
COMPREHENSIVE ZONING

BY-LAW NUMBER 2002-54

OF THE

MUNICIPALITY OF NORTHERN BRUCE PENINSULA

A BY-LAW TO REGULATE
THE USE OF LANDS AND THE CHARACTER, LOCATION
AND USE OF BUILDINGS AND STRUCTURES
IN THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA

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FOR OFFICE USE ONLY

PREPARED BY THE BRUCE COUNTY
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**ZONING BY-LAW NUMBER 2002-54
OF THE
MUNICIPALITY OF NORTHERN BRUCE PENINSULA**

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THE CORPORATION OF THE MUNICIPALITY OF

NORTHERN BRUCE PENINSULA

BY-LAW NO. 2002-54

A BY-LAW TO REGULATE THE USE OF LAND AND THE ERECTION, USE, BULK, HEIGHT, SPACING OF AND OTHER MATTERS RELATING TO BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN USES OF LAND AND THE ERECTION AND USE OF CERTAIN BUILDINGS AND STRUCTURES IN THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA.

WHEREAS the Council of the Corporation of the Municipality of Northern Bruce Peninsula consider it advisable to restrict the use of land and the erection of buildings and structures on land situated within the Municipality of Northern Bruce Peninsula.

AND WHEREAS authority is granted under Section 34 of The Planning Act, R.S.O. 1990, to the Council of the Municipality of Northern Bruce Peninsula to exercise such powers;

NOW THEREFORE the Council of the Corporation of the Municipality of Northern Bruce Peninsula enacts as follows:

SECTION 1 - TITLE

This By-law may be cited as the Comprehensive Zoning By-law of the Municipality of Northern Bruce Peninsula.

SECTION 2 - APPLICATION OF BY-LAW

No building or structure shall hereafter be erected or altered, and the use of any building, structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-law.

SECTION 3 - INTERPRETATION (TEXT)

- 3.1 The particular shall control the general;
- 3.2 The word "shall" is mandatory and not discretionary; and the word "may" is permissive;
- 3.3 Words used in the present tense shall include the future; and words used in the singular number shall include the plural and the plural shall include the singular, unless the context clearly indicates the contrary;
- 3.4 A "Building" or "Structure" includes any part thereof.

SECTION 4 - ADMINISTRATIVE PROVISIONS

4.1 APPLICATIONS, PLANS AND PERMITS

- 4.1.1 In addition to all the requirements of the Corporation's Building By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan (prepared by an Ontario Land Surveyor if deemed necessary) in duplicate, (one copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:
 - a) The true dimensions of the lot to be built upon or otherwise used; and
 - b) The proposed location, height and dimensions of any building, structure or use proposed for such lot; and
 - c) The proposed locations and dimensions of any yards, setback, landscaped open space, off-road parking and loading facilities required by this By-law; and

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- d) The location of all existing buildings, structures, wells, hydro services, and sewage disposal systems on the lot; and
 - e) A statement signed by the owner, disclosing the exact use proposed for each aforesaid building, structure or use and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

4.1.2 No building permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

4.1.3 In addition to all other requirements of the Corporation, every application for a building permit shall be made in compliance with the Ontario Building Code Act, R.S.O. 1990, and amendments thereto.

4.2 INSPECTION OF PREMISES

The Chief Building Official, By-law Enforcement Officer, or Zoning Administrator of the Corporation, upon producing proper identification, may enter at all reasonable times to inspect and examine any building or premises for which a permit or order has been issued and no officer or person acting under his instruction shall enter any room or place used as a dwelling unit without the consent of the owner or without a warrant issued pursuant to The Provincial Offences Act.

4.3 VIOLATIONS AND PENALTIES

4.3.1 Pursuant to s.67 of the Planning Act, R.S.O. 1990, every person who contravenes any of the provisions of this By-law is guilty of an offence and on conviction is liable,

- i) on a first conviction to a fine of not more than twenty-five thousand dollars (\$25,000); and
- ii) on a subsequent conviction to a fine of not more than ten thousand dollars (\$10,000) for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

4.3.2 Pursuant to s.67 of the Planning Act, R.S.O. 1990, where a corporation contravenes any of the provisions of this By-law, the maximum penalty that may be imposed is:

- i) on a first conviction a fine of not more than fifty thousand dollars (\$50,000); and
- ii) on a subsequent conviction to a fine of not more than twenty-five thousand dollars (\$25,000) for each day or part thereof upon which the contravention continued after the day on which the Corporation was first convicted.

4.3.3 Every such fine shall be recoverable under the Provincial Offences Act, all the provisions of which apply, except that any imprisonment shall be as provided in The Municipal Act.

4.4 REMEDIES

4.4.1 In case any building or structure is, or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure (or part thereof) is, or is proposed to be, used in contravention of any requirement of this By-law, such contravention may be restrained by action at the insistence of any citizen of the Corporation.

4.4.2 Where a person guilty of an offence under this By-law has been directed to remedy any violation and is in default of doing any matter or thing required, such matter or thing shall be done at the expense of such person.

4.4.3 Where a person has refused or neglected to reimburse the Corporation for the cost of such work, thing or matter done, the same may be recovered by the Corporation by an action or otherwise in such amount shall be added to the collectors roll and form a lien in a like manner as municipal taxes.

4.4.4 Where any By-law of the municipality, passed under the authority of The Planning Act is contravened and a conviction entered, in addition to any other remedy and any penalty imposed by the By-law, the Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or persons convicted.

4.5 VALIDITY

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

4.6 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force with the Corporation or from obtaining any licence, permission, permit, authority or approval required by this or any other By-law of the Corporation unless hereinafter specifically stated.

4.7 GREATER RESTRICTIONS OF OTHERS TO GOVERN

Nothing in this By-law shall reduce the severity of restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

4.8 HEALTH APPROVAL

Where the issuance of a permit for a building or structure or change of use of an existing building or structure may affect any sewage disposal system, either on the subject land or on adjacent lands or any water supply, no building permit shall be issued for such building or structure unless the building permit application is accompanied by approval in writing from the Ministry of the Environment or approving agency for the proposed method of sewage disposal and water supply.

4.9 METRIC AND IMPERIAL MEASUREMENT

All measurement figures used in the By-law shall be metric measurement. The approximate imperial equivalents to the metric measurements used in this By-law are shown in brackets following each such metric measurement and are provided for information purposes only and do not form part of this By-law.

4.10 REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by three copies of an "Application for Amendment" provided by and available from the Corporation of the County of Bruce.

SECTION 5 - DEFINITIONS

For the purposes of this By-law, the definitions and interpretations given in this section shall govern.

"ABATTOIR" means a building or structure 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.

"ACCESSORY" when used to describe a use, building or structure subordinate means a use, building or structure, incidental and exclusively devoted to the principal use, building or structure located on the same lot therewith and not designed or intended for human habitation unless specifically permitted elsewhere in this By-law.

"ADMINISTRATIVE BUILDING" means a building engaged in overall management and general supervisory functions.

"AERODROME" means any area of land, water (including frozen surface thereof) or other supporting surface, used or designed, prepared, equipped or set apart for use either in whole or in part for the arrival and departure, movement or servicing of aircraft and includes any buildings, installation and equipment in connection therewith.

"AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE" means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.

~~"AGRICULTURAL USE" means the use of land, buildings, and structures for the growing of field crops, berry crops, tree crops, flower gardening, truck gardening; for nurseries and aviaries, apiaries; farms for the grazing, breeding, boarding, training and raising of livestock and/or poultry; forestry and reforestation; and includes the sale of such produce, crops, livestock or poultry on the same lot, and may include a detached dwelling accessory to the above, but shall not include kennels. Z-30-2009.68, By-law 2009-87, F&E 13Oct09~~

"AGRICULTURAL USE" means the use of land, buildings, and structures for the growing of field crops, berry crops, tree crops, flower gardening, truck gardening; for nurseries, greenhouses and aviaries, apiaries; farms for the grazing, breeding, boarding, training and raising of livestock and/or poultry; forestry and reforestation; and includes the sale of such produce, crops, livestock or poultry on the same lot, and may include a detached dwelling accessory to the above, but shall not include kennels. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

"AGRICULTURAL USE, INTENSIVE" means the housing of livestock and associated manure facilities for 150 animal units or more, or 1.5 animal units per tillable acre.

"AGRICULTURAL USE, SPECIALIZED" means an intensive farm or land on which market gardening, orchards or plant nursery provides the main occupation for the operator.

"AIRPORT" means an aerodrome for which an airport licence has been issued by the Minister of the Department of Transport.

"AIRPORT HANGER" means a building or structure designed and used for the sheltering of aircraft.

"AIRPORT BASIC STRIP" means the land area containing one or more runways plus additional graded land on both sides and both ends of the runway or runways.

"ALTER" 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 decrease or increase the width, depth, or area of any required yards setback, landscaped open space or parking area, to change the location of any boundary of such lot with respect to a road or land, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The word "altered" and "alteration" shall have a corresponding meaning.

"ARCADE ESTABLISHMENT" means a building or structure, or part thereof, used for the provision of three or more indoor entertainment and amusement activities such as coin operated machines, video machines, devices and games of skill, exhibits and displays, including the sale of souvenirs, food and beverages, but does not include premises licensed under the Liquor License Act.

