contain facilities for the cooking or preparation of food, and, which forms part of a tourist establishment as hereinafter defined in this By-law.
- 2.36 "CABIN ESTABLISHMENT" means a tourist establishment comprised of two or more cabins.
- 2.37 "CAMPING ESTABLISHMENT" means a tourist establishment consisting of at least five camp sites and comprising land used or maintained as grounds for camping and may include the temporary placement of tents or the temporary parking of trailers, motorized mobile homes, truck campers or campers, but does not include a mobile home park.
- 2.38 "CAMPING LOT" means that part of a camping establishment that is occupied on a temporary basis only by a trailer; motorized home, truck camper, camper or tent.
- 2.39 "CAR WASH" means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.
- 2.40 "CARPORT" means a portion of a dwelling which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40% of the total perimeter, which shall include the main wall of the dwelling to which such carport is attached, open and unobstructed.
- 2.41 "CELLAR"- see "STOREY".
- 2.42 "CEMETERY" means a cemetery or columbarium within the meaning of the Cemeteries Act.
- 2.43 "CERTIFICATE OF OCCUPANCY" means a certificate issued by the Chief Building Official for the occupancy of any land, building, excavation or structure to the effect that the proposed use or activity complies with this By-law.
- 2.44 "CLINIC, MEDICAL" means a building or structure where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians and occupational therapists, either singularly or in union provide diagnosis and treatment to the general public, without overnight accommodation, and shall include such uses as reception areas, offices for consultation, coffee shop, X-ray and minor operating rooms, and a pharmaceutical dispensary.
- 2.45 "CLUB, COMMERCIAL" means an athletic, recreational or social club operated for gain or profit.
- 2.46 "CLUB, PRIVATE" means an athletic, recreational or social club located on private lands and used for the purposes of a non-profit, non-commercial organization. This definition may include the premises of a

fraternal organization.

- 2.47 "COMMUNITY CENTRE" means any tract of land, or building or buildings, or any part of any building used for community activities, whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.
- 2.48 "CONSERVATION" means the preservation, protection and improvement of the components of the natural environment through comprehensive management and maintenance program for both the individual and society's uses, both in the present and in the future.
- 2.49 "CONTRACTOR'S YARD" means a yard of any building trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work.
- 2.50 "CONVENIENCE STORE" means an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale to residents of the immediate neighborhood or surrounding area.
- 2.51 "CORNER LOT" - See "LOT".
- 2.52 "CORPORATION" means the Corporation of the Township of Addington Highlands.
- 2.53 "COTTAGE ESTABLISHMENT" means a building to accommodate one or more guests, which contains at least two rooms, that is at least partially furnished and in which the guest is permitted to prepare and cook food, but shall not include a seasonal dwelling as herein defined.
- 2.54 "COUNCIL" means the Municipal Council of the Corporation of the Township of Addington Highlands.
- 2.55 "COUNTY" means the Corporation of the County of Lennox and Addington.
- 2.56 "COUNTY ROAD" means a street or road under the jurisdiction of the County.
- 2.57 "CRAFT SHOP" means a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public.
- 2.58 "DAY NURSERY" means a day nursery operated for pre-school age children within the meaning of the Day Nurseries Act.
- 2.59 "DEVELOPMENT" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability of such buildings or structures.
- 2.60 "DEVELOPMENT AGREEMENT" means any agreement entered into by an owner of land and the Corporation pursuant to the Planning Act.
- 2.61 "DRY CLEANER'S DISTRIBUTION STATION" means a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to the process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods which have been received therein.

- 2.62 "DRY CLEANING PLANT" means a building in which the business of dry cleaning, dry dyeing, cleaning, stain removal or pressing of articles of goods of fabric is carried on and, in which non-combustible and non-flammable solvents are, or can be, used which are in compliance with the Environmental Protection Act.
- 2.63 "DWELLING" means a building occupied or capable of being occupied as the home or residence of one or more persons, but shall not include a trailer, motor home, or mobile home.
- a) "ACCESSORY DWELLING" means a single-unit dwelling which is accessory to a permitted non-residential use and is designed for residential occupancy, and necessary to the maintenance and operation of the non-residential use to which it is related.
 - b) "APARTMENT DWELLING" means the whole of a dwelling that contains five or more dwelling units which have a common entrance from street level in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and any yards appurtenant thereto.
 - c) "BOARDING OR LODGING" means a dwelling containing not more than four guest rooms, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three to eight persons.
 - d) "CONVERTED DWELLING" means a single unit dwelling erected prior to the date of passing of this By-law, which has a lot area of at least 0.4 hectares and an existing gross floor area of 160 m², may be converted to provide therein not more than two dwelling units.
 - e) "DUPLEX DWELLING" means the whole of a dwelling above finished grade which is divided horizontally into two separate dwelling units, each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule.
 - f) "FOURPLEX DWELLING" means the whole of a dwelling that is divided vertically and horizontally by common walls above finished grade into four separate dwelling units each of which has two common walls, and each dwelling unit has an independent entrance either from the outside or through a common vestibule.
 - g) "MAISONETTE DWELLING" means the whole of a dwelling containing dwelling units with two separate means of access; one of the said means of access is from a common first storey corridor and the other is directly from the outside privacy yard area allocated to the said dwelling unit.
 - h) "ROW DWELLING" means one of a group of three or more attached single unit dwellings, separated vertically by a common wall, having at least two independent entrances directly from the outside.
 - i) "SEASONAL DWELLING" means a dwelling used as an occasional resort for vacation, recreation, rest and relaxation purposes by a person who maintains and regularly resides in a permanent dwelling at

another location.

- j) "SEMI-DETACHED DWELLING" means the whole of a dwelling which is divided vertically by a common wall above finished grade into two separate dwelling units with each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule, or where two dwelling units are connected at some point below ground level.
- k) "SENIOR CITIZENS DWELLING" means a suite of one or more rooms together with private lavatory facilities, kitchen and sleeping accommodation designed and used for the exclusive occupancy of one or more senior citizens.
- l) "SINGLE-UNIT DWELLING" means a dwelling containing only one dwelling unit. This definition shall not include a mobile home.
- m) "STREETFRONT DWELLING" means one of a group of three or more attached single unit dwellings, separated vertically by a common wall, having independent entrances at ground level directly from the outside, having a yard abutting at least the front and rear walls of each dwelling unit, and each unit having separate and distinct frontage on an improved street or road.
- n) "TRIPLEX DWELLING" means the whole of a dwelling that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

2.64 "DWELLING UNIT" means a suite of two or more rooms, designed or intended for use as a single housekeeping unit, in which sanitary conveniences are provided, in which only one kitchen facility is provided for cooking, in which a heating system is provided, and, which has a private entrance from outside the building or from a common hallway or stairway inside and occupied by not more than four individuals who reside therein or more than four individuals who reside therein as a family provided there is no program, person, or agency required in the supervision of such individuals. For the purposes of this By-law, a dwelling unit does not include a tent, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, motel, motor hotel or tourist home.

2.65 "ACCESSORY DWELLING UNIT" means a dwelling unit which is part of and accessory to a permitted non-residential use other than an automobile service station or commercial garage, and which is designed for residential occupancy necessary to the maintenance and operation of the non-residential use to which it is related. Such unit shall be occupied either by the family of the owner or by the family of a person employed on the lot where such a dwelling unit is located.

2.66 "BACHELOR DWELLING UNIT" means a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

- 2.67 "DWELLING UNIT AREA" means the habitable area contained within the inside walls of a dwelling unit, including a loft, a finished basement, but excluding any private garage, carport, porch, veranda, unfinished attic, unfinished basement, cellar or sun room (unless such sun room is habitable in all seasons of the year), and excluding public or common halls, stairways, and the thickness of outside walls.
- 2.68 "EASEMENT" the right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose, or the grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation or another person.
- 2.69 "EATING ESTABLISHMENT" means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, cafeteria, ice cream parlor, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging home or a drive-in or take-out eating establishment.
- 2.70 "EATING ESTABLISHMENT, DRIVE-IN" means an eating establishment where facilities are available to serve meals to the customer for consumption in the customer's motor vehicle, parked in an area designed for that purpose.
- 2.71 "EATING ESTABLISHMENT, MOBILE" means a vehicle, trailer, cart or other structure not placed on a permanent foundation which is equipped for cartage, storage and the preparation of food stuffs, beverages, confections and such items are offered directly for consumption to the general public, and includes a chip wagon, a mobile canteen and other refreshment vehicles, licensed by the Corporation.
- 2.72 "EATING ESTABLISHMENT, TAKE-OUT" means a building or part of a building designed, intended or used for the sale of food and refreshments to the general public but which does not include provision for consumption of the food by the customer while in his vehicle, but may include provisions for consumption of food within the building or elsewhere on the site.
- 2.73 "EAVE" means a roof overhang, free of enclosing walls, without supporting columns.
- 2.74 "EQUESTRIAN CENTRE" means the use of land, buildings or structures for the boarding of horses, training of horses and riders, staging of equestrian events, operation of a riding academy, but does not include the racing of horses.
- 2.75 "EQUIPMENT, ABANDONED" means any motorized or non-motorized equipment, or parts thereof, used for agricultural, forestry, mineral or mineral aggregate extraction, or any other similar primary industrial use, that is not used for its intended purpose within one year of being previously used for its intended purpose.
- 2.76 "EQUIPMENT, SEASONAL" means any motorized or non-motorized equipment, or parts thereof, used for agricultural, forestry, mineral or mineral aggregate extraction, or any other similar primary industrial use, that is used for its intended purpose for a minimum of two months within each calendar year
- 2.77 "EQUIPMENT SALES AND RENTAL" means a building or part of a building or structure in which light and/or heavy machinery and equipment are offered for sale or kept for rent, lease or hire under

agreement for compensation.

2.78 "EQUIPMENT SALES AND RENTAL, RECREATIONAL" - See "VEHICLE".

2.79 "ERECT" means to set-up, build, construct, reconstruct and relocate and, without limiting the generality of the word, also includes:

- i) Any preliminary physical operation, such as excavating, filling or draining;
- ii) Altering any existing building or structure by an addition, enlargement, extension movement or other structural change; and
- iii) Any work which requires a building permit under the Building Code Act and regulations passed thereunder and/or the building By-law of the Corporation.

2.80 "ESTABLISHED BUILDING LINE, URBAN" means the average setback from the street centreline of existing buildings on one side of one block where more than one-half of the frontage of the said side of the block has been built upon.

2.81 "ESTABLISHED BUILDING LINE, RURAL" means the average setback from the street centreline of existing buildings when at least five buildings have been erected on any one side of a continuous two hundred metres of land with frontage on an improved public street.

2.82 "EXISTING" means existing of the date of passing of this By-Law.

2.83 "EXTERIOR SIDE LOT LINE" - See "LOT LINE".

2.84 "EXTERIOR SIDE YARD" - See "YARD".

2.85 "FARM" means land used for the tillage of soil and the growing of vegetables, fruits, grains, maple syrup, and other staple crops. This includes the use of land for such activities as a nursery farm, raising of animals, dairying, fish farming, or woodlots.

2.86 "FARM IMPLEMENT AND EQUIPMENT SALES AND SERVICE ESTABLISHMENT" means a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment.

2.87 "FARM PRODUCE RETAIL OUTLET" means a building, or part of a building or structure in which farm produce, exclusive of meat or poultry, is offered for sale at retail.

2.88 "FEED MILL" shall mean a building or structure used for the purpose of processing food for animals, and which may include a retail operation for the sale of such products.

2.89 "FILL" means earth, sand, gravel, rubble or any other material whether originating on the site or elsewhere, used or capable of being used to raise or in any way affect the contours of the ground.

2.90 "FINANCIAL INSTITUTIONS" shall mean an establishment that provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stockbrokers, but not including the offices or administrative offices, which shall be considered to be

offices for the purposes of this By-law.

- 2.91 "FINISHED GRADE" means where the elevation of the finished surface of the ground meets the foundation of a structure or building, exclusive of any embankment in lieu of steps.
- 2.92 "FLEA MARKET" means a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either homemade, homegrown, handcrafted, old, obsolete or antique and may include the selling of goods at retail by a business or individuals who are generally engaged in retail trade.
- 2.93 "FLOOD LINE" means the line which delimits the area that would be flooded with an expected average frequency of once in 100 years. Engineered floodline mapping, where available, illustrating the extent of the floodplains are available at the offices of the Conservation Authority.
- 2.94 "FLOODPLAIN" means the area, usually low lands, adjoining a waterbody or watercourse which has been or may be covered by flood water. These areas are delineated by engineered floodlines.
- 2.95 "FLOOD PROOFED" means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.
- 2.96 "FLOOR AREA, GROSS" means the total floor area, as defined herein, exclusive of:
- any part of the building or structure below finished grade which is used for heating, the storage or parking of motor vehicles, locker storage, storage of goods and personal effects, laundry facilities, children's play areas and other accessory uses, or used as living quarters by the caretaker, watchman or other supervisor of the building or structure; and
 - In the case of a dwelling, any private garage, carport, basement, walkout basement, cellar, porch or veranda, sun-room (unless such sun-room is habitable at all seasons of the year).
- 2.97 "FLOOR AREA, GROSS LEASABLE" means the total floor area designated for tenant occupancy and exclusive use, including individual basement and storage areas, mezzanines and upper floors if any from the centre lines of partitions and exterior of outside walls. This does not include walkways giving public access to a permitted use.
- 2.98 "FLOOR AREA, GROUND" means the total ground floor area of a building measured to the outside walls, excluding, in the case of a dwelling, any private garage, carport, porch, veranda, sun-room (unless such sun-room is habitable at all seasons of the year).
- 2.99 "FLOOR AREA, TOTAL" means the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.
- 2.100 "FOOD MARKET" - See "SUPERMARKET".
- 2.101 "FORESTRY" means the management, development and cultivation of timber resources to ensure the

continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource and shall include reforestation areas owned or managed by the Ministry of Natural Resources, the County, or Local Conservation Authority or under a plan approved by a Registered Professional Forester.

2.102 "FORTIFICATIONS" means the installation, application or maintenance of devices, barriers or materials in a manner designed to restrict, obstruct or impede municipal and law enforcement officials and/or emergency personnel from accessing or exiting any land;

2.103 "FRATERNAL LODGE" means a building or part of a building used for the purposes of a club, society or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purposes.

2.104 "FRONTAGE" - See "LOT FRONTAGE".

2.105 "FRONT LOT LINE" - See "LOT LINE".

2.106 "FRONT YARD" - See "YARD".

2.107 "FUEL STORAGE TANK" means a tank for the bulk storage of petroleum, gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

2.108 "FUNERAL HOME" means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of a dead human body for interment or cremation.

2.109 "GARAGE, COMMERCIAL" means a building, structure or lot where commercial vehicles are stored.

2.110 "GARAGE, PRIVATE" means an accessory building or portion of a dwelling which is fully enclosed and roofed and designed or used for the sheltering of vehicles and storage of household equipment incidental to the residential occupancy and excludes a carport or other open shelter.

2.111 "GARDEN AND NURSERY SALES AND SUPPLY ESTABLISHMENT" means a building or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

2.112 "GASOLINE PUMP ISLAND" means a pump island for the dispensing of vehicle fuels including gasoline, diesel, propane and natural gas but does not include a kiosk or any other accessory building.