"AMUSEMENT RIDE" means a device or a combination of devices designed or intended to entertain and amuse people by physically moving them.

"ANIMAL UNIT" means the number of that kind of livestock or poultry as defined through provincial guidelines and regulations.

"ASSEMBLY HALL" means a building or structure or part of a building or structure used for the assembly of persons, and without limiting the generality of the foregoing includes assembly for religious, charitable, philanthropic, cultural, recreational or educational purposes.

"ATTACHED" when used in reference to a building, means a building otherwise complete in itself which depends for structural support or complete enclosure upon a division wall or division walls shared in common with adjacent building or buildings.

"AUTOMOBILE GAS BAR" means a lot, containing not more than eight fuel pumps and may include a structure of not greater than 18.5 m² (199 ft²) used for the sale of fuel to vehicles, but shall not include any other automotive use defined in this By-law.

"AUTOMOBILE SERVICE STATION" means a lot, building or structure, where such goods are sold and such minor services are provided as are essential to the running operation of motor vehicles and may include the selling of refreshments to the travelling public by way of vending machines, and may include a coffee shop, but does not include a retail store, an automobile repair shop, the business of selling cars or other vehicles, and does not include a mechanical or coin-operated car washing establishment except that cars may be washed by the operator or an employee of the station with or without the aid of semi-automatic equipment.

"AUTOMOBILE REPAIR ESTABLISHMENT" means a building and/or lot used for the servicing, repair, cleaning, polishing and greasing of motor vehicles and may include vehicular body repair and re-painting, but shall not include any other automotive use defined in this By-law.

"AUTOMOBILE SALES ESTABLISHMENT" means a building and/or lot used for the display and sale of new or used motor vehicles and may include the servicing, repair, cleaning, polishing and greasing of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other automotive use defined in this By-law.

"AUTOMOTIVE WRECKING ESTABLISHMENT" means a building and/or lot used for the wrecking or dismantling of motor vehicles and for the storage and sale of scrap material, salvage and parts obtained there from, as licensed by the Corporation, but does not include any other automotive use defined in this By-law.

"BANK or TRUST COMPANY" means the use of land, buildings or structures for the purpose of depositing, keeping, lending, or exchanging money, and other related financial services.

"BARBER SHOP" means land, building or structure used for the purpose of cutting and trimming human hair, shaving and trimming beards, and related services.

"BASEMENT" means that portion of a building between two floor levels which is partly below finished grade level but which has at least fifty per cent of its height from finished floor to finished ceiling above adjacent finished grade level for at least seventy-five (75) per cent of the building perimeter.

"BED & BREAKFAST ESTABLISHMENT" means a detached dwelling, licensed by the corporation containing not more than three rooms available for sleeping accommodation of the vacationing or travelling public for not more than eight (8) persons in which breakfast shall be offered. A bed and breakfast establishment shall not include a restaurant and the owner/operator must occupy said dwelling.

"BOAT LAUNCHING & DOCKING, MUNICIPAL" means the use of land owned and maintained by the Corporation for the launching and docking of boats.

"BUILDING" means any structure other than a fence being a permanent edifice fixed to, or supported by the soil, and used or intended to be used for the shelter, accommodation or enclosure of persons, animals or things.

"BUILDING BY-LAW" means any "Building By-law" within the meaning of the Building Code Act, R.S.O. 1990.

"BUILDING, PRINCIPAL" or "PRINCIPAL STRUCTURE" means the building or structure in which is conducted the principal use of the lot on which it is situated.

"BUILDING SETBACK" means the horizontal distance between a lot line and the nearest part of any building or structure on the lot.

"BUILDING SUPPLY AND SALES" means the use of land, building or structure for the sale, storage and/or display of goods, merchandise or equipment used in building and construction.

"BULK SALES ESTABLISHMENT" means the use of land, a structure or a building for the purposes of buying and selling fuels, oil, wood, coal, nursery stock, but does not include manufacturing, assembling or processing uses.

"BULK SALES ESTABLISHMENT - AGRICULTURAL" means the use of land, structure or building for the purposes of buying and selling agricultural products, nursery stock and/or garden supplies.

"BUSINESS OR PROFESSIONAL OFFICE" means any building or part thereof in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization but shall not mean a health care clinic or veterinary clinic.

"CAMPGROUND" means a lot used for not more than seven (7) months in any consecutive ten (10) month period, for the parking and use of travel trailers, tent-trailers, tents or similar transportable accommodation together with all yards and open space defined in this By-law, but shall not include a mobile home park as defined in this By-law. Where licensed by the Corporation, a campground may include the off-season storage of travel trailers, tent-trailers or similar transportable accommodation.

"CAMPGROUND PLOT" means a parcel of land within a campground intended for occupancy by travel trailers, tents, camp trailers and similar recreation vehicles together with all yards and open space defined in this By-law, but shall not include a mobile home lot or plot.

"CANOPY" means a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.

"CARPORT" means a covered structure attached to the wall of a building and used for the storage of passenger motor vehicles. The roof of said structure shall be supported only by piers or columns so that a portion of its wall area is unenclosed.

"CAR WASH" means a building or structure or lot or part thereof used for the washing and cleaning of motor vehicles and shall not include any other automotive use defined in this By-law. This shall not include any other automobile use defined in this By-law.

"CELLAR" means that portion of a building that has more than fifty percent of its height from finished floor to finished ceiling below adjacent finished grade level for at least seventy-five percent (75%) of the building perimeter.

"CEMETERY" means a cemetery or columbarium within the meaning of the Cemeteries Act of Ontario.

"CENTRE LINE" means the centre line of any road, roadway, or lane.

"CHIEF BUILDING OFFICIAL" means the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the Building By-law and zoning by-law of the Corporation and the Building Code.

"CHURCH" means any building dedicated to religious worship and may include a church hall, church auditorium, Sunday school, convent, monastery, parish hall or synagogue.

"CLINIC, HEALTH CARE" or "HEALTH CARE CLINIC" means a building in which two (2) or more rooms are used by people in the health care professions and their staff for the purpose of consultation, diagnosis and office treatment of human patients, but does not include a hospital. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

"CLINIC, VETERINARY" or "VETERINARY CLINIC" means a building in which two (2) or more rooms are used by a veterinary surgeon for the treatment of diseases and injuries of domestic and other animals. Without limiting the generality of the foregoing, a veterinary clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies, and dispensaries directly associated with the clinic.

"CLUB, PRIVATE" or "PRIVATE CLUB" means a building or part of a building or lot used as a meeting place for members of a chartered organization.

"COMMERCIAL COLLEGE OR SCHOOL" means a commercial establishment which provides instruction in any subject for profit or gain; and, without limiting the generality of the foregoing, includes a secretarial college or school, a dance school or studio, a school of music, a modelling school, a charm or finishing school, a ceramics or other crafts school or studio, but does not include a public school, separate school or private school as defined in The Education Act or a day nursery, as defined in this By-Law.

"COMMERCIAL MOTOR VEHICLE" means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses, motorized construction vehicle and commercial tractors used for hauling purposes on the highways.

"COMMERCIAL WIND ENERGY TURBINE" means a structure designed to convert wind to useable energy for the purpose of inclusion into the electrical grid system.

"COMMERCIAL USE" means the use of any land, building or structure for the purpose of offices or retail buying or selling of commodities and services, but does not include use for warehousing, wholesaling, manufacturing or assembling of goods.

"CONSERVATION AREA" means an area of land owned by a public authority and managed for the purposes of preserving and improving the natural features of the environment.

"CONSTRUCTION TRAILER" means a building or structure that is designed to be made mobile and drawn by a separate vehicle, and is used for the purpose of storage, administration and or temporary accommodation provided work is in progress and a valid building permit is in effect for the work being undertaken for a period not exceeding two years from the date of issuance of the building permit.

"CONVENIENCE STORE" means a retail establishment that provides its immediate vicinity with incidental items of household necessity.

"CONTRACTOR'S YARD - CONTRACTING BUSINESS" means a place, building or structure where were contracting equipment and building material are stored, and may include office space as an accessory use, but shall not include retail sales.

"CORPORATION" means the Corporation of the Municipality of Northern Bruce Peninsula.

"COUNCIL" means the Municipal Council of the Corporation.

"COUNTY" means the Corporation of the County of Bruce.

"COURT" means with respect to a motel or hotel, an open area bounded on all sides by buildings and used for such uses as a passive recreational area, swimming pool and deck, and children's play area.

"CREMATORIUM" means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

"DAY NURSERY" means a place that receives for temporary custody for a continuous period not exceeding twenty-four hours, more than five children under ten years of age not of common parentage, and that is not; (a) part of a public school under The Public Schools Act, (b) part of a private school registered under The Department of Education Act, or (c) a children's mental health centre under The Children's Mental Health Centres Act.

"DELICATESSEN" means an establishment where sandwiches and prepared meats, breads, preserved eggs and produce are available for sale and/or consumption on the premises or for take-out.

"DORMITORY" means a building or part of a building operated by an institution and containing a room or rooms forming one or more habitable units which are used or intended to be used by residents of the institution for living and sleeping, but not for cooking.

"DRIVEWAY" means a vehicular passageway having at least one end thereof connected to a public thoroughfare, and providing ingress to and/or egress from a lot.