2.113 "GASOLINE RETAIL FACILITY" means a lot on which the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use. This definition shall not include an automobile service station.

2.114 "GOLF COURSE" means a public or private area operated for the purpose of playing golf, inclusive of

club house facilities, and may include a driving range, a miniature golf course, or similar use.

- 2.115 "GOLF COURSE, MINIATURE" means an area designed for the purposes of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, sharp corners, or other similar obstacles.
- 2.116 "GRADE" - See "FINISHED GRADE".
- 2.117 "GRAIN HANDLING AND STORAGE FACILITIES" shall mean buildings and structures used for the purpose of drying, processing, storage, and/or wholesale trade of harvested agricultural grains.
- 2.118 "GREENHOUSE, COMMERCIAL" means a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation, which are not necessarily planted outdoors on the same lot containing such greenhouse, and, which are sold directly from such lot at wholesale or retail.
- 2.119 "GROUP HOME" means a single unit dwelling in which three to ten persons, who by reason of their emotional, mental, social or physical condition, live under supervision in a home which is licensed or approved under Provincial Statute. For the purposes of this By-law "residents" shall exclude staff.
- 2.120 "GUEST" means a person, other than a boarder, who contracts for accommodation and includes all members of the person's party.
- 2.121 "GUEST CABIN" means a building, accessory to and located on the same premises as the main dwelling, used as sleeping quarters, having no kitchen facilities, for the sole use of members of the family or temporary guests.
- 2.122 "GUEST ROOM" means a room or suite of rooms which contains no facilities for cooking, and which is maintained for the accommodation of individuals to whom hospitality is extended for compensation.
- 2.123 "HABITABLE ROOM" means a room designed for living, sleeping, eating or food preparation, and also includes a den, library, sewing room, loft, and/or enclosed sun-room.
- 2.124 "HEIGHT AND HEIGHT OF BUILDING" means the vertical distance, measured between the finished grade and the highest point of the building proper, exclusive of any accessory roof structure such as antennae, chimney, steeple or tower. Where the height is expressed in terms of storeys, height shall mean the total number of storeys above and including the first storey.
- 2.125 "HIGH WATER MARK" means the mark made by the action of water under natural or man-made conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
- 2.126 "HIGHWAY" means a highway within the meaning of the Highway Traffic Act and the Municipal Act, as amended from time to time.
- 2.127 "HOME FOR THE AGED" means a home for the aged within the meaning of the Homes for the Aged and Rest Homes Act.

- 2.128 "HOME INDUSTRY" means an industry which is clearly incidental or secondary to the residential use of a single unit dwelling and is conducted either entirely within a single unit dwelling or in an accessory building to a single unit dwelling, primarily by an inhabitant thereof. Such industries include: woodworking; welding; plumbing; a machine shop or similar use.
- 2.129 "HOME OCCUPATION" means a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling primarily by one or more inhabitants thereof. Such uses may among other include an office, hairdresser, dressmaker, dentist, doctor, chiropractor, physiotherapist, licensed masseur, masseuse, osteopath, or other professional; making or repairing of household items; instructing in music, arts or drawing; the distribution or storage of household or personal items such as cosmetics or kitchenware; a day nursery for up to five pre-school age children; and a bed and breakfast establishment. A home occupation, except for a bed and breakfast establishment, may occur in not more than one accessory building.
- 2.130 "HOTEL" means an establishment consisting of one building or one of two or more connected buildings containing therein five or more guest rooms which cater to the needs of the traveling public and is served by a common entrance, generally from street level. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room, accessory recreational facilities, or similar use.
- 2.131 "HUNT CAMP" means a building or structure consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation, on a temporary basis, for use during hunting and fishing seasons.
- 2.132 "IMPROVED STREET" - See "STREET".
- 2.133 "INSTITUTE" means a building, structure or lot used by an organized body, religious group or society for a non-profit, non-commercial purpose. This definition may include a hospital, nursing home, library, college, university, convent, monastery or similar use.
- 2.134 "INTERIOR LOT" - See "LOT".
- 2.135 "INTERIOR SIDE LOT LINE" - See "LOT LINE".
- 2.136 "INTERIOR SIDE YARD" - See "YARD".
- 2.137 "KENNEL" means a use where the predominant economic activity consists of the raising or boarding of dogs or cats in accordance with a licence issued by the Corporation.
- 2.138 "LANDSCAPED OPEN SPACE" means the open unobstructed space, at finished grade on a lot, accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, patio or similar area but shall not include any driveway or ramp, whether surfaced or not, nor any curb, retaining wall, parking area or any open space beneath or within a building or structure.

- 2.139 "LANDSCAPED OPEN SPACE, NATURAL" means open unobstructed space, that has been undisturbed by human initiated landscaping activities.
- 2.140 "LANE" means a public thoroughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.
- 2.141 "LAUNDRY ESTABLISHMENT" means a building, or part thereof, in which the business of a laundry is conducted on the ground floor, in which only water and detergent are used, and the drying, ironing, and finishing of such goods are conducted, which emits no odours, fumes, noise or vibration causing a nuisance or inconvenience within or outside the premises. A laundry establishment may include a self-service, coin operated laundromat.
- 2.142 "LIBRARY" means a public library within the meaning of the Public Library Act.
- 2.143 "LIQUOR LICENSED PREMISES" means any building, structure or premises licensed under the Liquor Licence Board of Ontario.
- 2.144 "LOADING SPACE" means an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.
- 2.145 "LOFT" - See "STOREY".
- 2.146 "LOT" means a parcel of land, the fee simple title to which is capable of being lawfully conveyed without contravening the provisions to the Planning Act. Despite the foregoing, two or more abutting lots under common ownership and title, and being occupied by one main building, structure or use together with any permitted accessory buildings or uses shall, for the purpose of this By-law and for the duration of the common ownership and title, be deemed to be one lot.
- 2.147 "LOT, AREA" means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any water body or marsh, or any area within a designated flood plain and the horizontal area between the top and toe of an embankment of 30 degrees or more from the horizontal.
- 2.148 "LOT, CORNER" means a lot situated at the intersection of two streets of which two adjacent sides that abut the intersecting streets containing an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.
- 2.149 "LOT, COVERAGE" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures, exclusive of canopies, balconies and overhanging eaves which are not less than 2.5 metres above finished grade.
- 2.150 "LOT, DEPTH" means the horizontal distance between the front and rear lot lines. 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. 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.

2.151 "LOT, FRONTAGE" means the horizontal straight line distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum required front yard depth. "Lot frontage" shall not include the extent to which a lot abuts the end of a street, other than a street which terminates in a cul-de-sac. In the case of a waterfront lot with no frontage along a street, the shoreline is considered to be the frontage.

2.152 "LOT, INTERIOR" means any lot which has street access, other than a corner lot.

2.153 "LOT, LINE" means any boundary of a lot or the vertical projection thereof.

i) "FRONT LOT LINE" means, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way shall be deemed the front lot line and the longer lot line abutting a street or private right-of-way shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. Where a lot abuts a navigable waterway, and does not abut a street or private right-of-way, the shoreline so abutting the navigable waterway, measured at the high water mark shall be deemed to be the front lot line. Where a lot abuts a private right-of-way, and does not abut a street or navigable waterway, the lot line abutting the private right-of-way shall be deemed to be the front lot line.

ii) "REAR LOT LINE" means, in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.

iii) "SIDE LOT LINE" means a lot line other than a front or rear lot line.

2.154 "LOT, THROUGH" means any lot having street access on two or more street lines, other than a corner lot.

2.155 "LUMBER MILL" means a building, structure, or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

2.156 "MAINTENANCE DEPOT, MUNICIPAL, COUNTY, OR PROVINCIAL" means any land, building or structure owned by the Corporation of the Township of Addington Highlands, the County of Lennox and Addington or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

2.157 "MANUFACTURING, LIGHT" means a plant which is wholly enclosed and the process of producing a product exhibits reasonably high performance standards and whose operations are not considered offensive because of heat, smoke, noise or dust.

- 2.158 "MANUFACTURING, PROCESSING, ASSEMBLING OR FABRICATING PLANT" means a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.
- 2.159 "MARINA" means a building, structure or place, containing docking facilities and located on a navigable water body, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided and for the purposes of this By-law may include facilities for the operation of boat charters.
- 2.160 "MARINE FACILITY" means an accessory building or structure which is used to take a boat into or out of a water body, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boat house, but shall not include any building used for human habitation or any boat service, repair or sales facility.
- 2.161 "MARINE SALES AND SERVICE ESTABLISHMENT" means a building or part of a building and associated lands where a franchised dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.
- 2.162 "MEDICAL OR DENTAL CLINIC" - See "CLINIC, MEDICAL".
- 2.163 "MOBILE HOME" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons but does not include a travel trailer, motorized home, a tent trailer or trailer otherwise defined.
- 2.164 "MOBILE HOME LOT" means a parcel of land for the placement of a mobile home in a mobile home park and for the exclusive use of its occupants.
- 2.165 "MOBILE HOME PARK" means land which has been provided and designed for the location thereon of two or more mobile homes.
- 2.166 "MOTEL, MOTOR HOTEL" means an establishment that consists of one or more buildings containing more than one rental unit accessible from either the interior or exterior, for the purpose of catering to the traveling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licensed under the Liquor Licence Act.
- 2.167 "MOTOR HOME" means a self-propelled vehicle capable of being used for the temporary living, sleeping or eating accommodation of persons.
- 2.168 "MOTOR VEHICLE" means a motor vehicle within the meaning of the Highway Traffic Act.
- 2.169 "MOTOR VEHICLE BODY SHOP" means a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair.

- 2.170 "MOTOR VEHICLE COMMERCIAL" means a commercial vehicle within the meaning of the Highway Traffic Act.
- 2.171 "MOTOR VEHICLE DERELICT" means a motor vehicle within the meaning of the Highway Traffic Act whether or not the same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render said motor vehicle operable.
- 2.172 "MOTOR VEHICLE DEALERSHIP" means a building or structure where a franchised dealer displays new motor vehicles for sale or lease or where used motor vehicles are kept for sale in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop.
- 2.173 "MOTOR VEHICLE REPAIR GARAGE" means a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.
- 2.174 "MOTOR VEHICLE SALES, USED" means an establishment, with or without a building, where used motor vehicles are displayed for sale.
- 2.175 "MOTOR VEHICLE SERVICE STATION" means a building or structure where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.176 "MOTOR VEHICLE WASH, AUTOMATIC" means a building or structure containing facilities for washing motor vehicles for compensation either using production line methods and mechanical devices or by a self-service operation.
- 2.177 "MULTIPLE RESIDENTIAL" means a residential building or structure containing three or more dwelling units.
- 2.178 "NON-COMPLYING" means a use, building or structure which is listed as a permitted use in the zone where it is located but which contravenes one or more of the provisions of this By-law applicable to the zone in which such use, building or structure is located.
- 2.179 "NON-CONFORMING" means a use, building or structure which, on the date of passing of this By-law, was not listed as a permitted use for the zone in which such use, building or structure is located.
- 2.180 "NON-RESIDENTIAL" when used to describe a use, building or structure, means a commercial or

industrial business or public or institutional use, building or structure permitted by the By-law.

2.181 "NOXIOUS" means when used with reference to any use of land, building or structure, a use which, from its nature, or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may become hazardous or injurious with regard to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure as identified in the Health Protection and Promotion Act.

2.182 "NURSERY SCHOOL" means a day nursery within the meaning of the Day Nurseries Act.

2.183 "NURSERY FARM" means an agricultural area where plants, trees or shrubs are grown for transplanting or for use a stocks for budding and grafting for sale on a wholesale basis and, further, may include greenhouses or similar facilities or uses directly incidental to the growing of such plants, trees and shrubs but shall not include a garden and nursery sales and supply establishment or any other use or establishment as may otherwise be defined herein.

2.184 "NURSING HOME" means a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and which is licensed under the Nursing Homes Act.

2.185 "OPEN SPACE" means land owned by or leased from the Ministry of Natural Resources or the Conservation Authority or land owned by the County or Township and used for a purpose permitted by this By-law or land in private ownership and used as a private park.

2.186 "OPEN STORAGE AREA" means an accessory storage area outside the principal or main building on the lot used for the storage of equipment, goods or materials on the same lot therewith. This definition shall not include a parking area, a loading space, a salvage yard, an outside area on a permitted farm used for storage of farm equipment nor a storage use located in a building.

2.187 "PARK" means an area, consisting largely of open space, which may include a recreational area, playground or play field, or similar use, but shall not include a mobile home park, trailer park or a camping establishment, and may be further defined as a:

- "PUBLIC PARK" means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and may include therein neighborhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, curling rinks, refreshment rooms, fairgrounds, arenas, golf courses, or similar uses.
- "PRIVATE PARK" means a park other than a public park which is owned, operated and maintained on a commercial or private member basis.

- 2.188 "PARKING AREA" means an area or structure provided for the parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress lanes, but shall not include any part of a public street.
- 2.189 "PARKING LOT" means any parking area other than a parking area accessory to a permitted use on the same lot therewith.
- 2.190 "PARKING SPACE" means an area exclusive of any aisles or ingress and egress lanes, usable for the temporary parking or storage of a motor vehicle, and may include a private garage.
- 2.191 "PERMITTED" means allowed by this By-law.
- 2.192 "PERSON" means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 2.193 "PERSONAL SERVICE SHOP"- see "SERVICE SHOP, PERSONAL".
- 2.194 "PIT" means a place where unconsolidated gravel, stone, sand, earth, clay, fill mineral or other material is being or has been removed by means of an open excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.
- 2.195 "PLACE OF ENTERTAINMENT" means a motion picture or other theatre, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall; but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.
- 2.196 "PLACE OF WORSHIP" means a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school of religious education, convent, and monastery or parish hall.
- 2.197 "PROCESSING PLANT, AGGREGATE" means a building or structure and/or equipment for the crushing, screening or washing of sand and gravel aggregate materials but does not include a concrete batching plant or an asphalt plant.
- 2.198 "PRINCIPAL OR MAIN BUILDING" means the building or buildings in which is carried on the principal purpose for which the building lot is used.
- 2.199 "PRINTING ESTABLISHMENT" means a building or part of a building used for printing regardless of the method, the publishing of newspapers, periodicals, books, documents, maps and similar items, the reproduction and duplication of printed material as a copying service to businesses or the public and includes the sale and servicing of printing and duplicating equipment and supplies.
- 2.200 "PUBLIC AUTHORITY" means Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.
- 2.201 "PUBLIC USE / UTILITY" means the use of any land, building or structure for the purpose of providing utilities and services available for use or consumption by the public such as roads, water mains, water

pumping stations and treatment facilities, sewers, sewage pumping stations, sewage treatment plant, storm drainage facilities, any power lines, hydro substations, transformer or distribution station, any telephone, telecommunication, cable television or telegraph company lines, exchanges, towers, any natural gas or oil pipeline distribution system operated by a Company which possess all the necessary powers, rights, licenses and franchises.

2.202 "QUARRY" means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

2.203 "REAR LOT LINE" - See "LOT LINE".

2.204 "RECREATIONAL VEHICLE" means any vehicle so constructed that it is no wider than 2.5 metres and is suitable for being attached to a motor vehicle for the purposes of being drawn or is self-propelled, and is capable of being used on a short-term recreational basis for living, sleeping or eating accommodation of persons and includes a motor home, travel trailer, tent trailer or camper.

2.205 "RECYCLING DEPOT" means a building or part of a building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products. This definition does not include a salvage yard.

2.206 "REGULATION LIMIT" means lands which are regulated by the Ontario Regulation #154/06 and administered by the appropriate Conservation Authority. Such lands are typically subject to a natural hazard such as flooding, wetlands, and steep or unstable slopes.

2.207 "REQUIRED YARD" - See "YARD".

2.208 RESEARCH FACILITY, shall mean a building, or part thereof, used for licensed testing, experimentation and/or research

2.209 "RESIDENTIAL NON-FARM" means a dwelling unit not located on the same lot as a subject farm.

2.210 "RESORT ESTABLISHMENT" means a tourist establishment that operates throughout all or part of the year, that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational activity.

2.211 "RESTAURANT" - See "EATING ESTABLISHMENT".

2.212 "RETAIL ESTABLISHMENT" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, or on a rental basis. This includes an artist studio, secondhand shop, pawn shop or similar use.

2.213 "RETIREMENT HOME" means a multiple dwelling containing accommodation to be available only to persons who are at least 55 years of age and containing dwelling rooms with a common dining area. The

dining area is for the residents of the retirement home and shall not function as a public dining facility. The accommodations shall be used as the principal residence of the occupants and shall not be provided on a transient basis.

2.214 "ROW DWELLING" - See "DWELLING".

2.215 "SALVAGE YARD" means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises.

2.216 "SCHOOL, PUBLIC" means a school under the jurisdiction of a Board, as defined by the Ministry of Education.

2.217 "SCHOOL, PRIVATE" means a school other than a public school or a commercial school as otherwise defined or classified in this By-law.

2.218 "SENSITIVE LAND USE" means any building or structure used as a residence, hotel, motel, nursing home, retirement home, hospital, school, place of worship, day care or any lands used for camp grounds or picnic areas.

2.219 "SERVICE SHOP, MERCHANDISE" means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles or boats.

2.220 "SERVICE SHOP, PERSONAL" means an establishment wherein persons are employed in furnishing services and otherwise administering to the personal needs of persons. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar use but excluding a massage parlour or other similar services.

2.221 "SETBACK" means the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure, or excavation on the lot, or the nearest open storage use on the lot.

2.222 "SEWER, STORM" means a sewer which carries storm surface run-off but excludes any sanitary sewer or any combination of sanitary and storm sewers.

2.223 "SEWAGE TREATMENT FACILITY" means a building, structure, or lagoon, approved by the Ministry of the Environment, where domestic and/or industrial waste is treated.

2.224 "SHOPPING CENTRE" means a group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual areas.

2.225 "SHORELINE" means any lot line or portion thereof which abuts a waterbody or watercourse.

2.226 "SIDE LOT LINE" - See "LOT LINE".

2.227 "SIDE YARD" - See "YARD".

2.228 "SIGHT TRIANGLE" means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

2.229 "SIGN" means a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which complies with any Regulation of the Corporation, the County, or the Government of Ontario or Canada.

2.230 "SINGLE-FAMILY DWELLING" - See "DWELLING".

2.231 "SMALL APPLIANCE SERVICE SHOP" means a building or part of a building, whether conducted in conjunction with a retail store or not for the servicing or repairing of household or domestic articles and without limiting the generality of the foregoing shall include but shall not be limited to the following: the repair and servicing of radio and television receivers, vacuum cleaners, appliances, shoes, cameras, toys, watches, clocks, bicycles or other similar goods and appliances.

2.232 "SMALL ENGINE SALES AND SERVICE ESTABLISHMENT" means a building or part of a building and land adjacent thereto, where snowmobile, motorcycles, lawn mowers and small engines or parts are displayed, for sale at retail, or rental and where mechanical repairs are completed.

2.233 "STOREY" means the portion of a building, other than an attic or a cellar, included between any floor level and the floor, ceiling or roof next above it.

- i) "ATTIC" means that portion of a building situated wholly or partly within the roof, which is not used as a habitable room, and which is not a loft, a partial storey or a one-half storey.
- ii) "BASEMENT" means the portion of a building between the two floor levels which is partly underground and which has at least one-half of its height, from floor to finished ceiling, or underside of the floor joists of the next above storey, above the average finished grade level adjacent to the exterior walls of the building.
- iii) "BASEMENT, WALKOUT" means a basement which has more than 50% of the floor area not greater than 0.6 metres below grade, and which has an entrance and exit at grade level.
- iv) "CELLAR" means that portion of a building which is partly or wholly underground and has more than one-half of its height, measured from finished floor to finished ceiling or the underside of the floor joists next above storey, below the average finished grade level adjacent to exterior walls of the building.

- v) "FIRST STOREY" means the lowest storey of a building closest to finished grade level having its ceiling 1.8 metres or more above average finished grade.
- vi) "LOFT" means the portion of a building situated wholly within the roof, which may be used as a habitable room, where the floor level is at the line where the roof and outer wall meet, and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.4 metres over a floor area equal to less than 50% of the area of the floor next below.
- vii) "ONE-HALF STOREY" means that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.4 metres over a floor area equal to at least 50% of the area of the floor next below.
- viii) "PARTIAL STOREY" means the portion of a building situated wholly or partly within the roof (exclusive of a loft), which may be used as a habitable room, having its floor level not lower than 1.2 metres below the line where the roof and outer wall meet, in which there is sufficient space to provide height between finished floor and finished ceiling of at least 2.4 metres over a floor area of less than 50% of the area of the floor next below.

2.234 "STREET OR ROAD, IMPROVED PUBLIC" means a road assumed for public use, under the jurisdiction of the Province of Ontario, County of Lennox and Addington or the Township of Addington Highlands which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

2.235 "STREET OR ROAD, LIMITED SERVICE" means a road under the jurisdiction of the Province of Ontario, the County of Lennox and Addington or the Township of Addington Highlands, not maintained year round and where no road related services are supplied on a year-round basis and where there is no guarantee of access for emergency vehicles and may include a right-of-way or private road.

2.236 "STREET ACCESS" means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

2.237 "STREET LINE" means the limit of the street allowance and is the dividing line between a lot and a street.

2.238 "STRUCTURE" means 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.

2.239 "SUMMER CAMP" means a camp operated by a charitable corporation approved under the Charitable Institution Act, as amended, replaced or re-enacted from time to time or a camp within the meaning of the regulations made under the Health Protection and Promotion Act, as amended, replaced or re-enacted from time to time.

2.240 "SUPERMARKET" means a building or part of a building wherein various kinds of foodstuffs are kept for retail sale to the general public; and as an accessory use, goods or merchandise may also be kept for retail sale, including such items as hardware, patent medicines, toilet preparations, personal hygiene

products, household supplies and magazines.

2.241 "SWIMMING POOL" means any body of water, whether located outdoors or inside a building or structure on privately owned property, contained by artificial means, and used and maintained for the purpose of swimming, wading, diving or bathing.

2.242 "TAVERN" means an establishment within the meaning of and licensed under the Liquor Licence Act.

2.243 "TELECOMMUNICATION TOWER, COMMERCIAL" means any structure used for transmitting or receiving radio, television, telegraph, or micro wave signals for commercial use.

2.244 "TOP OF BANK" (Slope) means a point or line which is the beginning of a significant change in the land surface, then from which the land surface slopes downward towards an existing water course. When two or more slopes are located together, the slope that is highest and farthest away from the watercourse shall be the slope considered for the top of bank.

2.245 "THROUGH LOT" - See "LOT".

2.246 "TOURIST ESTABLISHMENT" means any premises operated to provide sleeping accommodation for the traveling public or sleeping accommodation for the use of public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist cottage but does not include:

- i) a camp operated by a charitable corporation approved under the Charitable Institutions Act;
- ii) a summer camp within the meaning of the regulations made under the Health Protection and Promotion Act; or
- iii) A club owned by its own members and operated for profit or gain.

2.247 "TOWNSHIP" means the Corporation of the Township of Addington Highlands.

2.248 "TOWNSHIP ROAD" means a street or road under the jurisdiction of the Corporation of the Township of Addington Highlands.

2.249 "TRAILER" means a vehicle that is at any time drawn upon a highway by a motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway and capable of being used for the temporary living, sleeping or eating accommodation of persons, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn notwithstanding that such vehicle is jacked up or that its running gear is removed, and for the purposes of this By-law shall not include a mobile home as defined herein.

2.250 "TRAILER, MOBILE CAMPER" means a trailer designed or used for living, shelter and sleeping accommodation, or any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation, without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle, with or

without cooking facilities, but shall not include a mobile home dwelling.

2.251 "TRAILER PARK" means a parcel of land which is developed and managed as a unit for recreational or vacation use and designed and used for seasonal occupancy only, where camping lots are made available on a rental or lease basis for the placing of recreational trailers or motor homes, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, and garbage collection, together with general park management, rests with the owner, but where such parcel is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of conveying title and shall not include a mobile home park.

2.252 "TRAILS" shall mean any hiking, cross-country, bicycling, or snowmobile trails.

2.253 "TRUCK OR TRANSPORT DEPOT" means a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or, from which truck or transports, stored or parked on the property, are dispatched for hire as common carriers, and, for the purposes of this By-law, may include a bonded or sufferance warehouse.

2.254 "USE", when used as a noun, means the purpose for which a lot, building or structure, or any combination thereof is designed, arranged, occupied or maintained.

- "USE and USES" shall have a corresponding meaning.
- "USE" (when used as a verb) or "TO USE" shall also have corresponding meanings.

2.255 "VEHICLE" means an automobile, a motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry recreational vehicle, and any other vehicle propelled or driven other than by muscular power, but not including railroad car or other motor vehicle running only upon rails.

2.256 "VEHICLE SALES OR RENTAL ESTABLISHMENT" means an establishment having as its main use the storage of vehicles for sale or the storage of automobiles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

2.257 "VETERINARY CLINIC" means a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and/or injury to animals, and the care of animals and birds, and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

2.258 "WAREHOUSE" means a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

2.259 "WASTE DISPOSAL SITE" means a place where garbage, refuse or domestic waste is disposed of, exclusive of liquid industrial waste, and where a Certificate of Approval for use of the place as a waste disposal site has been issued under the Environmental Protection Act. This definition does not include a

sewage lagoon.

- 2.260 "WATER ACCESS" means any lot having a lot line or portion thereof which is also a shoreline.
- 2.261 "WATERBODY" means any bay, lake, river, stream or other natural watercourse or canal, but excluding a municipal or private drain or irrigation canal.
- 2.262 "WATER FRONTAGE" means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.
- 2.263 "WATER BODY/WATERCOURSE SETBACK" means the straight line horizontal distance from the top of the bank, the high watermark, or the elevation of the 1:100 year floodplain, whichever is greater, to the nearest part of any excavation, building, structure, or open storage use on the lot.
- 2.264 "WAYSIDE PIT OR QUARRY" means a temporary pit or quarry opened and used by a public authority or their agents, for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.
- 2.265 "WELDING AND MACHINE SHOP" means a building or portion thereof where machinery and/or small engines are serviced or repaired.
- 2.266 "WELL" means an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.
- 2.267 "WETLANDS" means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens. Lands being used for agricultural purposes, that are periodically "soaked" or "wet", are not considered to be wetlands in this definition. Such lands, whether or not they were wetlands at one time are considered to have been converted to alternate uses.
- 2.268 "YARD" means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.
- i) "FRONT YARD" means 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.
 - ii) "FRONT YARD DEPTH" means the least horizontal dimension between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
 - iii) "EXTERIOR SIDE YARD" means a side yard immediately adjoining a street or a reserve which

restricts access to a street.

- iv) "INTERIOR SIDE YARD" means a side yard other than an exterior side yard.
- v) "REAR YARD" means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any excavation or main building on the lot. If there is no rear lot line, there shall be deemed to be no rear yard.
- vi) "REAR YARD DEPTH" means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
- vii) "REQUIRED YARD" means a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard or, in the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.
- viii) "SIDE YARD" means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any excavation or main building on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard.
- ix) "SIDE YARD WIDTH" means the least horizontal dimension between the side lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

2.269 "ZONE" means a designated area of land use shown on the Zone Schedules attached hereto and forming part of this By-law.

2.270 "Zone Provisions" means the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.

2.271 "ZONING ADMINISTRATOR" - See "BY-LAW ENFORCEMENT OFFICER".

3.0 ZONE PROVISIONS

3.1 Zone Classification

All lands within The Corporation are divided into zones and classified as follows:

Section	Zone	Symbol
5.0	Rural Zone	RU
6.0	Rural Residential Zone	RR
7.0	Residential Limited Service Zone	RLS
8.0	Hamlet Residential Zone	HR
9.0	General Commercial Zone	C1
10.0	Highway Commercial Zone	C2
11.0	Recreation Commercial Zone	C3
12.0	Community Facility Zone	CF
13.0	Recreation / Open Space Zone	OS
14.0	Environmental Protection Zone	EP
15.0	Rural Industrial Zone	M1
16.0	Light Industrial Zone	M2
17.0	General Industrial Zone	M3
18.0	Extractive Industrial Zone	M4
19.0	Waste Management Zone	M5

3.2 Zones

3.2.1 ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the Zones as shown on the Zoning Schedules, the following rules apply:

- i) Where Zone boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said boundaries.
- ii) Where Zone boundaries are indicated as approximately parallel to any street and the distance from

such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale of the said Zoning Schedules at the original scale.

- iii) Unless otherwise indicated on the Zoning Schedules, streets, lanes or right-of-way, such as for railroads or electrical transmission lines, shall be deemed to be in the same zone as the adjacent lands and where such streets, lanes or right-of-way separate different zones, unless otherwise indicated on the Zoning Schedules, the centrelines of these shall constitute the boundary between zones.
- iv) Where any uncertainty still exists as to the zone location of such streets, lanes or right-of-way, they shall be assumed to be within the Open Space (OS) Zone.
- v) Where a zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of said Zoning Schedule(s) at the original scale.
- vi) Where a zone boundary is indicated as following the corporate limits of the Corporation of the Township of Addington Highlands, then such limits shall be the zone boundary.
- vii) Where a zone boundary is indicated as following a shoreline, then such zone boundary shall follow the shoreline, and, in the event of change in the boundary of the shoreline, the zone boundary shall be construed as moving with the actual shoreline.

3.2.2 ZONE PROVISIONS

- i) The permitted uses, in the minimum size and dimensions of lots, the minimum size of yards, the minimum setback, the maximum lot coverage, the minimum landscaped open space, the maximum height of buildings and all other zone provisions are set out in the respective zones.
- ii) The building, structures and uses specifically named as permitted uses in a particular zone are the only Permitted Uses in the particular zone in which they are named and classified.
- iii) For the purpose of reference, all buildings, structures and uses named as permitted uses may be referred to as buildings, structures or uses respectively.

3.2.3 ZONE SYMBOLS

The zone symbols listed in Section 5.1, and outlined on the Zoning Schedules, refer to the use of land, buildings and structures and excavations permitted by this By-law in the said zone categories. Whenever in this By-law the word "Zone" is used, preceded or followed by any of the symbols, such Zone reference shall mean any area within the Corporation delineated on the Zoning Schedules and

designated thereon by the symbol.