"DRIVE-IN THEATRE" means a place of public assembly intended for the screening and viewing of motion pictures by customers seated in motor vehicles parked therein.

"DRY CLEANING ESTABLISHMENT" means an establishment for the collection and dry cleaning of clothing.

"DWELLING" means a building occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, and one or more families, but shall not include any mobile home, construction trailer, travel trailer, hotels, motels, a home for the aged, nursing home, hospital, or living quarters for a caretaker, watchman or other person or persons using living quarters which are accessory to a Non-Residential building.

- i) "ACCESSORY DETACHED DWELLING" means a detached dwelling subordinate and incidental to the principal use, building or structure located on the same lot therewith.
- ii) "APARTMENT DWELLING" means a building consisting of three (3) or more dwelling units, which units have a common entrance from road level and the occupants of which obtain access to their dwelling units through common halls.
- iii) "CONVERTED DWELLING" means a building on a lot originally designed, intended and used as a one-family dwelling which has been lawfully altered or converted so as to provide two (2) or more dwelling units, none of which is located in the cellar.
- iv) "COTTAGE DWELLING" means a detached building, which may be occupied on a seasonal basis, used for and containing only one dwelling unit, which is designed and/or constructed for year round human habitation.
- v) "DETACHED DWELLING" means a separate building designed for and containing only one dwelling unit and constructed for year round human habitation.
- vi) "DUPLEX DWELLING" means a building that is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- vii) "FOURPLEX DWELLING" means a building which consists of two (2) attached duplex dwellings, or a building containing only two storeys exclusive of basement, divided vertically into four (4) dwelling units with either one or two complete walls in common with adjoining units and an independent entrance, either directly or through a common vestibule.
- viii) "SEMI-DETACHED DWELLING" means one of a pair of attached single dwelling units constructed for permanent use with a common party wall dividing the pair of dwelling units vertically for the full height of the building, each of which has an independent entrance.
- ix) "TOWNHOUSE DWELLING" means a building that is divided vertically into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit, or a front and side yard in the case of a dwelling unit located at the end of the townhouse building.
- (j) "TRIPLEX DWELLING" means a building that is divided horizontally or vertically into three (3) separate dwelling units each of which has an independent entrance, either directly or through a common vestibule.

"DWELLING UNIT" means a suite of two (2) or more habitable rooms, occupied by one or more persons, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance, either directly from outside the building or from a common corridor inside the building.

- (a) "ACCESSORY DWELLING UNIT" means a dwelling unit that is part of a permitted Non-Residential Use.
- (b) "BACHELOR DWELLING UNIT" means a dwelling unit consisting of one bathroom and not more than two (2) habitable rooms designed to provide living, dining and kitchen accommodation in appropriate individual rooms or combination of rooms.

"DWELLING UNIT FLOOR AREA" means the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, veranda, unfinished attic, cellar or sun room designed for summer use only, and excluding common hall ways, common stairways or other common areas and the thickness of exterior walls.

"EATING ESTABLISHMENTS"

- (a) "Restaurant" means a building or structure or part thereof used to prepare food and offer for sale and sell food for immediate consumption within the building or structure, or adjacent patio or deck and may include an accessory take-out service.
- (b) "Drive-In Restaurant" means a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within or outside the building or structure.
- (c) "Take-Out Restaurant" means a building or structure or part thereof where food is prepared and offered for sale to the public to be taken out and/or delivered, for the consumption off or on the premises.
- (d) "Portable Food Outlet" means a trailer, tent or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside. A Portable Food Outlet may only be permitted as an accessory use to a public event held on municipal lands for a period of time not exceeding seven consecutive days.
- (e) "Chip Wagon" means a trailer, or vehicle that is designed to be made mobile from which food is prepared and offered for sale to the public for consumption outside. Where stated as a permitted use a Chip Wagon may only be permitted as an accessory use to the principal use on a commercially zoned property.

"ERECT" when used in this By-law includes building, construction, reconstruction and relocation and, without limiting the generality of the word, also includes:

- (a) altering any existing building or structure by an addition, enlargement, extension or other structural change; and
- (b) any work for the doing of which a building permit is required under The Ontario Building Code.

"ERECTED" AND "ERECTION" shall have a corresponding meaning.

"EXISTING" unless otherwise indicated, means existing on the date of passing of this By-law. A substandard lot that does not comply with the minimum lot area and/or frontage requirements of this by-law may be increased in area and/or frontage and still be considered an existing lot for the purposes of this by-law.

"EXTERNAL DESIGN" means the arrangement and/or pattern of materials forming the exterior of a building or structure.

"FAMILY" means an individual, or two or more persons inter-related by blood, marriage or legal adoption arrangement, or a group of unrelated persons living together as a single house-keeping unit, and includes non-paying guests, domestic servants, or not more than three of any combination of roomers or boarders.

"FARM IMPLEMENT ESTABLISHMENT" means a retail establishment which deals in the sale of new and/or used agricultural machinery and may include the servicing of such machinery and farm vehicles as a secondary use but does not include the sale of new and/or used automotive vehicles or supplies.

"FARM IMPLEMENT REPAIR ESTABLISHMENT" means a building and/or lot used for the servicing, repair, cleaning, polishing and greasing of farm implements and may include body repair and re-painting.

"FARMERS MARKET" means a lot, building or structure where food and farm related products are sold at retail from either open-air areas designated for individual retailers or within designated buildings or structures and may include the sale of arts and crafts as an ancillary use. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

"FLOOR AREA, GROSS" means the sum 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, but shall not include areas used for the parking of motor vehicles.

"FLOOR AREA, GROUND" or "GROUND FLOOR AREA" means the maximum area of a building measured to the outside walls at grade, excluding in the case of a dwelling house, any private garage, carport, porch, veranda, or sun room (unless such sun room is habitable at all seasons of the year).

"FLOOR AREA, HABITABLE" or "HABITABLE FLOOR AREA" means the total of the floor areas of all storeys contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, veranda, cellar, unfinished attic, unfinished basement, and excluding public or common halls or stairways.

"FLOUR MILL" means an establishment where the preparations of grains are made into flour. A flour mill may include the sale of flour and grains as an accessory use as a wholesale establishment.

"FORESTRY" means the management and care of trees and the harvesting of them or parts thereof for commercial purposes through proper forest management practices, and without limiting the generality of the foregoing includes the use of a portable saw mill provided the raw material being milled originate on the same parcel of land the mill is operating.

"FUEL STORAGE" means a building or structure or depot designed and used exclusively as a storage facility for combustible liquids.

"FUNERAL HOME" means a commercial use for the purpose of furnishing funeral supplies and services to the public and includes facilities for the preparation of dead human bodies for interment or cremation.

"FURNITURE AND APPLIANCE SALES" means an establishment for the sale of furniture and household appliances.

"GARAGE, PRIVATE" or "PRIVATE GARAGE" means a detached accessory building or portion of a dwelling designed and used for the sheltering of private motor vehicles, travel trailers, boats, and the storage of household equipment incidental to the residential occupancy and in which no business, occupation or service is conducted, except as otherwise specifically permitted by this by-law.

"GARAGE, PUBLIC" or "PUBLIC GARAGE" means a municipal, county or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.

"GARDEN CENTRE" means the use of land, buildings or structures where trees, shrubs, plants are grown or stored for the purpose of transplanting or for the purpose of retail sale or wholesale, and may include the sale of soil, planting materials, fertilizers or similar materials, lawn and garden equipment or lawn furnishings. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

"GENERAL STORE" means a retail establishment that deals primarily in goods required by the residents of the immediate vicinity to meet their day-to-day household and shopping needs.

"GOLF COURSE" means a public or private area operated for the purpose of playing golf and may include a driving range, miniature golf course, clubhouse and restaurant if located on the same property, accessory to the golf course facility provided such facility contains a minimum of nine holes.

"GOVERNMENT OFFICE" means the use of land, buildings or structures for a municipal office, courthouse, registry office, health and welfare centre, employment office, post office, or other office use for the purpose of local or other government administration.

"GRADE" when used with reference to a building or structure, means the average finished ground elevation immediately adjoining the wall or walls in question or the base of the structure exclusive of any artificial embankment. When used with reference to a road, 'Grade' means the finished elevation of such road, road or highway as established by the Corporation or other authority having jurisdiction.

"GREENHOUSE" means a building for the growing of vegetables, fruit, flowers, plants, shrubs, trees and similar vegetation and which includes the sale of those produces directly from such building at wholesale or retail. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

"GROCERY STORE" means an establishment for the sale of food. Accessory uses may include delicatessen, butcher shop and other similar food services.

"GROUP HOME" means a single housekeeping unit in a residential dwelling in which three (3) to ten (10) residents live as a family under responsible supervision consistent with the requirements of its residents. "Residents" do not include staff or the receiving family. A group home is licensed and/or funded under Federal or Provincial Statute and in compliance with Municipal By-laws.

"GUEST CABIN", "PRIVATE GUEST CABIN" means an accessory detached building or structure to a maximum of one storey in height without kitchen and/or washroom facilities and maintained for the accommodation of non paying guests having a maximum ground floor area of 23.2 m² (249.7 ft²).