3.2.4 SPECIAL ZONES AND PROVISIONS

Where the Zone Symbol designating certain lands, as shown on the Zoning Schedules, is followed by a dash and a number, for example R1-11, then special zone provisions applies to such lands. Such special provisions are found by reference to the Subsection of the Zone Provisions of each Zone classification entitled "EXCEPTION Zone Provisions". Lands zoned in this manner shall be subject to all the restrictions of the Zone, except as may otherwise be provided by the special zone provisions.

3.3 Holding Provisions

Pursuant to the provisions of the Planning Act, Council may specify, by the use of a Holding Symbol 'H', in conjunction with the appropriate zone symbol, the eventual use to which lands buildings and structures may be put at such time in the future as the 'H' Holding Symbol is removed pursuant to Section 36 of the Planning Act. The Holding Symbol 'H' may be used in conjunction with any Zoning category in this By-law, in accordance with the following provisions:

- i) Lands shown to be subject to an 'H' Holding symbol may be used only for the following purposes while the 'H' Symbol is in place:
 - (a) Existing uses;
 - (b) Other uses as specified in the By-Law establishing the 'H' Holding Zone.
- ii) This section shall not prevent the renovation of any building or structure provided such alteration or renovation will not increase the height, size or volume, or change the use of such building or structure.
- iii) Once the 'H' Holding Symbol is removed the lands shall be used in accordance with the permitted uses and regulations of the associated Zone.
- iv) The 'H' Holding Symbol shall only be removed once the following applicable requirements have been complied with:
 - (a) all financial arrangements have been completed to the satisfaction of Council;
 - (b) the required services are available or can be made available;
 - (c) the phasing and design of the proposed development is to Council's satisfaction;
 - (d) any identified development constraints can be addressed to the satisfaction of Council;

- (e) all necessary agreements, such as the Subdivision Agreement or Site Plan Control Agreement, have been executed;
- (f) council has given Notice pursuant to the requirements of Section 36 of the Planning Act of its intention to pass a By-Law to remove the ‘-H’ Holding Symbol.

4.0 GENERAL PROVISIONS

4.1 Accessory Uses

4.1.1 PERMITTED USES

4.1.1.1 Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or use, but shall not include any of the following uses:

- i) Any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law;
- ii) Any building or portion thereof used for human habitation, except as in this by-law is specifically permitted;
- iii) Any open storage area, except as in this by-law is specifically permitted;
- iv) Any fortifications as defined in this by-law.

4.1.1.2 Accessory buildings, structures and uses shall only be permitted once the principal use has been established.

4.1.2 RELATION TO STREET

Any accessory building or structure which is not attached to the main building shall be erected in conformity with the yard and setback requirements of the respective Zone, with the exception of lands zoned Rural Residential (RR) and Hamlet Residential (HR).

4.1.3 RESIDENTIAL ZONES

In the Rural Residential (RR) Zone and the Hamlet Residential (HR) Zone an accessory building may be permitted closer to the front lot line than the main building provided:

- i) The lot has frontage on an improved street;
- ii) The lot has frontage on a water body.

4.1.4 STORAGE TANKS

No above ground storage tank shall be erected in any yard other than the interior side yard or rear yard.

4.1.5 RELATION TO PRINCIPAL OR MAIN BUILDING

Any accessory building or structure, which is not part of the principal or main building, shall not be erected closer than 1.5 metres to the principal or main building.

4.1.6 LOT COVERAGE AND HEIGHT

4.1.6.1 The lot coverage of all accessory buildings or structures, exclusive of swimming pools, shall not exceed 10% of the lot area.

4.1.6.2 The height of any accessory building or structure shall not exceed seven metres.

4.1.6.3 Within an industrial zone the total lot coverage of all accessory buildings or structures shall not exceed 10% of the lot area. The height of an accessory building in an industrial zone shall not exceed the maximum height of the respective industrial zone.

4.1.7 ACCESSORY STRUCTURE ENCROACHMENTS

Drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs, marine facilities, or similar accessory uses shall be permitted in any yard.

4.1.8 BOAT HOUSE, PUMP HOUSE AND DOCKING FACILITIES

4.1.8.1 A boat house or pump house may be erected and used in the required yard of a lot abutting a waterbody provided such accessory building or structure is not located closer than 1.0 metre to the interior side lot line and provided no such building contains areas used for human habitation including sleeping quarters, washrooms, cooking facilities.

4.1.8.2 No dock shall be located within 2.0 metres of the lot line or projection thereof.

4.1.9 GARAGES OR OTHER ACCESSORY BUILDINGS OR STRUCTURES

All accessory buildings or structures shall comply with the yard provisions of the zone in which such accessory use is located, except that in a Residential Zone, an accessory building or structure shall comply with the following provisions:

- i) When such accessory building or structure is located in an interior side yard, it shall be no closer than 1.2 metres to the interior side lot line except where a mutual private garage or a mutual boat house or a dock is erected on the common lot line between two lots, in which case no interior side yard is required.
- ii) When such accessory building or structure is located in the rear yard it shall be located no closer than 1.2 metres to the interior side lot line or 1.2 metres from the rear lot line except in the case where the rear lot line is the side lot line of the adjoining lot, in which case the accessory use shall

be no closer than 1.2 metres to the portion of the rear lot line which adjoins the interior side lot line of the adjoining lot.

- iii) When an accessory building or structure is located in a front or exterior side yard such accessory building shall not be located closer to the lot line, than the required front or exterior or interior side yard set forth under the respective zone.

4.1.10 RAILWAY SPUR IN INDUSTRIAL ZONE

Within an Industrial Zone a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area except as may be required for ingress and egress. Where such side or rear yard abuts a Residential Zone, then such railway spur shall conform with the yard and setback requirements of the Zone in which it is located.

4.2 Construction Uses

A building or structure incidental to construction on the lot where such building or structure is situated, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. "Abandoned" in this subsection, shall mean the failure to proceed expeditiously with the construction work.

4.3 Dwelling Units

4.3.1 NON RESIDENTIAL YARD PROVISIONS

Where a dwelling unit is located in a Non-Residential building, such dwelling unit shall comply with the yard provisions of this by-law which apply to the said Non-Residential building.

4.3.2 CELLAR LOCATION

No dwelling unit, in its entirety, shall be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of a dwelling unit shall be used for no purpose other than a furnace room, laundry room, storage room, recreation room or for a similar use.

4.3.3 BASEMENT LOCATION

A dwelling unit, in its entirety, may be located in a basement or walkout basement, provided:

- i) that no mechanical pumps are used in the removal of wastes from the building normally disposed of to a septic system;
- ii) that the finished floor level of such basement is not below the level of the subsurface sewage

disposal system;

- iii) that the finished floor level of such basement is not below the level of the storm sewer, and
- iv) That the finished floor level of such basement is not more than 1.2 metres below the adjacent finished grade.

4.4 Established Building Line

Where a principal building is to be erected on a lot, and where there is an established building line extending on both sides of the lot, such permitted principal building may be erected closer to the street line or the centreline of the street, as the case may be, than permitted by this By-law such that the yard or setback is equal to the average setback of buildings on the same side of the street, provided further that such building is not erected closer to the street line or the centreline of the street than the established building line existing on the date of passing of this By-law, but in no case shall the front yard be less than 3.0 metres in depth.

4.5 Existing Buildings, Structures and Uses

4.5.1 CONTINUATION OF EXISTING USES

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

4.5.2 STRENGTHENING TO SAFE CONDITION PERMITTED

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of a non-conforming building or structure legally existing at the date of adoption of this by-law provided that strengthening or repair does not increase the height, size or volume of any portion of such building or structure or change the use of such building or structure.

4.5.3 PERMITTED INTERIOR ALTERATION

The interior of any building or structure, legally existing at the date of adoption of this by-law, may be reconstructed or structurally altered in order to render the same more convenient or commodious provided it continues to be used for the same use as existed at the date of passing of this By-law.

4.5.4 REBUILDING OR REPAIR PERMITTED

- 4.5.4.1 Nothing in this By-law shall prevent the rebuilding or repair of any lawful non-conforming building or structure, existing as of the date of passing of this By-law, which is damaged or destroyed by causes

beyond the control of the owner, provided that such reconstruction is proceeded with expeditiously. A willful demolition or destruction of a building or structure shall not constitute “damaged” or “destroyed”.

4.5.4.2 The rebuilding or repair of any dwelling located within a flood plain shall be relocated outside of the flood plain where feasible, or alternatively require flood proofing to the satisfaction of the Conservation Authority.

4.5.5 ALTERATIONS TO NON-COMPLYING BUILDINGS AND STRUCTURES

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of an existing, non-complying building or structure provided such enlargement, reconstruction, renovation or repair shall not further reduce any by-law provision with which the use is not in compliance.

4.5.6 PRIVATE RIGHT-OF-WAY AND NON-COMPLYING BUILDINGS AND STRUCTURES

Where a building has been erected prior to the date of passing of this By-law on a lot which fronts on a private right-of-way registered on title, and providing legal ingress and egress to an improved public street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided it does not further reduce any by-law provision with which the use is not in compliance.

4.6 Existing Undersized Lots

Where a lot, having a lesser lot area and/or frontage than required herein, is held under distinct and separate ownership from an abutting lot or lots as shown by a conveyance of title in the records of the Registry or Land Titles Office on the date of passing of this By-law, or, where such a lot is created as a result of expropriation, or acquisition of land for public use, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided;

- i) The lot has a minimum area of 1,400 m²;
- ii) The lot has a minimum frontage of 22 metres;
- iii) That all other applicable provisions of this By-law are complied with;
- iv) That approval is obtained from the appropriate regulatory agency for proposed sewage disposal systems;
- v) Potable water is available; and
- vi) Where such legal existing lot is existing on a highly sensitive trout lake identified in Section 4.7.1 ii)

of this By-law, any building, structure, septic tank system and tile field and non-natural landscaped open space shall be setback 30 metres from the high water mark.

4.7 Floodplains, Watercourses / Waterbodies and Environmental Protection Zones

4.7.1 SETBACKS FROM WATERBODIES

- i) All buildings and structures, including septic tank disposal systems and tile fields, and non-naturally occurring landscaped open space shall be setback 30 metres from the high water mark of all waterbodies where a floodplain has not been identified and 15 metres from the elevation of the 100 year floodplain where identified;
- ii) All buildings and structures, including septic tank disposal systems and tile fields, and non-naturally occurring landscaped open space shall be setback 300 metres from high water mark of Ashby, Ashden (Ashby White), Barnard, Buckshot, Crystal, Effingham, Fox, Grimsthorpe, Joeperry, Long Mallory, Rainy, Weslemkoon, and Simpson lakes.
- iii) Docks, boat houses, and similar structures may be permitted within 30 metres of the high water mark of all waterbodies;

4.7.2 USE OF FLOODPLAINS

4.7.2.1 No main building or building used for human habitation shall be permitted in the floodplain.

4.7.2.2 No person shall use any lot or erect, alter or use any building or structure on a floodplain for any purpose except one or more of the following uses;

- i) Conservation use
- ii) Landscaped open space;
- iii) Marina use;
- iv) Marine facility;
- v) Marine sales and service establishment;
- vi) Outdoor recreation;
- vii) Park;
- viii) Public use;
- ix) Agricultural use exclusive of buildings;
- x) Parking facilities incidental to a permitted use.

4.7.3 RESTRICTIONS ADJACENT TO FLOODPLAIN AND TOP OF BANK AND ENVIRONMENTAL PROTECTION ZONES

No building shall be erected or altered within 15.0 metres of a floodplain, the top of a bank, or of any land zoned Environmental Protection, and in no case shall be located less than 30 metres to the high water mark.

4.7.4 CALCULATION OF ZONE PROVISIONS

No part of any floodplain or land between the top of the bank and a water body or a watercourse shall be used to calculate any of the zone provisions required by this By-Law.

4.8 Frontage Requirements

4.8.1 ACCESS TO IMPROVED PUBLIC STREET

No person shall erect any building or structure after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts upon an improved street and is provided for with access for vehicular traffic in the form of an unobstructed driveway. For the purpose of the By-law, an "Improved Street" as defined in Section 2.0, does not include an unopened road allowance or an unassumed road in a Registered Plan which has been deemed not to be a Registered Plan under Section 50 of the Planning Act. This provision shall not apply to a lot on a Registered Plan of Subdivision where an agreement between the owner of such subdivision and the Corporation, including provisions for the construction of the streets shown on such subdivision, is registered in the records of the Registry or Land Titles Office.

4.8.2 ACCESS VIA PRIVATE RIGHT-OF-WAY OR WATER

Where a lot is accessible by means of an existing or extended private road or right-of-way providing ingress and egress to an improved street, or by water, this By-law shall not apply to prevent the use of such lot for a dwelling.

4.8.3 HUNTING CAMPS, RIGHT -OF-WAY AND CROWN LAND

The provisions of this By-law shall not prevent the erection of a hunting camp on a legal lot having access via an easement or right-of-way on Crown Land provided:

- i) Written confirmation from the Province; or
- ii) A copy of the lease/easement is presented to the Chief Building Official with the application for a building permit.

4.9 Group Homes

Where a group home is a permitted use, no group home shall be located within 500 metres of another group home. A maximum of one group home per 1, 000 person's population of the entire Township is permitted.

4.10 Height Exceptions

Nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structure provided the principal use is a use permitted within the zone in which it is located, namely a church spire, belfry, flag pole, clock tower, chimney, water tank or tower, windmill, a radio or television or communication tower or antenna / receiver, air conditioner equipment, lightning rod, lighting standard, grain elevator, barn or silo, hydro electric transmission tower and poles, incidental equipment required for processing as part of an agricultural operation, and external equipment associated with internal building equipment.

4.11 Home Occupations

A Home occupation is permitted in a zone where listed as a permitted use. Such home occupation shall conform to the following provisions:

- i) The home occupation is listed as a permitted use within the zone.
- ii) Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling or dwelling unit, or create or become a public nuisance by reason of noise, dust, odour, traffic or parking of motor vehicles.
- iii) The home occupation shall only be undertaken by a person or persons occupying the dwelling or dwelling unit. A home occupation shall immediately cease to exist if there is not at least one person resident in the dwelling or dwelling unit who is engaged in the home occupation.
- iv) Not more than two persons not resident in the dwelling may be employed within the residence by the home occupation.
- v) There shall be no external display or advertising, other than a legal sign, erected in conformity with the By-laws of the Township, to indicate to persons outside that any part of the dwelling, dwelling unit or lot is being used for a purpose other than residential.
- vi) Not more than 30% of the dwelling unit area shall be used for the purpose of the home occupation use where such home based business is conducted within the principal residence.