"GUEST ROOM" means a room or suite of rooms that contain no facilities for cooking or for the installation of cooking equipment and which is used or designed for gain or profit by providing accommodation to the travelling or vacationing public.

"HEALTH CARE CLINIC" means building or structure where health services, as generally defined, are provided. A health care clinic may include a pharmacy.

"HEIGHT" when used with reference to a building or structure means the vertical distance between the average grade at the front of such building or structure to the highest point therein exclusive of any ornamental dome, chimney, tower, cupola, steeple, church spire, water storage tank, electrical apparatus, television or radio antenna, or structure for the mechanical equipment required for the operation of such building or structure. Without limiting the generality of the foregoing, the highest point shall be taken as:

- (a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is the reater;
- (b) in the case of a mansard roof, the deck roof line;
- (c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and the ridge.

Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

"HOME FOR THE AGED" or "REST HOME" means a 'home for the aged' as defined under The Homes for the Aged and Rest Homes Act, R.S.O. 1990, as amended.

"HOME BASED BUSINESS" means, unless stated to the contrary, any occupation which is conducted for gain or profit within a dwelling unit.

"HOSPITAL" means a hospital as defined under The Public Hospitals Act, R.S.O. 1990, or under The Private Hospitals Act, R.S.O. 1990, as amended.

"HOTEL" means any hotel, tavern, inn, or public house in one main building or in two or more buildings used mainly for the purposes of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodation of not less than ten guest rooms and includes all premises licensed under The Liquor License Act and permanent staff accommodation, but does not include any other establishment otherwise defined or classified in this By-law.

"INDUSTRIAL USE" means the use of any land, building or structure for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building or construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services.

"INDUSTRY, NON-EFFLUENT PRODUCING" or "NON-EFFLUENT PRODUCING INDUSTRY" means an industrial use which does not utilize process waters and which does not produce waste waters during the manufacturing process.

"KENNEL" means a place where dogs or other household pets other than poultry are bred and raised and/or sold or kept for sale or boarded.

"LANDSCAPED OPEN SPACE" means the open unobstructed space on a lot accessible from the road on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio, planting area, or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

"LANE" means a public or private access not more than 9 m (29.5 ft) in width, which affords access to abutting property.

"LAUNDROMAT" means a building or part of a building used for the purpose of receiving articles or goods of fabric or leather and subjecting such articles or goods to a cleaning and drying process.

"LAUNDROMAT, COIN-OPERATED" means a building or structure where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

"LIBRARY" means a library or branch library to which the provisions of The Public Libraries Act, R.S.O. 1990, apply.

"LIVESTOCK HOUSING CAPACITY" means the total maximum number of livestock that can be accommodated in a livestock facility at any one time.

"LIVESTOCK UNIT" means the equivalent values for various types of animals and poultry based upon manure production and production cycles.

"LOADING SPACE" means an off-road 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 is accessible to a road, lane or other appropriate means of access.

"LODGE" means one main building and/or two or more buildings used primarily for the purpose of catering to the needs of the tourist and travelling public by supplying furnishings, sleeping accommodations, recreation and leisure facilities, staff accommodations and which may additionally include eating facilities.

"LOT"

- (i) means a parcel of land or contiguous parcels of land under one ownership, and which is described in a deed or other document legally capable of conveying an interest in land and which deed is on record in the Registry Office or Land Titles Office for the Bruce Registry Division; or
- (ii) means a parcel of land shown as a lot or block on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50(4) of The Planning Act, or a predecessor thereof.

"LOT BACKLOT" "BACKLOT" means a lot not having frontage onto Lake Huron or Georgian Bay or navigable waterway.

"LOT WATERFRONT", "WATERFRONT LOT" means a lot having direct frontage onto Lake Huron or Georgian Bay, or a lot fronting onto a navigable waterway. For the purposes of this by-law a lot located adjacent to a shore road allowance shall be considered a waterfront lot.

"LOT AREA" means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water, or between the rim of the banks of a river or watercourse, provided that and except as otherwise provided only the lot area lying within the zone in which a proposed use is permitted may be used in calculating the minimum lot area under the provisions of this By-law for such permitted use. In the case of corner lots having a road line rounding of a radius six metres (6 m) (19.6 ft) or less, the lot area of such lot shall be calculated as if the lot lines were produced to their point of intersection.

"LOT, CORNER" or "CORNER LOT" means a lot situated at the intersection of two or more roads or two parts of the same road of which the two adjacent sides upon the road line or road lines include an angle of not more than one hundred and thirty-five (135) degrees and where such adjacent sides shall be deemed to be the angle formed by the intersection of the tangents of the road lines drawn through the extremities of the interior lot lines.

"LOT COVERAGE" means that percentage of the total lot area covered by buildings or structures, including accessory buildings or structures, above finished grade level.

"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. Where 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.

"LOT FRONTAGE" means the horizontal distance adjacent to a road and/or lane measured between the side lot lines.

"LOT, INTERIOR" or "INTERIOR LOT" means a lot other than a corner lot and having frontage on one road and /or lane only.

"LOT LINE" means any boundary of a lot.

"LOT LINE, FRONT" or "FRONT LOT LINE" in the case of an interior lot, means the line dividing the lot from the road. In the case of a corner lot, the shorter lot line abutting a road shall be deemed the front lot line and the longer lot line abutting a road shall be deemed a side lot line. In the case of a through lot two front lot lines shall exist. Where the lot does not abut a road, the front lot line" shall be determined to be the boundary of the lot closest to the road from which access to the lot is gained.

"LOT LINE, REAR" or "REAR LOT LINE" means the lot line farthest from and opposite to the front lot line in the case of a lot having four (4) or more lot lines. If a lot has less than four (4) lot lines, there shall be deemed to be no rear lot line.

"LOT LINE, SIDE" or "SIDE LOT LINE" means any lot line other than a front lot line or rear lot line.

"LOT, THROUGH" or "THROUGH LOT" means a lot bounded on two opposite sides by roads but does not include a corner lot.

"LUMBER YARD" means the use of land, buildings or structures for the storage and sale of wood products used in the construction industry.

"MACHINE SHOP" means a non-effluent producing industrial use

"MARINA" means a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided. A marina building or structure used for the storage, repair and sales of boats does not have to be located on a navigable waterway.

"MEDICAL CLINIC" means a building or structure where health services, as generally defined, are provided. A medical clinic may include a pharmacy.

"MERCHANDISE AND SMALL ENGINE REPAIR ESTABLISHMENT" means a building and/or lot used for the servicing, repair, cleaning, polishing and greasing of merchandise and small engines.

"MINIATURE GOLF COURSE" means an area of land, building or structure or part thereof operated as a commercial enterprise in which facilities are provided to simulate the game of golf or any aspect of the game of golf on a small scale, but shall not include a driving range.

"MINI-STORAGE UNIT" means any commercial or industrial building or structure where things may be stored for a price.

"MOBILE HOME" means any dwelling unit 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 or tent trailer or trailer otherwise designed. A mobile home shall be distinguished from other forms of prefabricated transportable housing by reason of a design which is in accordance with Regulation Z-240.2.1-1979 of the Canadian Standards Association, as amended from time to time.

"MOTEL" means one or more buildings used primarily for the purpose of catering to the travelling public by furnishing temporary or transient sleeping accommodation in rooms having independent entrances to a front or

rear yard. A motel may include permanent staff quarters, an accessory restaurant, or sleeping and housekeeping units, but does not include any other establishments otherwise defined or classified in this By-law.

For the purposes of this Section, a

- (a) "HOUSEKEEPING UNIT" means a unit for the overnight accommodation of the travelling public that may include sanitary and food preparation facilities.
- (b) "SLEEPING UNIT" means a unit for the overnight accommodation of the travelling public, but does not include food preparation facilities.

"MOTOR HOME" means a self-propelled dwelling unit.

"MOTOR VEHICLE" means an automobile, truck, motorcycle and any other vehicle propelled or driven otherwise than by muscular power but does not include cars of electric or steam railways or other motor vehicles running only upon rails.

"MUNICIPAL DRAIN" means drainage works as defined by The Drainage Act, as amended from time to time.

"MUSEUM" means a public museum within the meaning of The Mortmain and Charitable Uses Act, R.S.O. 1990, as amended from time to time.

"NON-CONFORMING USE" means a use of land, building or structure for purposes not permitted by this By-law.

"NON-COMPLYING USE" means a permitted use of land, building or structure which is permitted by this by-law but which does not comply with a provision or provisions of this by-law.

"NON-RESIDENTIAL" means designed, intended or used for a purpose other than a dwelling or dwelling unit.

"NURSERY" means land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

"NURSING HOME" as defined in the Nursing Homes Act, R.S.O., 1990, as amended, means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of the Homes for the Aged and Rest Homes Act, R.S.O., 1990, the Private Hospitals Act, R.S.O., 1990 or the Public Hospitals Act, R.S.O., 1990, as amended.

"OFFICE" means a room or suite of rooms designed, intended or used for the conduct of a profession, occupation, or business, but shall not include the office of a veterinarian, the retailing of merchandise, the manufacturing, repairing, or storage of goods or any place of assembly or amusement.

"OPEN STORAGE" means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on the sides.

"PARK, PUBLIC" means an area of land owned by a public authority which may contain playground or play fields, one or more athletic fields, field houses, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis or badminton courts, bowling greens, fairgrounds or similar uses.

"PARK, PRIVATE" means an area of land not owned by a public authority which may contain playground or play fields, one or more athletic fields, field houses, bleachers, swimming pools, wading pools, greenhouses, bandstands, skating rinks, tennis or badminton courts, bowling greens, fairgrounds or similar uses.

"PARKING AREA" means an area provided for the parking of motor vehicles and includes aisles, parking spaces and related ingress and egress lanes but shall not include any part of a public road.

"PARKING SPACE" means a space enclosed in a principal or accessory building or unenclosed, that is available for the parking of a motor vehicle and which is accessible from a road or lane.

"PARKING LOT" means any commercial parking area other than a parking area required under the provisions of this By-law.

"PARKING SPACE, ANGLE" means a parking space which is accessed from an aisle or driveway and which permits the entry or exit from said parking space without the need to travel over any other parking space.

"PARKING SPACE, PARALLEL" means a parking space that is accessed from an aisle, road or driveway that is beside and runs the same direction as the aisle, road or driveway.

"PARKING SPACE, STACKED" means a parking space which is only accessed by travelling over another or other parking spaces.

"PERSON" means any human being, association, firm or 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.

"PERSONAL SERVICE ESTABLISHMENT" means a building or part thereof in which services are provided and administered to the individual and personal needs of persons and without limiting the generality of the foregoing shall include a barber shop, hairdresser, shoe repair shop, a tailor, a photographic studio, fitness club, spa or other similar use.

"PIT" means a place where unconsolidated gravel, stone, sand, earth, clay, fill, other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit. For the purposes of this By-law, a pit must be licensed pursuant to the Aggregate Resources Act R.S.O. 1990, as amended or succeeded.

"PLACE OF ENTERTAINMENT" means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

"PLANTING AREA" means an area used for no other purpose than planting a hedgerow or screen of shrubs and/or evergreen trees located immediately adjacent to the lot line or portion thereof along which a planting area is required by this By-law. The remainder of the ground surface of any required planting area shall be planted with any combination of shrubs, flowerbeds or grass.

"PORTABLE ASPHALT PLANT" means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bitumens asphalt to produce asphalt-paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

"POST OFFICE" means any government run establishment where the primary use is for the collection and distribution of parcels. A post office may include the sales of stamps, packaging materials and other items necessary for the postal system to operate.

"PRINCIPAL" when used to describe a use, building or structure, means a use, building or structure, one to which any other is subordinate and constitutes the main use of a lot therewith.

"PRINTING ESTABLISHMENT" means a business that furnishes a service of printing or for the publication of periodical or otherwise written material.

"PUBLIC USE" means any use, building or structure owned or leased by a municipal corporation, the County of Bruce, any local board or commission of either the Corporation or the County, any Conservation Authority, any Ministry or Commission of the Province of Ontario or the Government of Canada, and in which government activities are conducted.

"UTILITY" means any water works, gas works, electric heat, light or power works, cable T.V., telegraph and telephone lines and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessary services or conveniences.

"QUARRY" means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry. For the purposes of this By-law, a quarry must be licensed pursuant to the Aggregate Resources Act R.S.O. 1990, as amended or succeeded.

"RECYCLING DEPOT" means a building, structure or lot used for temporary storage of recyclable materials and does not include a building or structure where materials are recycled.

"RECYCLING PLANT" means a facility that is not a salvage yard and in which recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans, and other products are recycled, reprocessed and treated to return such products to a condition in which they may be used for production.

"RETAIL FLOOR AREA" means the aggregate of the areas of all rooms where goods and services are made available for sale but shall not include storage areas or other commercial uses.

"RETAIL STORE" 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 but does not include any establishment otherwise defined or classified in this By-law.

"RIDING CLUB" means an establishment where horses and ponies are boarded and cared for, where instruction in riding, jumping, and showing may be offered, or where the general public, for a fee, may hire horses or ponies for riding.

"ROAD" means a public highway that affords the principal means of access to abutting lots but does not include a public lane or a private right-of-way.

"ROAD, IMPROVED" or "IMPROVED ROAD" means a public road that has been assumed by the Ministry of Transportation, the County of Bruce or by the Corporation as a public highway and has been constructed in such a manner so as to permit its use by vehicular traffic.

"ROAD LINE" means the dividing line between a lot and a road.

"RURAL RESIDENTIAL CLUSTER" means four or more adjacent non-farm residential lots sharing a common boundary. Lots located directly across the road from one another shall be considered as having a common boundary.

"SALVAGE YARD" means an establishment licensed by the corporation 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 or scrap metal yard and an automotive wrecking establishment.

"SAWMILL" means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

SECONDARY DWELLING UNIT means an additional attached dwelling unit intended to provide alternate forms of housing for seniors/retirees or individuals largely dependent upon others for their day-to-day care. By-law 2009-87, F&E 13Oct09

"PORTABLE SAWMILL" means a trailer, or vehicle that is designed to be made mobile from which is used for the cutting and sawing of timber, either to finished lumber or as an intermediary step.

"SCHOOL" means a school under the jurisdiction of a Board as defined in The Education Act.

"SCHOOL BUS" means a vehicle for transporting persons to or from school as defined in the Highway Traffic Act, R.S.O. 1990.

"SCHOOL BUS STORAGE" includes a lot and/or premises for the storage of school buses.

"SERVICE ESTABLISHMENT" means a building or part thereof in which business services are provided for individuals or businesses.

"SETBACK" means the shortest horizontal distance from a specified lot line to the nearest permitted part of any building or structure on a lot.

"SEWAGE":

- (a) "Communal Sewage Disposal System" means a system of underground conduits operated privately, which takes sewage to a place of treatment that meets with the approval of the Corporation and the Ministry of the Environment.

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- (b) "Privy" means a Class I System as defined by regulations made under the Environmental Protection Act, R.S.O. 1990.
 - (c) "Sanitary Sewer" or "Municipal Sewer" means a system of underground conduits, operated by a municipal corporation or by the Ministry of the Environment which carries sewage to a place of treatment which meets with the approval of the Ministry of the Environment.
 - (d) "Sewage Disposal System" means a Class 4 or Class 6 system as defined by regulations made under The Environmental Protection Act, R.S.O. 1990.
 - (e) "Sewage Treatment Works" means a facility that meets the approval of the Ministry of the Environment used for treatment of domestic and/or industrial sewage.

"SHOPPING CENTRE" means a group of non-residential uses predominantly retail commercial in nature and designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants.

"SITE PLAN" means a scale drawing prepared to illustrate the relation between the lot lines and the uses, buildings or structures existing or proposed on a lot, including such details as parking areas, walkways, landscaped areas, lighting, building areas, minimum yards, floor areas, easements, drainage contours, and areas for special uses.

"SIGHT VISIBILITY TRIANGLE" means the triangular space formed by the road lines of a corner lot and a line drawn from a point in one road line to a point in the other road line, each such point being measured 10 m (32.8 ft) from the point of intersection of the road lines (measured along the road lines) in the case of municipal roads. In the case of the intersection of a municipal road and a Provincial or County road, such point shall be measured 30 m (98 ft) from the point of intersection of the road lines. Where two road lines do not intersect at a point, the point of intersection of the road lines shall be deemed to be the intersection of the projection of the road lines or the intersection of the tangents to the road lines.

"SNOWMOBILE REPAIR ESTABLISHMENT" means a building and/or lot used for the servicing, repair, cleaning, polishing and greasing of snowmobiles and may include body repair and re-painting.

"SOD FARM" means the use of land for the purpose of eventual removal of such grasses, and the soil that supports them, for any retail or wholesale commercial purposes.

"SPECIALTY SHOP" means a retail store in which thematic items are offered for sale or trade.

"STOREY" means that portion of a building which is situated between the surface of any floor and the surface of the floor next above and directly over it and, if there is no floor above it, that portion between the surface of any floor and the ceiling above it. A 'Storey' includes an attic having a height of more than 2 m (6.5 ft) for at least 2/3 (two-thirds) of the area of the floor next below ground if the ceiling of such part is 2 m (6.5 ft) or more above finished grade.

"STOREY, HALF" or "HALF STOREY" means that portion of a building within a sloping roof having a height of more than 2 m (6.5 ft) for at least one-half (1/2) but less than two-thirds (2/3) of the area of the floor next below.

"STRUCTURE" means anything constructed or erected, the use of which requires location on the ground, or on water, or attachment to something having a fixed location on the ground or on water, and without limiting the generality of the foregoing, includes walls, floors, roofs, signs and billboards, private outdoor swimming pools, satellite dishes, and an object designed and intended to float, but does not include free standing walls, hedges and fences, drainage culverts, retaining walls or sewage disposal systems.

"SWIMMING POOL" means any body of water located indoors or outdoors contained by artificial means, and having a depth of greater than 0.6 m (1.9 ft) at any point, and used and maintained for the purpose of swimming, wading, diving or bathing.

"TAVERN" means a tavern as defined by the Liquor License Act, as amended from time to time.

"TEMPORARY BUILDING" means a building or structure intended for removal or demolition within a prescribed time not exceeding two years and having a maximum floor area of 9.29 m² (100 ft²) as set out in a building permit.