- vii) A home occupation may be conducted in no more than one permitted accessory building.
- viii) There shall be no goods, wares, or merchandise, other than arts, crafts, and the limited production of baked goods and homemade preserves produced on the premises, for sale or rent on the premises. The limited sale of items related to a personal service shop and the sale of antique items whether or not originating on the property is permitted.
- ix) There shall be no mechanical or other equipment used for a home occupation except that which is customarily used in a dwelling for domestic or household purposes or for use by a professional person; and,
- x) A home occupation shall not include a medical clinic, a private hospital, a nursing home, a restaurant or a veterinary clinic but may include a business or professional office that complies with the provisions of this Subsection.
- xi) A home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures.
- xii) Bed and breakfast operations may be allowed as a home occupation provided the residential character of the dwelling is retained. Up to three bedrooms may be used for bed and breakfast operation even though this may exceed 30% of the dwelling unit area.
- xiii) A "tea room" or similar facility offering limited refreshments as an accessory use to the principal residential use may be permitted as a home occupation.

4.12 Home Industry

A Home industry is permitted in a zone where listed as a permitted use. Such home industry shall conform to the following provisions:

- i) The home industry is listed as a permitted use within the zone.
- ii) Such home industry shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling or dwelling unit, or create or become a public nuisance by reason of noise, dust, odour, traffic or parking of motor vehicles.
- iii) The home industry shall only be undertaken by a person or persons occupying the dwelling or dwelling unit. A home industry shall immediately cease to exist if there is not at least one person resident in the dwelling or dwelling unit who is engaged in the home industry.
- iv) There shall be no external display or advertising, other than a legal sign, erected in conformity with the By-laws of the Township, to indicate to persons outside that any part of the dwelling, dwelling

unit or lot is being used for a purpose other than residential.

- v) Not more than 30% of the dwelling unit area shall be used for the purpose of the home industry use where such home industry is conducted within the principal residence.
- vi) A home industry may be conducted in a permitted accessory building.
- vii) A home industry shall not interfere with television or radio reception of others in adjacent buildings or structures.
- viii) Home industry shall include uses such as farm related sales, machine repairs, welding, carpentry, plumbing and electrical workshops.
- ix) Not more than two persons not resident in the dwelling may be employed by the home industry.

4.13 Landscaped Open Space

- 4.13.1.1 In any zone, any portion of any front yard or exterior side yard which is not used for any other permitted purpose shall be devoted to landscaped open space.
- 4.13.1.2 Any land used for landscaped open space shall be included in the calculations for lot area, yard requirements etc.
- 4.13.1.3 Planting Strips are included as part of the landscaped open space requirement of this By-law.
- 4.13.1.4 Where landscaped open space is required as buffering, such landscaping shall be continuous except for a lane, driveway, aisle, or walkway which provide access to the lot.

4.14 Loading Space Regulations

4.14.1 REQUIREMENTS

The owner or occupant of any building or a lot, involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials, exclusive of agricultural buildings and structures, shall provide and maintain at the premises, facilities comprising one or more loading spaces 9 metres long, 3.5 metres wide, and having a vertical clearance of at least 4.0 metres. In addition, adequate space shall be provided for the parking of vehicles awaiting access to the loading or unloading space. Loading spaces shall be provided in accordance with the following:

Gross Floor Area of Building or Structure	Loading Spaces Required
300 m ² or less	1
Exceeding 300 m ² but not 2,500 m ²	2

Exceeding 2,500 m ² but not 7,500 m ²	3
Exceeding 7,500 m ²	3
Plus one additional loading space for each additional 10,000 m ² of gross floor area or fractional part thereof in excess of 7,500 m ²	

4.14.2 ACCESS

Access to loading spaces shall be by means of a driveway at least 6.0 metres wide contained on the lot in which the spaces are located and leading to an improved street as defined herein.

4.14.3 CHANGE IN USE

The loading space requirements referred to herein shall not apply retroactively to any building or use in existence at the date of passing of this by-law so long as the gross floor area, as it existed at such a date, is not increased and so long as there is no change in use.

4.14.4 LOADING SPACE SURFACE

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

4.14.5 LOCATION

The required loading space shall be located in the interior side yard or rear yard unless such space or spaces are removed from the street line a minimum distance of 15 metres.

4.14.6 ADDITION TO EXISTING USE

When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided as required by paragraph (a) of this Subsection.

4.15 Minimum Distance Separation Requirements

4.15.1 NEW NON-AGRICULTURAL USES

The expansion or establishment of any new non-agricultural use in close proximity to an existing livestock facility shall comply with the requirements of the Minimum Distance Separation Criteria (MDS I) calculation.

4.15.2 NEW OR EXPANDED LIVESTOCK FACILITIES

No livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation Criteria (MDS II) calculation.

4.15.3 COMPATIBILITY BETWEEN INDUSTRIAL FACILITIES AND SENSITIVE LAND USES

The expansion or establishment of new industrial facilities or sensitive land uses shall comply with the minimum distance separation guidelines governing the compatibility between industrial facilities and sensitive land uses.

4.15.4 PORTABLE ASPHALT PLANTS

The minimum separation distance between a portable asphalt plant and a sensitive land use shall be that distance established by an approved, and current, Certificate of Approval under the Environmental Protection Act.

4.15.5 WASTE DISPOSAL INDUSTRIAL AREA

- i) No new residential lot or dwelling shall be permitted within 300 metres of a septage lagoon.
- ii) No new residential lot or new dwelling shall be permitted within 500 metres of an existing or closed waste disposal site.

4.15.6 EXTRACTIVE INDUSTRIAL ZONE

- i) No new residential lot or new dwelling shall be located within 150 metres of an Extractive Industrial (M4) Zone in which only removal and processing of sand and gravel is involved.
- ii) No new residential lot or new dwelling shall be located within 500 metres of an area zoned Extractive Industrial (M4) Zone in which the removal and processing of rock is involved.

4.15.7 EXISTING LOTS OF RECORD

The minimum distance separation requirements do not apply in the case of (a) (b) (c) (d) or (e) of this

subsection where a legal lot of record existed as of the date of passing of this by-law, and for which the proposed use is listed as a permitted use in the zone in which the existing lot is located, in which case the provisions of this section shall not serve to preclude the issuance of a building permit for the permitted use.

4.16 More Than One Use on a Lot

Where any land, building or structure is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each use shall be complied with.

4.17 More than One Zone on a Lot

When a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zone, but this provision shall not be construed to allow more than one dwelling on a lot.

4.18 Noxious Uses

No use shall be permitted which from its nature or the materials used therein is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacture under the Health Protection and Promotion Act or Regulations thereunder.

4.19 Parking Area Regulations

Parking spaces and areas are required under this By-law in accordance with the following provisions:

4.19.1 REQUIREMENTS

The owner of every building or structure erected or used for any of the purposes set forth herein shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, each such parking space having a minimum area of 16 m² and being not less than 2.75 metres in width and not less than 5.5 metres in length, in accordance with the following:

Residential Uses	Minimum Off-street Parking Requirement
Apartment Dwelling, Fourplex, Triplex Duplex	1.5 parking spaces for each dwelling unit
Boarding or Lodging House plus 1 parking space per guest room	1 parking space per dwelling unit
Single unit, Semi-detached Dwellings	2 spaces per dwelling unit

Other residential Permitted Uses by this by-law	1 space per dwelling unit
Non Residential Uses	Minimum Off-street Parking Requirement
Assembly Hall, Auditorium, Arena, Community Centre, Place of worship, Private Club or other similar places of assembly not otherwise specified herein	The greater of: a) 1 parking space per 5 fixed seats or 3 metres of bench seating or portion thereof; or; b) 1 parking space per 9 m ² of gross floor area; or c) 1 parking space for each 4 persons that may be legally accommodated at any one time
Bed and Breakfast Establishments	1 parking space per guest room plus 2 parking spaces for single housekeeping
Business and/or Professional Office including Home Based Business directly related to the specified permitted use	1 parking space for each 28 m ² of gross floor area of the building
Curling Rink	4 parking spaces for each curling sheet plus such additional parking as is required for a lounge Licensed in accordance with the <u>Liquor Licence Act</u> .
Dry Cleaners Establishment	1 parking space for each 9 m ² or fraction thereof of gross floor area with a minimum requirement of 4 spaces
Eating Establishment, exclusive of a take-out eating establishment	The greater of: a) 1 parking space for each 9.0 m ² of gross floor area or 1 parking space for each 4 persons legally accommodated at any one time within the premises. The parking space requirements shall not apply to the area associated with an outdoor café or patio where such use is ancillary to and associated with an eating establishment or liquor licensed premises.
Eating Establishment - Take-out	6 parking spaces for each 100 m ² of gross floor area
Golf course	24 parking spaces for each 9 holes of golfing facilities
Home for the Aged, Nursing Home	1 parking space for each 4 beds or fraction thereof
Hotel, Motel, Motor Hotel or Resort	1 parking space for each guest room, cottage or cabin plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the <u>Liquor Licence Act</u>
Liquor Licensed Premises exclusive of an Eating	1 parking space for each 4 persons that may be

Establishment but including an Entertainment Lounge, Public House or Lounge licensed in accordance with the <u>Liquor Licence Act</u>	legally accommodated at any one time
Manufacturing, Processing, Assembly, Fabricating Plant, Wholesale Establishment or Warehouse	1 parking space per 38 m ² of gross floor area or portion thereof
Medical or Dental Clinic, or Office of a Drugless Practitioner	1 parking space per doctor/dentist plus 1 parking space per 28 m ² of gross floor area up to 280 m ² or portion thereof and then 1 parking space per 46 m ² or portion thereof
Post Office, Museum, or Public Library	1 parking space for each 18.5 m ² of gross floor area
Personal Service Shop or Merchandise Shop	1 parking space per 18.5 m ² of gross floor area
Shopping Centre	6 parking spaces for each 100 m ² of gross leasable floor area
Undertaking Establishment	The greater of 10 parking spaces or 1 parking space for each 200 m ² of gross leasable floor area
Workshop	1 parking space per 38 m ² of gross floor area
Permitted Uses in the By-law other than those listed in this table	1 parking space per 38 m ² of gross floor area
Elementary Schools	2 parking spaces per classroom
Secondary Schools	The greater of: a) 4 parking spaces per classroom; or b) 1 parking space per 9.0 m ² of floor area in the gymnasium; or c) 1 parking space per 9.0 m ² of floor area in the auditorium.

4.19.2 INGRESS AND EGRESS REGULATIONS

- 4.19.2.1 Access to the required parking spaces and parking areas shall be provided by means of an unobstructed driveway or passageway at least 3.0 metres, but not more than 9.0 metres in width.
- 4.19.2.2 The aisles between parking spaces within a parking area shall have a minimum width of 6.0 metres.
- 4.19.2.3 The minimum distance between two separate driveways on one lot, measured along the street line, shall be 9 metres.
- 4.19.2.4 The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 9 metres for all residential uses and 15 metres for all other uses.

- 4.19.2.5 The minimum distance between an interior side lot line and any driveway shall be 1.2 metres for residential uses and 3.0 metres for all other uses;
- 4.19.2.6 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- 4.19.2.7 Every lot shall be limited to the following number of driveways:
 - 4.19.2.8 Up to the first 45 metres of frontage - not more than one driveway;
 - 4.19.2.9 greater than 45 metres of frontage but less than 150 metres of frontage - not more than two driveways, with a combined width not exceeding 20% of the lot frontage; and
 - 4.19.2.10 One additional driveway shall be provided for each additional 200.0 metres of lot frontage.
- 4.19.2.11 The entrances off County roads are subject to regulations as provided for in County By-law No.'s 2207/87 and 2572/95, as amended.

4.19.3 ADDITION TO EXISTING USE

When a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

4.19.4 MORE THAN ONE USE ON A LOT

When a building, structure or lot accommodates more than one type of use as set out in paragraph (a) of this subsection, the parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.

4.19.5 PARKING AREA SURFACE

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces or areas shall, before being used, be constructed of crushed stone, gravel, asphalt, concrete, paving stone or interlocking brick and shall include provisions for drainage facilities.

4.19.6 PARKING AREA LOCATION ON LOT

Uncovered surface parking areas are permitted in the required yards or in the area between the street line and the required setback in accordance with the following provisions:

Zone	Yard in Which Required Parking Area is Permitted
All Zones except Residential	No driveway or parking space shall be permitted within 5.5 metres of the boundary of a Residential Zone
Residential Zones	Parking spaces and areas shall be permitted within a required front, interior side or rear yard provided that no part of any parking area, other than a driveway is located closer than 3 metres to any street line or within a sight triangle. The maximum width of parking areas or driveways within the front yard shall be 7.5 metres
Environmental Protection, Rural, Prime Agricultural, Recreation/Open Space, Community Facility and all Commercial Zones	Parking spaces and areas shall be permitted in all yards provided that no part of a parking area, other than a driveway is located closer than 3 metres to any street line or lot line abutting lots in a commercial or industrial zone area or within a sight triangle.
Industrial Zones	Parking spaces and areas shall be located in an interior side or rear yard only, except for visitor parking areas which may be located within a front or exterior side yard, provided that no part of any parking area other than a driveway, is located closer than 3 metres to any street line or lot line abutting lots in an industrial or commercial zone, or within a sight triangle.

4.19.7 USE OF RESIDENTIAL PARKING AREAS AND PARKING SPACES

- 4.19.7.1 Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and area are required or permitted.
- 4.19.7.2 Not more than one vehicle per dwelling unit shall be a commercial motor vehicle as defined in the Highway Traffic Act.
- 4.19.7.3 In any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking or storage of one commercial motor vehicle, provided such motor vehicle does not exceed a rated capacity of one tonne.
- 4.19.7.4 In the Rural or Agricultural Zone, a maximum of two school buses which are operative and currently licensed, may be parked or stored on any lot.

4.19.8 ABANDONED AND SEASONAL EQUIPMENT

- 4.19.8.1 Derelict motor vehicles and abandoned equipment shall not be located or stored, in any Zone, unless it is specifically listed as a permitted use.

4.19.8.2 Outdoor storage of seasonal equipment is not permitted in any Zone, except where the height of the equipment exceeds 10 metres, or is specifically listed as a permitted use, and in no case shall such equipment be located within the required yards of any Zone.

4.19.9 OFF SITE LOCATION

4.19.9.1 Required parking in a Residential Zone shall be provided on the same lot as the dwelling unit or units.

4.19.9.2 In all other zones, parking shall be provided within 90 metres of the building or use it is intended to serve.

4.19.9.3 No part of any parking area required for a use other than residential shall be permitted in a Residential Zone.

4.19.9.4 Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long-term renewable agreement and the parking spaces shall be retained for the duration of the use.

4.20 Pits and Quarries

4.20.1 ESTABLISHING PITS AND QUARRIES

4.20.1.1 No pit, quarry, wayside pit or wayside quarry shall be established in any area of the Corporation except in a zone where such use is included under the heading "Permitted Uses" in this By-law.

4.20.1.2 No person shall use land or erect any building or structure for the purpose of processing, washing, sorting, screening, sand or gravel or operating a crushing plant or asphalt plant or concrete batching plant except as provided for in this By-law.

4.20.2 WAYSIDE PITS AND QUARRIES

Wayside pits and quarries may be established in the Rural, Agricultural or Extractive Industrial Zones provided that:

- i) the wayside pit or quarry is opened and operated by the Ministry of Transportation, the County or the Township or their agents for the purposes of a specific road project;
- ii) any portable crusher and / or asphalt plant is approved and governed by any legislation, regulations of Provincial ministries or agencies, and have Certificates of Approval under the Environmental Protection Act which are current; and
- iii) An agreement is signed with the Township that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

4.21 Planting Strip

4.21.1 REQUIREMENTS

Where a lot is to be used for a non-residential purpose and such lot abuts a Residential use or undeveloped land intended for residential use, then a strip of land adjoining such abutting lot line, or portion thereof, shall be used for no purpose other than a planting strip in accordance with the provisions of this subsection.