"TENT" means a temporary structure used for temporary human shelter that is not permanently fixed to the ground and is capable of being easily moved.

"TILLABLE ACRES" means the total area of land including pasture that can be worked or cultivated.

"TOURIST COTTAGE" means a detached housekeeping unit associated with a Tourist Cottage establishment.

"TOURIST HOME" means a detached dwelling containing four (4) or more guest rooms and not more than ten (10) guest rooms which are available for sleeping accommodation for the vacationing or travelling public in which the owner or manager supplies, for hire or gain, lodging with or without meals.

"TRADES PERSON BUSINESS" means a business or service operated by a self employed electrician, plumber, carpenter or similar trades person, such business may include office space as an accessory use, but shall not include retail sales, or outside storage.

"TRANSPORTATION DEPOT" means the use of land, buildings or structures where commercial motor vehicles pick up and discharge fare paying passengers, and may include as an accessory use a ticket office, a restaurant, luggage checking and/or parcel shipping facilities, and offices accessory to the main use, but does not include the display or sale of any motor vehicle.

"TRANSMISSION TOWER" means a structure, over 20 m (65.6 ft) in height, designed and erected for the purpose of transporting or carrying hydro electric power in quantities equal to, or greater than, 100,000 volts or for the purpose of transmitting and receiving radio and telecommunication frequency.

"TRAVEL TRAILER" means a structure designed, intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self propelled and includes tent trailers or similar transportable accommodation excepting a mobile home.

"TRUST COMPANY or BANK" means the use of land, buildings or structures for the purpose of depositing, keeping, lending, or exchanging money, and other related financial services.

"USE" as a verb, means anything permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by, or through any trustee, tenant, servant or agent acting for or with the knowledge and assent of such owner or occupant, for the purpose of making use of the said land, building or structure. The phrase 'used for' includes 'arranged for', 'designed for' 'maintained for' or 'occupied for'.

"USE" as a noun, means any of the following depending on the context:

- (a) any purpose for which land, buildings or other structures may be arranged, designated, designed, intended, maintained, or occupied, or
- (b) any occupation, business, activity, or operation carried on, or intended to be carried on, in a building or other structure or on land, or
- (c) the name of a tract of land or a building or other structure which indicates the purpose for which it is arranged, designated, intended, maintained or occupied.

"VARIETY STORE" means a retail commercial establishment in which goods or materials such a tobacco products and smokers' supplies, confections, soft drinks, stationary supplies, reading materials, patent medicines and first aid supplies, housewares and notions, souvenirs and similar goods are offered for sale to the general public, any may include groceries and dairy products as a secondary use.

"VETERINARY CLINIC" means a building or part of a building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those that are in need of medical or surgical attention. Such clinics may not provide long-term lodging for healthy animals.

"WAREHOUSE" means a building used or intended to be used for the bulk storage of goods, merchandise or materials and shall include wholesale establishments.

"WASTE DISPOSAL SITE" means any land upon, into or through which waste is deposited or processed and any machinery or equipment or operation for the treatment or disposal of waste, but does not include the treatment or disposal of liquid industrial waste or hazardous waste, but does include a recycling processing plant.

"WATERCOURSE" means the natural channel of a stream.

"WATER FRONTAGE" means that part of a piece of land that fronts on and provides access to a bay or lake or navigable water course.

"WATER SUPPLY, PIPED" or "MUNICIPAL WATER" means a distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment and/or any public utilities commission for public use and which have been approved by the Ministry of the Environment.

"WAYSIDE PIT" or "WAYSIDE QUARRY" means a temporary pit or quarry licensed under the Aggregate Resources Act R.S.O. 1990 opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

"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 water system from a surface water source

"WHOLESALE ESTABLISHMENT" means any establishment that sells merchandise to others for resale and/or to industrial or commercial users.

"WILDLIFE SANCTUARY" means land used or intended to be used for the preservation of wildlife and plant life.

"YARD" means a space appurtenant to a building or structure located on the same lot therewith and which space is open, uncovered and unoccupied from the ground upward except for such accessory buildings, structures, or uses as are specifically permitted elsewhere in this By-law.

"YARD, EXTERIOR SIDE" or "EXTERIOR SIDE YARD" means the minimum side yard setback required immediately adjoining a road for all buildings and structures.

"YARD, FRONT" or "FRONT YARD" means the minimum required setback from an area extending across the full width of a lot, measured perpendicularly from the front lot line to the closest wall of any permitted buildings or structures on the said lot.

"YARD, REAR" or "REAR YARD" means the minimum required setback from an area extending across the full width of a lot, measured perpendicularly from the rear lot line to the closest wall of any permitted building or structure on the said lot.

"YARD, SIDE" or "SIDE YARD" means the minimum required setback from an area extending from the front yard, or front lot line where no front yard is provided, to the rear yard, or rear lot line where no rear yard is provided, measured perpendicularly from the side lot line to the closest wall of any permitted building or structure on the said lot.

"ZONE" means an area delineated on a Zoning Map Schedule and established and designated by this By-law for a specific use.

"ZONING ADMINISTRATOR" means the officer or employee of the Corporation for the time being charged with the duty of administering and enforcing the provisions of the Zoning By-law of the Corporation.

SECTION 6 - GENERAL PROVISIONS FOR ALL ZONES

A. GENERAL LAND USE REGULATIONS

6.1 PERMITTED USES IN ALL ZONES

6.1.1 Services and Utilities

- a) Nothing contained in this By-law shall prevent the Corporation, any telephone or telegraph company, any cable T.V. company, any natural gas company, any transportation system owned or operated by or for the Corporation, any Department of the Federal Government, or Ministry of the Provincial Government, Hydro One, any railway company and any local or County Board or Commission from installing a water main, sanitary sewer main, storm sewer main, gas main, electric power facilities, pipeline or overhead or underground hydro, cable T.V. service, telephone line, road or road and any required accessory service buildings, provided that the location of any accessory building conforms to all yard, lot coverage and height restrictions of the zone in which it is located. Any, municipally owned and operated sewage and/or water pumping station and telecommunication switching boxes may be erected within 0.5 m (1.6 ft) of the front lot line and may be exempt from the lot coverage provisions of the zone in which it is located.

Notwithstanding the generality of the foregoing, municipal approval does not apply to any undertaking that has been approved under the Environmental Assessment Act.

- b) Any electric power facilities of the Municipality of Northern Bruce Peninsula or Hydro One, and any receiving or transmitting tower and facilities of any radio or television station existing on the date of passing of this By-law are permitted.
- c) Wayside pits and quarries and portable asphalt plants operated by a public authority are permitted in all zones, except Residential zones.

6.1.2 Construction Facilities

Nothing contained in this By-law shall prevent the erection or location of any temporary building, scaffolds, construction trailers or other structures incidental to building construction on the premises for so long as the same is necessary for work in progress which has neither been finished, nor abandoned provided any necessary permits are obtained.

6.1.3 Ornamental Structures

A statue, monument, cenotaph, fountain or other such memorial or ornamental structure shall be permitted in all zones.

6.1.4 Signs and Signals

Any government authorized traffic sign or signal, any public election list or government proclamation, a real estate advertising sign having a maximum area of 0.4 m² (4ft²) or any sign permitted by the municipal sign by-law shall be permitted in all zones.

6.1.5 Sewage Disposal Systems

A sewage disposal system is permitted in any zone except the Environmental Hazard (EH) Zones.

6.2 PUBLIC USES, BUILDINGS AND/OR STRUCTURES

Despite [Section 6.1.1](#), the erection of any building or structure designed for the use of office, storage or other uses, the construction or erection of transmission towers, and the use of land for outside storage, by the Corporation, any local or County Board or Commission, or Corporation, any telephone or telegraph company, any transportation system owned or operated by or for the Corporation, any Department of the

Federal or Provincial Government, Hydro One and any railway company must conform to the provisions of this By-law.

6.3 ACCESSORY USES

6.3.1 Where Permitted

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include (1) any occupation for gain or profit conducted within a dwelling unit on the lot, except as specifically permitted in this By-law, or (2) any building used for human habitation except as specifically permitted in this By-law.

6.3.2 Number of Accessory Buildings

Save and except for an agricultural use, in no case shall the number of accessory buildings on one lot exceed three (3).

6.3.3 Location

Except as otherwise provided, in any zone other than a residential zone or non-farm residential use in a Rural Zone, the yard requirements herein shall apply to both main and accessory buildings. Attached buildings accessory to dwellings shall be considered as part of the main building and all yards shall be provided in accordance with the relevant yard regulations.

6.3.4 Yards for Residential Uses

Despite any other provisions of this by-law, any accessory building or structure, in any residential zone or non-farm residential use in a Rural Zone, may be erected in any yard subject to the following restrictions:

- i) When located in a rear yard, such accessory building or structure shall be located no closer than 1 m (3 ft) to the side and/or rear lot line. Further, any part of such accessory building or structure shall be setback 3 m (9.8 ft) from any part of a dwelling on an adjoining lot.
- ii) When located in a interior side yard, an accessory building or structure may be positioned no closer than 1 m (3 ft) to an interior side lot line. Where a mutual private garage is erected on the lot line between two lots, no interior side yard setback is required.
- iii) Where erected in a exterior side yard no accessory building or structure shall be located closer than 6 m (19.6 ft) to any road line.
- iv) Detached garages or any part thereof, may be located in front of the principle structure provided it complies with the minimum front yard setback requirements and minimum side yard requirements.
- v) Detached accessory buildings, designed and used only for the storage of boats and boating accessories, and located on lots, which adjoin a body of water, shall not require a rear yard setback but shall comply with all other provisions of the By-law.