4.21.2 CONTENTS

Where a planting strip is required to be provided, such planting strip shall consist of a row of trees or a continuous uninterrupted hedgerow of evergreens or shrubs, not less than 1.5 metres in height, immediately adjacent to the lot line or portion thereof. The remainder of the strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds or a combination thereof.

4.21.3 DRIVEWAYS OR WALKS

Where ingress and egress driveways or walks extend through a planting strip, it is permissible to interrupt the strip within 3.0 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

4.21.4 LANDSCAPED OPEN SPACE

A planting strip forms part of any landscaped open space required by this By-law.

4.21.5 MAINTENANCE

The planting strip shall be nurtured and maintained by the owner or owners of the lot on which the strip is located.

4.21.6 VEGETATION HEIGHT IN SITE TRIANGLE

Vegetation within a site triangle shall not exceed a height of 1.0 metre.

4.21.7 WIDTH

Where a strip of land is required to be used for no purpose other than a planting strip, it shall have a minimum width of 3.0 metres measured perpendicularly to the lot line it adjoins.

4.22 Public Uses

4.22.1 APPLICABLE PROVISIONS

Except as otherwise provided in paragraph iii) of this subsection, the following provisions apply to public uses:

- i) public uses, unless otherwise specified are allowed in all zones;
- ii) no goods, materials or equipment shall be stored in the open, except as permitted in such zone;
- iii) zone provisions of the zone within which the use is located shall be complied with except as otherwise provided in paragraph (b) hereof;
- iv) Any above-ground non-recreational use carried on under the authority of this paragraph in any Residential Zone shall be enclosed in a building that is designed, located and maintained in general harmony with Residential buildings of the type permitted in such zone.

4.22.2 STREETS AND INSTALLATIONS

4.22.2.1 Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixtures, overhead or underground electrical facility, television, telecommunication, telephone, or other supply line or communication line, or structure clearly accessory to the foregoing; provided that the location of such street, main, line, fixture or structure has been approved by the Corporation.

4.22.2.2 Nothing in this By-law shall prevent the use of public land for a mail box or utility box, provided that the location of such box has been approved by the Corporation.

4.22.3 POLLING STATIONS

Nothing in this By-law shall apply to prevent the use of a building, or part thereof, as a temporary polling station for a federal, provincial or municipal election or referendum.

4.22.4 EXCEPTIONS

A public arena, school, open storage area for goods and materials; municipal, county, or provincial maintenance depot; a sewage lagoon or sewage treatment plant; a water supply plant; and a waste disposal site shall be permitted only in the zone where they are specifically listed:

4.22.5 PROHIBITIONS

No building or structure erected in accordance with the provisions of this Section shall be used for the

purpose of an office, maintenance or works depot, or human habitation.

4.23 Retail Gasoline Establishments

No person shall use any land or erect any building or structure for the purpose of a Retail Gasoline Establishment except in accordance with the following requirements:

- i) Lot area (min.): 0.5 hectares
- ii) Lot frontage (min.): 45 metres
- iii) Minimum yard dimensions:
 - (a) Front yard: 12.0 metres
 - (b) Exterior side yard: 12.0 metres
 - (c) Interior side yard – 6.0 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum required interior side yard shall be 12 metres.
 - (d) Rear yard – 6.0 metres except where the rear lot line abuts a Residential Zone, in which case the minimum required rear yard shall be 12 metres.
- iv) Minimum lot depth: 30 metres or 36 metres on a corner lot
- v) Lot Coverage (max.): 40%
- vi) Landscaped Open Space (min.): 10%
- vii) Height of Buildings (max.): 10 metres
- viii) Gasoline Pump Location – A gasoline pump island or gasoline pumps, as part of or as accessory to a motor vehicle dealership, a motor vehicle gasoline bar, a motor vehicle repair garage, motor vehicle service centre, or motor vehicle station, may be located within any yard provided:
 - (a) the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 6.0 metres; and
 - (b) Where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3.0 metres to a straight line between a point in the front lot line and a point in the exterior lot line, such point being distant 15 metres from the intersection of such lines. Where the two lot lines do not intersect at a point, the point of intersection of such lines shall be deemed to be the point of intersection of the projection of the lot lines or the

intersection of the tangent to the lot lines.

4.24 **Servicing Requirements**

No person shall use any lot or erect any building or structures for any use unless:

- i) Approval is received for a Class 4 subsurface sewage disposal (septic) system under the Building Code Act and regulation, or
- ii) Where approval is required under other than the Building Code Act, proof of such approval is provided;
- iii) There is an adequate supply of potable water.

4.25 **Setbacks along Roads**

The minimum setback along a road shall be determined by measuring, at right angle from the centreline of the public street abutting a yard, in the direction of the lot or parcel, a distance equal to the sum of:

- i) The minimum front yard, rear yard or exterior side yard requirement in the relevant regulations, plus
- ii) The centreline distance in metres specified in the Table (below) for the street abutting such parcel of land but in no case shall the minimum yard be less than the minimum front yard rear yard, or exterior side yard requirements in the relevant regulation of this By-law or where the County of Lennox and Addington By-law 2057/82, as amended from time to time, is more restrictive, the County's requirements prevail:

Street Allowance and Minimum Centreline Setback Requirements	
County Road	13.0 metres
Major Township Roads	13.0 metres
Township Roads	10.0 metres

4.26 **Sight Triangles**

Within any area defined as a sight triangle, the following uses shall be prohibited:

- i) A building, structure, sign or use which would obstruct the vision of drivers of motor vehicles;
- ii) A fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1.0 metre in height above the elevation of the street line;

- iii) A finished grade which exceeds the elevation of the street line by more than 0.5 metres;
- iv) A covered surface parking area;
- v) An entranceway.

4.27 Signs

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided such sign complies with the By-laws of the Corporation regulating signs.

4.28 Storage of Special Vehicles in Residential Zones

No person shall use any developed lot in any Residential Zone for the purpose of parking or storing a boat, motor home, snowmobile or trailer except for:

- i) Vehicles Permitted:
 - (a) One boat which shall not exceed 10 metres in length;
 - (b) One motor home which shall not exceed 10 metres in length;
 - (c) Four snowmobiles;
 - (d) One travel trailer or travel camper which shall not exceed 10 metres in length, exclusive of hitch or tongue.
- ii) Yards Where Permitted – The parking or storage of a boat, motor home, snowmobile, travel trailer or truck camper shall not be permitted in any required parking space or sight triangle.

4.29 Swimming Pools

- i) A swimming pool is a permitted structure in association with a Residential use. Such swimming pool, and structures required in conjunction with a swimming pool, may be erected and used in the required interior side yard or the required rear yard provided:
 - (a) No part of such swimming pool is located closer than 1.2 metres to any rear or interior side lot line;
 - (b) It can not be located closer to the front lot line than the dwelling;
 - (c) No water circulating or treatment equipment such as pumps or filters shall be located closer than 3.0 metres to any interior side or rear lot line; and

(d) No equipment used for the heating of water, such as a gas heater, shall be located within 3.0 metres of the interior side or rear lot line.

- ii) A private swimming pool shall not be considered as part of the lot coverage provided no part of the pool, excluding its railing, protrudes more than 1.5 metres above the ground level surrounding the swimming pool.

4.30 Telecommunication Towers

Commercial telecommunication towers shall be permitted only in Industrial Zones.

4.31 Through Lots

In the case of a through lot, the front yard requirements of the zone or zones in which such lot is located shall apply to each yard which abuts a street.

4.32 Yard Setbacks Permitted

4.32.1 ORNAMENTAL STRUCTURES

Sills, belt course, chimneys, cornices, bay windows, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.6 metres.

4.32.2 UNENCLOSED PORCHES, BALCONIES AND STEPS

Unenclosed porches, balconies, steps and ramps, covered or uncovered, may project into any required front yard or required rear yard a maximum distance of 1.5 metres, provided they are no closer than 1.2 metres to any lot line.

4.32.3 PATIOS

Uncovered patios, uncovered pool aprons, and uncovered decks may project into any required rear yard or side yard provided:

- i) They are not more than 0.6 metres above finished grade; and
- ii) They are not located within any required front yard or exterior side yard.

4.32.4 FIRE ESCAPES

Unenclosed fire escapes as permitted by the Building Code Act and regulations passes thereunder, may project into any required side yard or required rear yard a maximum of 1.2 metres.

4.32.5 GATEHOUSE

In an Industrial Zone a gate house or information kiosk or similar accessory structure shall be permitted in a front yard or side yard or in the area between the street line and the required setback.

4.32.6 BARRIER FREE ACCESS RAMPS

Unenclosed barrier free ramps shall be permitted within any yard or in the area between the street line and the required setback

5.0 RURAL ZONE (RU) ZONE

No person shall within any Rural (RU) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.1 Permitted Uses

Single unit dwelling;

Existing converted dwelling;

Seasonal dwelling;

Group home;

Hunt camp;

Home occupation or home industry, in accordance with the General Provisions of this By-law;

Cemetery;

Conservation, forestry and reforestation uses;

Equestrian centre;

Farm;

Farm produce retail outlet;

Garden nursery;

Greenhouses;

Kennel;

Livestock auction sales barn;

Place of worship;

Park;

Sand and Gravel Pit, Accessory;

Trails;

Wayside pit or quarry and portable asphalt plant;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

5.2 Zone Provisions

5.2.1 PROVISIONS FOR RESIDENTIAL USES

- | | |
|--|-------------------|
| i) Lot Area (min.) | 0.4 hectares |
| ii) Lot Frontage (min.) | 61 metres |
| iii) Minimum Yards | |
| (a) Front Yard | 15 metres |
| (b) Exterior Side Yard | 10 metres |
| (c) Interior Side Yard | 5 metres |
| (d) Rear Yard | 10 metres |
| iv) Dwelling Unit Area (min.) | 80 m ² |
| v) Lot Coverage (max.) | 30% |
| vi) Height of Buildings (max.) | 10 metres |
| vii) Number of Dwellings Per Lot (max.): | 1 |
| viii) Setback from Street Centreline – in accordance with the General Provisions of this by-law. | |
| ix) Minimum Separation Requirements - In accordance with the General Provisions of this By-law. | |

5.2.2 PROVISIONS FOR NON-RESIDENTIAL USES

- | | |
|-------------------------|------------|
| i) Lot Area (min.) | 4 hectares |
| ii) Lot Frontage (min.) | 100 metres |
| iii) Minimum Yards | |
| (a) Front Yard | 30 metres |

- | | |
|---------------------------------------|---|
| (b) Exterior Side Yard | 15 metres |
| (c) Interior Side Yard | 10 metres |
| (d) Rear Yard | 30 metres |
| iv) Lot Coverage (max.) | 10% |
| v) Height of Buildings (max.) | 12 metres |
| vi) Setback from Street Centreline: | In accordance with the General Provisions of this By-law. |
| vii) Minimum Separation Requirements: | In accordance with the General Provisions of this By-law. |

5.2.3 REGULATIONS FOR ACCESSORY SAND AND GRAVEL PITS

- 5.2.3.1 Accessory sand and gravel pits shall be permitted on a lot with a minimum lot area of 4 hectares, and shall be developed in accordance with Section 18.2 of this By-law.
- 5.2.3.2 An accessory sand and gravel pit shall not exceed 4000 m² in area.

5.3 Exception Zone Provisions – Rural (RU) Zone

6.0 RURAL RESIDENTIAL (RR) ZONE

No person shall within any Rural Residential (RR) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

6.1 Permitted Uses

Single unit dwelling;

Group Home;

Home occupation;

Bed and breakfast establishment;

Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

6.2 Zone Provisions

6.2.1 FOR RESIDENTIAL USES

- i) Lot Area (min.) 0.4 hectares
- ii) Lot Frontage (min.) 61 metres
- iii) Minimum Yards
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 10 metres
 - (c) Interior Side Yard 5 metres
 - (d) Rear Yard 10 metres
- iv) Dwelling Unit Area (min.) 80 m²
- v) Lot Coverage (max.) 30%
- vi) Height of Buildings (max.) 10 metres
- vii) Number of Dwellings Per Lot (max.): 1

viii) Setback from Street Centreline: In accordance with the General Provisions of this By-law.

ix) Minimum Separation Requirements: In accordance with the General Provisions of this By-law.

6.3 Exception Zone Provisions – Rural Residential (RR) Zone

7.0 RESIDENTIAL LIMITED SERVICE (RLS) ZONE

No person shall within any Residential Limited Service (RLS) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

7.1 Permitted Uses

An existing single unit dwelling;

Seasonal dwelling;

A home occupation within an existing single unit dwelling;

Guest cabin;

Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

7.2 Service Provision

Delivery of municipal services (garbage and snow removal) may not be provided to lots located in the (RLS) zone. The provision of emergency services (fire, police and ambulance) may also be limited in areas zoned (RLS) due to the access constraints. The Township does not assume the responsibility of road maintenance for lots located in the (RLS) zone accessed by private roads or right-of-ways.

7.3 Zone Provisions

7.3.1 FOR RESIDENTIAL USES

- | | |
|-------------------------|---|
| i) Lot Area (min.) | 0.4 hectares |
| ii) Lot Frontage (min.) | 61 metres, and may include a limited service street or road |
| iii) Minimum Yards | |
| (a) Front Yard | 15 metres |
| (b) Exterior Side Yard | 10 metres |
| (c) Interior Side Yard | 5 metres |
| (d) Rear Yard | 10 metres |

- iv) Dwelling Unit Area (min.) 50 m²
- v) Lot Coverage (max.) 30%
- vi) Height of Buildings (max.) 10 metres
- vii) Number of Dwellings per Lot (max.) – 1
- viii) Setback from Street Centreline - In accordance with the General Provisions of this By-law.
- ix) Minimum Distance Separation Requirements - In accordance with the General Provisions of this By-law.

7.3.2 PROVISIONS FOR ACCESSORY RESIDENTIAL USES

One guest cabin with a maximum area of 20 m² may be permitted as an accessory use to a permitted dwelling provided that where sanitary facilities are included in the guest cabin that approval is received from the appropriate approval authority. Such dwelling may be permitted no closer to the front lot line than the main dwelling and shall be no closer than 30 metres to the front lot line.