6.3.5 Pump houses

Despite [Section 6.3.4](#), in any Zone one pump house to supply domestic water may be located in the front yard provided such pump house shall not exceed a height of 2.4 m (7.8 ft) and a floor area of 4.6 m² (49 ft²).

6.3.6 Separation from the Main Building

The minimum distance between a detached accessory building and the main building to which it is accessory shall be 2 m (6.5 ft).

6.3.7 **When Permitted**

Notwithstanding any of the provisions of this By-law, no accessory building, structure or use shall be erected, or used until the principal building, structure or use is completed in compliance with the provisions of this By-law, however an accessory building may be erected in conjunction with the construction of the principal structure.

6.3.8 **Private Guest Cabin**

Notwithstanding any other provisions of this By-law to the contrary, one Private Guest Cabin may be erected and used on the same lot as a cottage dwelling, provided such private Guest Cabin complies with the yard and setback requirements of the zone in which such building or structure is situated.

6.4 **DETACHED ACCESSORY DWELLING**

Where a detached dwelling is permitted as accessory to a permitted use, such dwelling shall conform with the following provisions:

Provision types	Provision values
minimum setbacks	7.5m (24.6ft) from any lot line or road allowance
minimum lot area	minimum lot area for non-residential use plus 465m ² (5,005ft ²)
minimum lot frontage	plus 15m (49ft)
minimum habitable floor area	92.9m ² (1000ft ²)
minimum ground floor area	70m ² (753ft ²)
maximum building height	10m (32.8ft)
maximum lot coverage	6%

6.5 **ACCESSORY DWELLING UNIT CONTAINED WITHIN A NON-RESIDENTIAL BUILDING OR STRUCTURE**

No person shall use any part of a non-residential building as an accessory dwelling unit except in accordance with the following provisions:

6.5.1 **Setbacks and Yards**

Minimum setbacks and yards shall be provided in accordance with the minimum setback and yard provisions for the non-residential building or structure in which the dwelling unit is located.

6.5.2 **Lot Area**

The minimum lot area provisions for the non-residential building or structure shall be increased by 500m² (5382ft²) for each dwelling unit contained therein.

6.6 **APARTMENT DWELLING UNIT SIZES**

Where listed as a permitted use, no person shall construct or use any apartment dwelling unit in a multiple family dwelling or any accessory dwelling unit to a non-residential building unless the proposed dwelling unit maintains the following minimum floor area:

- | | |
|---|--|
| (a) Bachelor dwelling unit | 40m ² (430.5ft. ²) |
| (b) Dwelling unit containing one bedroom | 60m ² (645.8ft ²) |
| (c) Dwelling unit containing two bedrooms | 70m ² (753ft ²) |
| (d) Dwelling unit containing three bedrooms | 90m ² (968.7ft ²) |
| (e) Dwelling unit containing more than three bedrooms | 90m ² (968.7ft ²) + 10m ² (107.6ft ²)
for each bedroom in excess of three |

6.7 HOME BASED BUSINESS - PROFESSIONAL USES

Where listed as a permitted use, Home Based Business - Professional Use may be carried on within a dwelling unit, such uses may include uses such as a trades person business, accountants, architects, auditors, engineers, insurance agents, land surveyors, lawyers, notaries, realtors and photographers and professional consultants, hair dressing salon for professional purposes, and other similar uses, provided that:

- 6.7.1 The said dwelling unit is occupied as a residence by the professional user.
- 6.7.2 There shall be no more than one (1) assistant who is not a resident in the building.
- 6.7.3 Not more than twenty-five (25) per cent of the total floor area of the dwelling is devoted to the Home Based Business.
- 6.7.4 There shall be no advertising other than a plate or sign which is not flashing and not larger than 0.4m² (4ft²) in area.
- 6.7.5 There is no external storage of goods or materials.
- 6.7.6 One off-road parking space is provided for every 19m² (204.5ft²) of floor space occupied by the professional use; and
- 6.7.7 The residential character of the dwelling is not changed.
- 6.7.8 Where the Professional Home Based Business is in the form of a trades-person business, the storage of equipment and material necessary to conduct the Home Based Business shall be permitted within an accessory building.

6.8 HOME BASED BUSINESS - DOMESTIC AND HOUSEHOLD ARTS

Where listed as a permitted use, a domestic or household art may be conducted as a Home Based Business within a dwelling unit and shall include uses such as dressmaking, instruction in music, dancing, arts and crafts to not more than six pupils or students at any one lesson, tailoring, weaving, painting, sculpting, furniture refinishing and repair, and Moulding or otherwise making or repairing of garden or household ornaments, articles of clothing, personal effects or toys, or other provided that:

- 6.8.1 The said dwelling unit is occupied as a place of residence by the individual operating the Home Based Business.
- 6.8.2 There is no display of goods or advertising other than a plate or sign which is not larger than 0.4m² (4ft²) in area, not flashing.
- 6.8.3 There is no external storage of goods or material.
- 6.8.4 Not more than twenty-five (25) per cent of the total floor area of the dwelling unit is devoted to the Home Based Business.
- 6.8.5 One off-road parking space is provided for every 19 m² (204.5 ft²) of floor space occupied by the Home Based Business.
- 6.8.6 The occupation is carried on by a member of the family residing on the premises and all articles sold are produced by members of the family.
- 6.8.7 The residential character of the dwelling is not changed.

6.9 HOME BASED BUSINESS - RURAL BUSINESS

Where listed as a permitted use, a rural business may be conducted as a Home Based Business within a dwelling, farm building or accessory building and shall be limited to welding, small machinery repair, cabinet making, furniture making or repair, carpentry, trades-person business, sale and service of equestrian equipment provided that:

- 6.9.1 There is no advertising other than a plate or sign which is not flashing and not larger than 1 m² (10.7 ft²) in area.
- 6.9.2 The occupation is conducted by a member of the family residing on the premises and all articles are produced and/or sold by members of the family and all services are provided by members of the family, except for the employment of one assistant.
- 6.9.3 Where the Home Based Business is located within a dwelling, not more than twenty-five (25) per cent of the total floor area is devoted to such use.
- 6.9.4 Where the Home Based Business is located within a accessory building, not more than 100 m² (1076.4 ft²) shall be devoted to such use.

6.10 HOME BASED BUSINESS – CONTRACTORS & TRADE PERSONS

- 6.10.1 Where listed as a permitted use, Contractors and Trades Persons may carry out business within a dwelling unit. Examples of permitted Home Based Business include electricians, plumbers, carpenters, general contractors, excavation and building trade contractors, and other such similar businesses and other such similar uses provided that:
- 6.10.2 The said dwelling unit is occupied as a residence by the trades person or contractor.
- 6.10.3 There shall be not more than one (1) assistant who is not a resident in the building operating the business from the residential property.
- 6.10.4 Not more than twenty-five (25) percent of the total floor area of the dwelling is devoted to the Home Based Business.
- 6.10.5 Up to one (1) accessory building to the residence may be used for the storage of equipment, vehicles and supplies, provided that not more than 55 m² (592 ft²) is devoted to such use. Accessory buildings shall not be used for office, retailing, processing or manufacturing purposes.
- 6.10.6 There shall be no advertising other than a plate or fascia sign which is not flashing and not larger than 0.4 m² (4 ft²) in area, and attached to the main building.
- 6.10.7 There is no external storage of goods or materials, including heavy equipment such as excavation machinery, or any vehicles not licensed for the road.
- 6.10.8 One off-road parking space is provided for every 19 m² (204.5 ft²) of floor space occupied by the Home Based Business use within the residence.
- 6.10.9 The residential character of the dwelling unit and/or accessory building is not changed.
- 6.10.10 Home Based Business - Contractors & Trades Persons shall not include the retail sales of building or construction supplies nor automobile, small engine or machinery repair.

6.11 HOME BASED BUSINESS - BED AND BREAKFAST ESTABLISHMENT

- 6.11.1 Where permitted by this by-law, a bed and breakfast establishment will be subject to the following provisions. The lot and detached dwelling in which the bed and breakfast establishment is located must meet all the requirements of the zone in which it is located.
- 6.11.2 No person, other than members of the family who operate and reside in the establishment shall be employed except as is necessary for housekeeping purposes.
- 6.11.3 Each guest room shall have a minimum floor area of 10.5 m² (113 ft²).
- 6.11.4 Guest rooms are not permitted within an attic.
- 6.11.5 No bed and breakfast establishment shall provide more than 3 guest rooms for overnight accommodation.
- 6.11.6 No food or drink shall be offered or kept for sale for persons who are not guests of the establishment.
- 6.11.7 In addition to the two parking spaces a detached dwelling is required to have by this by-law, a Bed and Breakfast Establishment shall provide one parking space for each guest room.
- 6.11.8 A sign shall be permitted provided such sign is not greater than 0.4 m² in area (4 ft²).
- 6.11.9 Maximum number of occupants or guests, in addition to staff and host family, permitted to stay within a Bed and Breakfast Establishment - eight (8).
- 6.11.10 All Bed and Breakfast establishments must be licensed by the corporation.