7.4 Exception Zone Provisions – Residential Limited Service (RLS) Zone

7.4.1 (RACOON LAKE SUBDIVISION)

7.4.1.1 Defined Area

RLS-1 as shown on Schedule Z2 to this by-law

7.4.1.2 Zone Provisions

- a) Minimum Lot Area: 3035 m²
- b) Minimum Lot Frontage: 52 metres
- c) Minimum Floor Area: 67 m²
- d) Max. Lot Coverage: 35%
- e) Maximum Height: 9.1 metres
- f) Required Rear Yard: 15.24 metres, except those buildings and structures used for docking boats;
- g) Required Side Yard: 4.6 metres
- h) Required Front Yard: 9.1 metres

i) Accessory Buildings

- (1) Max. Floor Area: 67 m²
- (2) Max. Height: 9.1 metres
- (3) Required Rear Yard: 15.24 metres, except those buildings and structures used for docking boats;
- (4) Required Side Yard: 3.0 metres
- (5) Required Front Yard: 3.0 metres

8.0 HAMLET RESIDENTIAL (HR) ZONE

No person shall within any Hamlet Residential (HR) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

8.1 Permitted Uses

Single unit dwelling;

An existing semi-detached or duplex dwelling;

Group home;

Home occupation;

Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

8.2 Zone Provisions

- | | |
|---|-------------------|
| i) Lot Area (min.) | 0.4 hectares |
| ii) Lot Frontage (min.) | 45 metres |
| iii) Minimum Yards | |
| (a) Front Yard | 7.5 metres |
| (b) Exterior Side Yard | 6.0 metres |
| (c) Interior Side Yard | 5 metres |
| (d) Rear Yard | 5 metres |
| iv) Dwelling Unit Area (min.) | 80 m ² |
| v) Lot Coverage (max.) | 30% |
| vi) Height of Buildings (max.) | 10 metres |
| vii) Setback from Street Centreline - In accordance with the General Provisions of this By-law. | |
| viii) Number of Dwellings Per Lot (max.): | 1 |

8.3 Exception Zone Provisions – Hamlet Residential (HR) Zone

8.3.1 (THOMPSON SUBDIVISION)

8.3.1.1 Defined Area

HR-1 as shown on Schedule “D” to this by-law

8.3.1.2 Zone Provisions

- a) Minimum Lot Area: 2043 m²;
- b) Max. Lot Coverage: 30%;
- c) Minimum Gross Floor Area: 83.6 m²;
- d) Maximum Height: 9.1 metres;
- e) Required Yards: 7.62 metres;
- f) Minimum Setback: 17.7 metres
- g) Accessory Buildings
 - (1) Maximum Coverage: 7.62 metres
 - (2) Required Ext. Side Yard: 3.0 metres
 - (3) Maximum Height: 4.57 metres

9.0 GENERAL COMMERCIAL (C1) ZONE

No person shall within any General Commercial (C1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

9.1 Permitted Uses

Accessory dwelling unit;

Antique sale establishment;

Artist studio;

Bakery or bake shop;

Building supply outlet;

Business, professional or administrative office;

Convenience store;

Craft shop;

Day nursery;

Dry cleaner's distribution station;

Eating establishment;

Eating Establishment, mobile or take-out;

Financial institutions;

Fraternal lodge;

Funeral home;

Hotel or motel;

Laundry establishment;

Light equipment sales and rental;

Liquor licensed premises;

Liquor store;

Medical or dental clinic;

Motor vehicle dealership;

Motor vehicle gas bar;

Motor vehicle repair garage;

Motor vehicle sales, used;

Motor vehicle service station;

Parking lot;

Place of entertainment;

Printing establishment;

Retail establishment;

Service shop, merchandise;

Service shop, personal;

Shopping centre;

Supermarket.

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

9.2 Zone Provisions

9.2.1 FOR RESIDENTIAL USES

i) Dwelling Unit in Portion of Non-Residential Building

A maximum of two dwelling units may be permitted over a non-residential building. In no case shall a dwelling unit be permitted in or over a motor vehicle repair garage, a motor vehicle service station, or a motor vehicle service centre.

ii) Gross Floor Area per Dwelling Unit (min.)

- (a) One Bedroom Dwelling Unit 45 m²
- (b) Two Bedroom Dwelling Unit 60 m²
- (c) Three Bedroom Dwelling Unit 70 m²
- (d) Dwelling unit containing more than three bedrooms: 70 m² plus 9 m² for each bedroom in excess of three.

9.2.2 ZONE PROVISIONS FOR NON-RESIDENTIAL USES

- i) Lot Area (min.) 0.8 hectares
- ii) Lot Frontage (min.) 61 metres
- iii) Yards (min.)
 - (a) Front Yard 7.5 metres
 - (b) Exterior Side Yard 7.5 metres
 - (c) Interior Side Yard 3.0 metres
 - (d) Rear Yard 7.5 metres
- iv) Lot Coverage (max.) 60 %
- v) Height of Buildings (max.) 10 metres
- vi) Landscaped Open Space Requirements (min.) - 10 %
- vii) Setback from Street Centreline- In accordance with the General Provisions of this By-law.
- viii) Planting Strip- In accordance with the General Provisions of this By-law.

9.2.3 PROVISIONS FOR RETAIL GASOLINE ESTABLISHMENTS

In accordance with the General Provisions of this By-law.

9.2.4 PROVISIONS FOR OUTSIDE DISPLAY AND STORAGE

Lands zoned General Commercial (C1) Zone, used for the outside display and sale of goods and materials shall comply with the following provisions:

- i) not be located closer than 7.5 metres to the front lot line;

ii) not be located closer than 2.0 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6.0 metres of an interior side or rear lot line where the lot line abuts a lot zone for other than commercial or industrial purposes; and

iii) not exceed 30% lot coverage

9.3 Exception Zone Provisions – General Commercial (C1) Zone

9.3.1 (DOUGLAS – NORTHBROOK)

9.3.1.1 Defined Area

C1-1 as shown on Schedule “D” to this By-law

9.3.1.2 Permitted Uses

Apartment dwelling with a maximum of five (5) dwelling units;

10.0 HIGHWAY COMMERCIAL (C2) ZONE

No person shall within any Highway Commercial (C2) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

10.1 Permitted Uses

Accessory single unit dwelling; or accessory dwelling unit;

Antique sales establishment;

Artist studio;

Building supply outlet;

Contractor's yard;

Convenience store;

Craft shop;

Eating establishment;

Eating establishment, take-out;

Farm produce retail outlet;

Hotel;

Liquor licensed premises;

Motel or Motor Hotel;

Motor vehicle gas bar;

Motor vehicle repair garage;

Motor vehicle sales new and used;

Motor vehicle service station;

Propane refill station;

Recreational vehicle and travel trailer sales and service establishment;

Retail establishment, provided the retail use is accessory and incidental to a permitted non-residential use and on the same lot;

Shopping centre;

Uses, buildings and structures accessory to any of the permitted uses specified in accordance with the General Provisions of this By-law.

10.2 Zone Provisions

10.2.1 FOR RESIDENTIAL USES

i) Single unit Dwelling:

(a) Separation Requirements (min.) – 10 metres from the permitted non-residential use.

(b) Yards (min.)

(i) Front Yard 15 metres

(ii) Exterior Side Yard 10 metres

(iii) Interior Side Yard 6.0 metres

(iv) Rear Yard 15 metres

(c) Dwelling Unit Area (min.) 80 m²

(d) Height of Buildings (max.) 10 metres

(e) Setback from Street Centreline – in accordance with the General Provisions of this By-law

(f) Number of Dwellings per Lot (max.): 1

ii) Dwelling Unit in Portion of Non-Residential Building

(a) One dwelling unit may be permitted over a non-residential building. In no case shall a dwelling unit be permitted in or over a motor vehicle repair garage, a motor vehicle service station, or a motor vehicle service centre.

(b) Gross Floor Area per Dwelling Unit (min.)

(i) One Bedroom Dwelling Unit 45 m²

(ii) Two Bedroom Dwelling Unit 60 m²

(iii) Three Bedroom Dwelling Unit 70 m²

(iv) Dwelling unit containing more than three bedrooms: 70 m² plus 9 m² for each bedroom in excess of three.

10.2.2 FOR NON-RESIDENTIAL USES

i) Lot Area (min.) 0.8 hectares

ii) Lot Frontage (min.) 61 metres

iii) Yards (min.)

(a) Front Yard 15 metres

(b) Exterior Side Yard 15 metres

(c) Interior Side Yard – 6.0 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres.

(d) Rear Yard 12 metres

iv) Lot Coverage (max.) 40%

v) Landscaped Open Space (min.) 10%

vi) Height of Buildings (max.) 10 metres

vii) Minimum Setback from Street Centreline- In accordance with the General Provisions of this By-law.

viii) Planting Strip – In accordance with the General Provisions of this By-law.

10.2.3 PROVISIONS FOR RETAIL GAS ESTABLISHMENTS

In accordance with the General Provisions of this By-law.

10.2.4 PROVISIONS FOR OUTSIDE DISPLAY AND STORAGE

10.2.4.1 Lands used for the outside display and sale of goods and materials shall comply with the following provisions:

10.2.4.2 Not be located closer than 7.5 metres to the front lot line;

10.2.4.3 not be located closer than 2.0 metres to an interior side or rear lot line where the lot line abuts a lot

zoned for commercial or industrial purposes or 6.0 metres of an interior side or rear lot line where the lot line abuts a lot zone for other than commercial or industrial purposes; and

10.2.4.4 Not exceed 30% lot coverage.

10.3 Exception Zone Provisions – Highway Commercial (C2) Zone

11.0 RECREATION COMMERCIAL (C3) ZONE

No person shall within any Recreation Commercial (C3) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

11.1 Permitted Uses

Accessory single unit dwelling or accessory dwelling unit;

Cabin establishment;

Camping establishment;

Confectionary and/or convenience store where ancillary to a permitted non-residential use specified herein;

Cottage establishment;

Eating establishment; if ancillary to a cabin establishment, a camping establishment, a cottage establishment or a resort establishment;

Golf course, miniature;

Marina or marine sales and service establishment;

Outside display and sale of goods and materials ancillary to a permitted non-residential use specified herein and in accordance with the general provisions of this By-law.

Recreational vehicle and travel trailer sales and service establishment;

Recreational facilities where such uses are ancillary to a permitted non-residential use specified herein;

Resort establishment;

Snowmobile sales and service establishment;

Trailer park;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

11.2 Zone Provisions

11.2.1 FOR RESIDENTIAL USES

i) Single unit Dwelling

(a) Separation Requirements (min.) - 10 metres from the permitted non-residential use.

(b) Yard Requirements (min.)

(i) Front Yard 15 metres

(ii) Exterior Side Yard 10 metres

(iii) Interior Side Yard 6.0 metres

(iv) Rear Yard 15 metres

(c) Dwelling Unit Area (min.) 80 m²

(d) Height of Buildings (max.) 10 metres

(e) Setback from Street Centreline: In accordance with the General Provisions of this By-law.

(f) Number of Dwellings per Lot (max.): 1

ii) Dwelling Unit in Portion of Non-Residential Building

(a) Number of dwelling units (max.): 1

(b) Gross Floor Area per Dwelling Unit (min.)

(i) One Bedroom Dwelling Unit 45 m²

(ii) Two Bedroom Dwelling Unit 60 m²

(iii) Three Bedroom Dwelling Unit 70 m²

(iv) Dwelling unit containing more than three bedrooms: 70 m² plus 9 m² for each bedroom in excess of three.

11.2.2 PROVISIONS FOR NON-RESIDENTIAL USES

i) Lot Area (min.) 0.8 hectares

- ii) Lot Frontage (min.) 61 metres
- iii) Yards (min.)
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 15 metres
 - (c) Interior Side Yard – 6.0 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres
 - (d) Rear Yard 12 metres
- iv) Lot Coverage (max.) 40%
- v) Landscaped Open Space (min.) 10%
- vi) Height of Buildings (max.) 10 metres
- vii) Setback from Street Centreline- In accordance with the General Provisions of this By-law.
- viii) Planting Strip- In accordance with the General Provisions of this By-law.

11.2.3 SPECIAL PROVISIONS- CABIN, COTTAGE OR RESORT ESTABLISHMENTS

- i) Lot Area (min.) 2 hectares
- ii) Lot Frontage (min.) 90 metres
- iii) Minimum Yards
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 15 metres
 - (c) Interior Side Yard – 6.0 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard shall be 12 metres
 - (d) Rear Yard 12 metres
- iv) Lot Coverage (max.) 40%
- v) Landscaped Open Space (min.) 10%
- vi) Height of Buildings (max.) 10 metres

vii) Minimum Setback from Street Centreline: In accordance with the General Provisions of this By-law.

viii) Distance between Cabins or Cottages on the same lot (min.): 6.0 metres

11.2.4 SPECIAL PROVISIONS- CAMPING LOTS

i) Camping Lot Area (min.) 185 m²

ii) Camping Lot Frontage (min.) 9 metres

11.2.5 SPECIAL PROVISIONS- TRAILER PARKS

i) Lot Area (min.) 4 hectares

ii) Lot Frontage (min.) 100 metres

iii) Yards (min.)

(a) Front Yard 15 metres

(b) Exterior Side Yard 10 metres

(c) Interior Side Yard 6.0 metres

(d) Rear Yard 15 metres

iv) Lot Coverage (max.) 30%

v) Landscaped Open Space (min) 30%

vi) Recreational Trailer Site Area (min) 232 m²

vii) Recreational Trailer Site Frontage (min) 10 metres

viii) Separation Distance Between Sites (min) 3.0 metres

ix) Density of Sites (max.) - 37 sites per hectare exclusive of lands used for private roads providing access to sites.

x) Recreational Trailer Site Coverage (max) 35%

xi) Recreational Trailer Dwelling Unit Area (max) 44 m²

11.2.6 OUTSIDE DISPLAY AND STORAGE

Lands used for the outside display and sale of goods and materials shall comply with the following provisions:

- i) not be located closer than 7.5 metres to the front lot line;
- ii) not be located closer than 2.0 metres to an interior side or rear lot line where the lot line abuts a lot zoned for commercial or industrial purposes or 6.0 metres of an interior side or rear lot line where the lot line abuts a lot zone for other than commercial or industrial purposes; and
- iii) Not exceed 30% lot coverage.

11.3 Exception Zone Provisions – Recreational Commercial (C3) Zone

12.0 COMMUNITY FACILITY (CF) ZONE

No person shall within any Community Facility (CF) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

12.1 Permitted Uses

Accessory single unit dwelling or accessory dwelling unit;

Ambulance station;

Arena;

Assembly hall and / or auditorium;

Cemetery;

Community centre;

Day nursery;

Fire hall;

Fraternal lodge and / or legion;

Home for the aged;

Medical clinic;

Municipal recreation complex, inclusive of administrative facilities;

Museum;

Nursing home;

Park;

Place of worship;

Post office;

Private club;

Public authority offices;

Public library;

Public swimming pool;

Retirement home;

School, public or private;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

12.2 Zone Provisions

12.2.1 FOR RESIDENTIAL USES

- i) Lot Area (min.) 0.4 hectares
- ii) Lot Frontage (min.) 45 metres
- iii) Yards (min.)
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 6.0 metres
 - (c) Interior Side Yard 5 metres
 - (d) Rear Yard 15 metres
- iv) Dwelling Unit Area (min.)
 - (a) Single unit dwelling 80 m²
 - (b) Dwelling Unit as a part of a permitted non-residential use:
 - (i) Bachelor dwelling unit 30 m²
 - (ii) One bedroom dwelling unit 45 m²
 - (iii) Two bedroom dwelling unit 60 m²
 - (iv) Three bedroom dwelling unit 70 m²
 - (v) Dwelling unit containing more than three bedrooms: 70 m² plus 9 m² for each bedroom

in excess of three.

- v) Number of Dwelling units per lot (max.): 1
- vi) Height of Buildings (max.) 10 metres
- vii) Separation Requirement-Between single dwelling unit and Community Facility Use: 5 metres

12.2.2 ZONE PROVISIONS FOR NON-RESIDENTIAL USES

- i) Lot Area (min.) 0.8 hectares
- ii) Lot Frontage (min.) 45 metres
- iii) Yards (min.)
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 10 metres
 - (c) Interior Side Yard 10 metres
 - (d) Rear Yard 15 metres
- iv) Lot Coverage (max.) 30%
- v) Height of Buildings (max.) 14 metres
- vi) Landscaped Open Space Requirement (min.): 30%
- vii) Setback from Street Centreline- In accordance with the General Provisions of this By-law.
- viii) Planting Strip - In accordance with the General Provisions of this By-law

12.3 Exception Zone Provisions – Community Facility (CF) Zone

13.0 OPEN SPACE (OS) ZONE

No person shall within any Open Space (OS) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

13.1 Permitted Uses

Accessory single unit dwelling unit;

Conservation area or other similar use that provides for the preservation of the natural environment;

Forestry use;

Golf course;

Mobile Eating Establishment

Park;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

13.2 Zone Provisions

- | | |
|---------------------------------|-------------------|
| i) Lot Area (min.): | 0.4 hectares |
| ii) Lot Frontage (min.) | 61 metres |
| iii) Minimum Yards: | |
| (a) Front Yard | 15 metres |
| (b) Exterior Side Yard | 15 metres |
| (c) Interior Side Yard | 7.5 metres |
| (d) Rear Yard | 15 metres |
| iv) Dwelling Unit Area (min.) | 80 m ² |
| v) Lot Coverage (max.) | 10% |
| vi) Landscaped Open Space (min) | 40% |

vii) Height of Buildings (max.) 10 metres

viii) Number of Dwellings Per Lot (max.): 1

ix) Setback from Street Centreline- In accordance with the General Provisions of this By-law.

13.3 Exception Zone Provisions - Open Space (OS) Zone

14.0 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall within any Environmental Protection (EP) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

14.1 Permitted Uses

Agricultural use, exclusive of any permanent building;

Conservation use;

Forestry use;

Nursery farm, exclusive of any permanent building;

Parking facilities incidental to a permitted use;

Structures for flood or erosion control.

14.1.1 RESIDENTIAL USES

Residential uses are prohibited in the Environmental Protection (EP) Zone.

14.2 Zone Provisions

i) Minimum Yards:

(a) Front Yard: 30 metres

(b) Exterior Side Yard 30 metres

(c) Interior Side Yard 30 metres

(d) Rear Yard 30 metres

ii) Maximum Lot Coverage 30%

iii) Maximum Height of Buildings 10 metres

14.3 Exception Zone Provisions – Environmental Protection (EP) Zone

15.0 RURAL INDUSTRIAL (M1) ZONE

No person shall within any Rural Industrial (M1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

15.1 Permitted Uses

Accessory single unit dwelling

Building supply yard;

Farm implement and equipment sales and service establishment;

Feed mill;

Grain handling and storage facilities;

Maintenance depot;

Telecommunications Tower;

Welding shop;

Woodworking shop;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

15.2 Zone Provisions

15.2.1 FOR RESIDENTIAL USES

i) Single unit Dwelling

- | | |
|-------------------------|---|
| (a) Separation (min.) | 10 metres from the permitted non-residential use. |
| (b) Lot Area (min.) | 0.4 hectares |
| (c) Lot Frontage (min.) | 61 metres |
| (d) Yards (min.) | |
| (i) Front Yard | 7.5 metres |

- (ii) Exterior Side Yard 7.5 metres
- (iii) Interior Side Yard: 4.5 metres, or 1.2 metres where an attached garage or carport with no rooms above on the side where the garage or carport is located
- (iv) Rear Yard 7.5 metres
- (e) Dwelling Unit Area (min.) 80 m²
- (f) Number of Dwellings per Lot (max.): 1
- (g) Height of Buildings (max.) 10 metres
- (h) Setback from Street Centreline- In accordance with the General Provisions of this By-law.

15.2.2 FOR NON-RESIDENTIAL USES

- i) Lot Area (min.) 0.8 hectares
- ii) Lot Frontage (min.) 61 metres
- iii) Yards (min.)
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 10 metres
 - (c) Interior Side Yard 6.0 metres, or 20 metres where the interior side lot line or rear lot line abuts a Residential Zone.
 - (d) Rear Yard 15 metres
- iv) Lot Coverage (max.) 40%
- v) Landscaped Open Space (min) 10%
- vi) Height of Buildings (max.) 12 metres
- vii) Setback from Street Centreline- In accordance with the General Provisions of this By-law
- viii) Planting Strip- In accordance with the General Provisions of this By-law.

15.2.3 USE OF FRONT AND EXTERIOR SIDE YARDS

Required front and exterior side yards shall be open and unobstructed, except that such yards may be

used for the purpose of visitor parking in accordance with the general provisions.

15.3 Exception Zone Provisions – Rural Industrial (M1) Zone

16.0 LIGHT INDUSTRIAL (M2) ZONE

No person shall within any Light Industrial (M2) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

16.1 Permitted Uses

Building supply yard;

Business, professional or administrative office;

Farm implement and equipment sales and service establishment;

Feed mill;

Research facility;

Light manufacturing or assembly plant provided such use, from its nature or materials used therein is not considered noxious;

Maintenance depot;

Motor vehicle repair garage;

Printing establishment;

Retail establishment, provided the retail use is accessory and incidental to a permitted non-residential use specified hereunder and does not occupy more than 25% of the gross floor area of the buildings or structures; and;

Snowmobile sales and service;

Telecommunications Tower;

Veterinary clinic

Warehouse

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

16.1.1 RESIDENTIAL USES

Residential uses are prohibited in the Light Industrial (M2) Zone.

16.2 Zone Provisions

16.2.1 REGULATORY PROVISIONS

- i) Lot Area (min.) 0.8 hectares
- ii) Lot Frontage (min.) 61 metres
- iii) Yards (min.)
 - (a) Front Yard 15 metres
 - (b) Exterior Side Yard 10 metres
 - (c) Interior Side Yard – 6.0 metres or 20 metres where the interior side lot line or rear lot line abuts a Residential Zone.
 - (d) Rear Yard 15 metres
- iv) Lot Coverage (max.) 40%
- v) Landscaped Open Space Requirements (min): 10%
- vi) Height of Buildings (max.) 12 metres
- vii) Setback from Street Centreline- In accordance with the General Provisions of this By-law.
- viii) Planting Strip- In accordance with the General Provisions of this By-law.

16.2.2 USE OF FRONT AND EXTERIOR SIDE YARDS

Required front and exterior side yards shall be open and unobstructed, except that such yards may be used for the purpose of visitor parking in accordance with the general provisions.

16.2.3 OUTSIDE DISPLAY AND STORAGE

No portion of any lot may be used for the outside display and/or storage of goods or materials except in accordance with the following:

- i) Outside display and/or storage is restricted to the area to the rear of the front of the principal

structure and shall comply with the required front and exterior side yard and setback requirements provided that such outside storage is not located closer than 5.0 metres to an interior side lot line where the lot line abuts a lot zoned rural residential.

- ii) Does not cover more than 50% of the total lot area; and
- iii) Is screened from adjacent residential uses and public streets adjoining the lot by buildings, or is enclosed by planting in conjunction with a planting strip or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

16.3 Exception Zone Provisions – Light Industrial (M2) Zone

17.0 GENERAL INDUSTRIAL (M3) ZONE

No person shall within any General Industrial (M3) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

17.1 Permitted Uses

Abattoir;

Animal shelter;

Business, professional or administrative office provided such use is accessory to a permitted non-residential use specified herein;

Contractor's yard;

Greenhouse, commercial;

Equipment sales and rental;

Farm implement and equipment sales and service establishment;

Feed mill or seed cleaning plant;

Garden and nursery sales and supply establishment;

Kennel, commercial;

Light manufacturing plant;

Lumber mill

Machine or welding shop;

Manufacturing, processing, assembling or fabricating plant

Motor vehicle body shop;

Motor vehicle repair garage;

Motor vehicle sales, new and used;

Research facility;

Retail establishment where such use is accessory and incidental to a permitted non-residential use otherwise specified herein and does not exceed 25% of the gross floor area of all buildings and structures;

Salvage yard;

Small appliance service shop;

Small engine sales and service establishment;

Telecommunications Tower;

Truck or transport depot;

Warehouse

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

17.1.1 RESIDENTIAL USES

Residential uses are prohibited in the General Industrial (M3) Zone.

17.2 Zone Provisions

17.2.1 REGULATORY PROVISIONS

- | | |
|--|--------------|
| i) Lot Area (min.) | 0.8 hectares |
| ii) Lot Frontage (min.) | 61 metres |
| iii) Yards (min.) | |
| (a) Front Yard | 20 metres |
| (b) Exterior Side Yard | 10 metres |
| (c) Interior Side Yard – 6.0 metres or 20 metres where the interior side lot line or rear lot line abuts a Residential Zone. | |
| (d) Rear Yard | 15 metres |
| iv) Lot Coverage (max.) | 40% |

- v) Setback from Street Centreline- In accordance with the General Provisions of this By-law.
- vi) Landscaped Open Space (min) 10%
- vii) Height of Buildings (max.) 12 metres
- viii) Planting Strip – In accordance with the General Provisions of this By-law.

17.2.2 OUTSIDE DISPLAY AND STORAGE

No portion of any lot may be used for the outside display and/or storage of goods or materials except in accordance with the following:

- i) Outside display and/or storage is restricted to the area to the rear of the front of the principal structure and shall comply with the required front and exterior side yard and setback requirements provided that such outside storage is not located closer than 5.0 metres to an interior side lot line where the lot line abuts a lot zoned rural residential.
- ii) Does not cover in excess of 50% of the total lot area; and
- iii) Is screened from adjacent residential uses and public streets adjoining the lot by buildings, or is enclosed by planting in conjunction with a planting strip as per the general provisions of this By-law, or, is enclosed within a closed wooden, plastic and/or metal fence extending at least 1.8 metres in height from the finished grade.

17.2.3 USE OF FRONT AND EXTERIOR SIDE YARDS

Front and exterior side yards shall be open and unobstructed except that such yards may be used for the purpose of visitor parking in accordance with the general provisions in this By-law.

17.2.4 SALVAGE YARD PROVISIONS

A salvage yard is governed by the following additional provisions:

- i) Outside Storage
 - (a) Is restricted to the rear of the front wall of the principal structure on the lot;
 - (b) Shall comply with the front, side and rear yard requirements of the Restricted Industrial (M3) Zone;
 - (c) Shall not exceed 80 per cent of the total lot area.

ii) Buffer Planting and Screening

- (a) Where a salvage yard or area zoned for such purposes abuts a street or area zoned within a Residential, Community Facility or Open Space Zone, a planting strip of a minimum width of 3.0 metres shall be provided within the front, side or rear yards, adjoining such abutting lot line or portion thereof.

iii) Fencing

- (a) A salvage yard shall be fenced as provided for in the Corporation's Fence By-law. Such fence shall;
- (b) Have a height of at least 1.8 metres;
- (c) Follow the contours of the surface of the ground along the perimeter of the lot or portion thereof to be used for a salvage yard.

iv) Licensing

- (a) A salvage yard is prohibited unless it is licensed in accordance with the regulatory and licensing by-laws of the Township as enacted pursuant to the Municipal Act.

17.3 Exception Zone Provisions – General Industrial (M3) Zone

18.0 EXTRACTIVE INDUSTRIAL (M4) ZONE

No person shall within any Extractive Industrial (M4) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

18.1 Permitted Uses

Agriculture;

Aggregate processing plant;

Aggregate stockpiling;

Conservation, forestry and reforestation;

Open storage area;

Sand and gravel pit;

Portable asphalt plant;

Quarry;

Wayside pit; and

Wayside quarry

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

18.1.1 RESIDENTIAL USES

Residential uses are prohibited in the Extractive Industrial (M4) Zone.

18.2 Zone Provisions

18.2.1 REGULATORY PROVISIONS

i) Yards (min.)

(a) Front Yard 30 metres

(b) Exterior Side Yard 30 metres

- (c) Interior Side Yard 15 metres
- (d) Rear Yard 15 metres

18.2.2 YARD AND SETBACK PROVISIONS - PITS AND QUARRIES

- 18.2.2.1 No building or plant, including an aggregate screening or washing plant, a crushing plant, or a portable processing plant, or any stockpiling operation associated therewith, shall be located on the pit or quarry property within 30 metres of the boundary of the pit or quarry property or within 90 metres of a dwelling or dwelling unit or area zoned for residential purposes where such lands are held under distinct and separate ownership.
- 18.2.2.2 That part of the extractive operation involving the removal of sand and gravel shall be prohibited within 90 metres of a dwelling or dwelling unit or area zoned for residential purposes where such lands are held under distinct ownership.
- 18.2.2.3 A new extractive operation involving the blasting of consolidated rock or the processing of quarry stone shall be prohibited within 300 metres of a dwelling or dwelling unit or area zoned for residential purposes where such lands are held under distinct and separate ownership.
- 18.2.2.4 Setback from Street Centreline- In accordance with the General Provisions of this By-law.

18.2.3 PORTABLE ASPHALT AND CONCRETE BATCHING PLANTS

Where a portable asphalt batching plant or concrete batching plant are listed as permitted in association with a wayside pit or quarry, no land shall be used for the purposes of a portable asphalt or concrete batching plant except in accordance with a Certificate of Approval, which is current, and as issued under the Environmental Protection Act.

18.2.4 PLANTING STRIP

In accordance with the General Provisions of this By-law.

18.2.5 FENCING

In accordance with the Site Plan under the Aggregate Resources Act and the fence by-law of the Township.

18.3 Exception Zone Provisions – Extractive Industrial (M4) Zone

19.0 WASTE MANAGEMENT (M5) ZONE

No person shall within any Waste Management (M5) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

19.1 Permitted Uses

Waste disposal site;

Sewage treatment facility;

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law.

19.1.1 RESIDENTIAL USES

Residential uses are prohibited in the Waste Management (M5) Zone.

19.2 Zone Provisions

19.2.1 REGULATORY PROVISIONS

i) Yards (min.)

(a) Front Yard	100 metres
(b) Exterior Side Yard	100 metres
(c) Interior Side Yard	100 metres
(d) Rear Yard	100 metres

ii) Setback from septage lagoon– Septage lagoon is prohibited within 330 metres of any other use.

iii) Setback from street centreline- In accordance with the General Provisions of this By-law.

iv) Building and Structure Setbacks

(a) Yards (min.)

(i) Front Yard	30 metres
(ii) Exterior side yard	30 metres

- (iii) interior side yard 15 metres
- (iv) Rear yard 15 metres
- (b) Setback from street centreline- In accordance with the General Provisions of this By-law.
- (c) Lot Coverage (max.) 20%
- (d) Height of Buildings (max) 12 metres
- (e) Landscaped open space (min) – 20%

19.2.2 PLANTING STRIP

In accordance with the General Provisions of this By-law and the Certificate of Approval under the Environmental Protection Act.

19.2.3 FENCING

In accordance with the municipal by-law and Certificate of Approval under the Environmental Protection Act.

19.3 Exception Zone Provisions – Waste Management (M5) Zone