6.12 ZONING OVER WATER BODIES

Except as otherwise provided, all lands below the high water mark elevation of 177.6 m G.S.C. (582.6 ft), the water body itself, the space above the water body and the area from the inland side of any shore road allowance to the high water mark, are zoned Environmental Hazard Area. Such Environmental Hazard Area Zone shall extend to the international boundary where applicable and all inland lakes over 2 hectares (4.9 acres) in area.

6.13 NON-CONFORMING USES

- 6.13.1 Nothing in this By-law shall apply:
 - (a) to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose; or
 - (b) to prevent the erection or use for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under Section 8 of The Building Code Act, prior to the day of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the permit has not been revoked under Section 8 of The Building Code Act.
 - (c) to prevent the strengthening to a safe condition of any building or structure or part of any such building or structure which does not comply with the provisions of this By-law, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure; or
 - (d) to prevent the restoration of any building or structure which does not comply with the provisions of this by-law, where such building or structure is damaged by means beyond the control of the owner such as by fire or an act of nature, provided that:

-
- i) such restoration does not increase the height, size or volume or change the use of such building or structure; or
 - ii) such reconstruction shall comply with all applicable setbacks and yard provisions of the applicable zone.

6.13.2 A use of a lot, building or structure which under the provisions hereof is not permissible within the zone in which such lot, building or structure is located shall not be changed except to a use which is permissible within such zone, or such other compatible uses as may be approved under Section 45 of The Planning Act, R.S.O. 1990.

6.14 NON-COMPLYING USES

6.14.1 Rebuilding, Repairs and Renovations

Nothing in this By-law shall prevent the rebuilding, repair or renovation of a non-complying use, building or structure which has been damaged or destroyed by fire or natural disaster providing that such rebuilding, repair or renovation does not further contravene this By-law.

6.14.2 Additions and Accessory Uses Permitted

- i) Nothing in this By-law shall prevent an addition or extension being made to a Non-Complying Use, building or structure provided that such addition or extension does not contravene, or further contravene, any provision contained in this By-law.
- ii) Nothing in this By-law shall prevent the erection or enlargement of uses, buildings or structures accessory to a Non-Complying Use, building or structure provided that such erection or enlargement does not contravene, or further contravene, any provision contained in this By-law.

B. GENERAL LOT REGULATIONS

6.15 FRONTAGE ON A PUBLIC ROAD

- 6.15.1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a road which is an improved road and is part of the Corporation's approved road system, or in the case of a lot on a Registered Plan of Subdivision, unless a "Subdivider's Agreement" is in effect.
- 6.15.2 For the purposes of Section 6.15.1 a Provincial Highway or County Road shall be considered an improved road forming part of the Corporation's approved road system.

6.16 ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the road line, or the centre line of the road as the case may be, than required by this By-law provided such permitted building or structure is not erected closer to the road line or the centre line of the road, as the case may be, than the established building line on the date of passing of this By-law.

For the purposes of the above-noted section the established building line for a vacant lot shall be considered the required setback.

6.17 THROUGH LOTS

Where a lot is a through lot, a front yard shall be provided on each road on which the lot has frontage.

6.18 PERMITTED YARD ENCROACHMENT

Except as otherwise provided, no obstruction or occupation of the space in any yard required by this By-law shall be permitted except the following:

- 6.18.1 Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental architectural features may project into any required yard but not more than 83 cm (32.6 inches).
- 6.18.2 Unenclosed porches, and covered or uncovered steps and sundeck patios may project into any required yard but not more than 1.5 m (4.9 ft).
- 6.18.3 Open steel fire escapes may project into any required side or rear yard but not more than 1 m (3 ft).
- 6.18.4 Balconies may project into any required yard but not more than 1 m (3 ft).
- 6.18.6 Awnings, clothes poles, flagpoles, garden trellises, fences, retaining walls, recreational equipment and similar accessories shall be permitted in any required yard.

6.19 REDUCTION OF REQUIREMENTS

6.19.1 No person shall:

- (a) change the purpose for which any lot, building or structure is used, or
- (b) erect any new building or structure, or
- (c) add to or take away from any existing building or structure, or
- (d) reduce any lot in area by conveyance or alienation of any portion thereof or otherwise,

if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

6.19.2 In the event that a contravention of this By-law occurs as a result of any action described in Section 6.19.1, no building or structure located on the lot shall thereafter be used until the requirements of this By-law applicable thereto are complied with.

6.19.3 The provisions of Section 6.19.1 and 6.19.2 shall not apply to lands severed pursuant to the provisions of The Expropriations Act or road widening acquired by a governmental authority.

6.20 FENCING OF PRIVATELY OWNED OUTDOOR SWIMMING POOLS

The owner of every privately owned outdoor swimming pool, which is constructed subsequent to the passing of this By-law, shall, prior to filling the pool with water, erect and maintain a fence completely enclosing the pool as per the requirements of the Ontario Building Code Act.

6.21 DRAINAGE OF LOTS

In any residential, commercial or industrial zone all lands, buildings and structures shall provide adequate drainage so as to prevent the flow of surface water onto adjoining lots.

6.22 PLANTING AREA

6.22.1 Required Locations

Except as otherwise provided, where a lot is used for a non-residential purpose as permitted in any commercial, industrial zone, or institutional zone, and;

- (i) where the interior side lot line or rear lot line of such lot abuts any lot used or zoned for residential purposes or;
- (ii) where such lot is in an industrial zone and the front, side or rear lot line abuts a road line and the opposite road line abuts a residential zone;

then the land on such lot adjoining such abutting lot lines shall be used for no purpose other than a planting area, in accordance with the provisions of this section.

6.22.2 Width of Planting Area

Unless otherwise provided, a planting area shall have a minimum width of 1m (3 ft).

6.22.3 Vegetation Height

The required hedgerow or screen of shrubs and/or evergreens shall be a minimum height of 1 m (3 ft) when planted and of a type that will attain a minimum height of 3 m (9.8 ft) at maturity.

No vegetation within a sight triangle shall exceed the height of 1 m (3 ft).

6.22.4 Interruption for Driveway or Walkway

Where interrupted by walkways or driveways, a planting area need not be provided closer than 1.5 m (4.9 ft) to a walkway or 3 m (9.8 ft) to a driveway.

6.22.5 Landscaped Open Space

A planting area referred to in this section may form part of any Landscaped Open Space required by this By-law.

C. GENERAL BUILDING REGULATION

6.23 EXCEPTIONS TO MAXIMUM HEIGHT REGULATIONS

The regulations prescribing the maximum height of any building or structure shall not, in any zone, apply to flag poles, radio or television receiving or transmitting equipment servicing and owned by the occupant of a detached dwelling, grain elevators, salt or gravel storage buildings constructed by a public body, windmills, farms buildings and structures, church spires, belfries, cupolas, observation towers or domes not used for human occupancy, chimneys, smoke stacks, ventilators, skylights, water tanks, bulk heads, firewalls, and similar features and necessary mechanical appurtenances accessory to the building on which they are erected; provided however, that such features are erected only to such heights as is necessary to accomplish their purposes.

6.24 DWELLING UNITS BELOW GRADE

No dwelling unit shall in its entirety be located in a cellar. If any portion of a dwelling unit is located in a cellar such portion of the dwelling unit shall be used as a furnace room, laundry room, storage room, recreation room or for a similar use only. However, a dwelling unit in its entirety may be located in a basement in accordance with the permitted uses and regulations of this By-law.

D. SPECIAL SETBACKS AND RESTRICTIONS

6.25 WATERCOURSE SETBACKS

6.25.1 Municipal Drains

6.25.1.1 Notwithstanding any yard provisions of this By-law, except as otherwise provided no person shall hereafter erect any permanent building or structure in any zone which is:

- (a) closer than 15 m (49 ft) from an open municipal drain as defined in the Drainage Act R.S.O. 1990,
- (b) closer than 8 m (26 ft) to an enclosed municipal drain as defined in the Drainage Act R.S.O. 1990.

6.25.1.2 Notwithstanding the above, no setback shall be required for public facilities such as drainage culverts; municipal, county or provincial bridges and other similar public facilities.

6.25.2 Natural Watercourses

6.25.2.1 Notwithstanding any yard provisions of this By-law, except as otherwise provided, no person shall hereafter erect any permanent building or structure in any zone which is:

- (a) closer than 30 m (98 ft) from a watercourse shown on Schedule "A" to this by-law.

6.25.2.2 Notwithstanding the above no setback shall be required for public facilities such as drainage culverts; municipal, county or provincial bridges and other similar public facilities.

6.26 SETBACKS FROM WASTE/SEWAGE DISPOSAL (WD) ZONES

6.26.1

- a) No building or structure erected and used for human habitation shall be located closer than 60 m (196.8 ft) from any area zoned for and containing a licensed waste disposal site either within or outside the limits of the Corporation as shown on Schedule "A" to this By-law.
- b) No building or structure erected and used for human habitation shall be located closer than 60 m (196.8 ft) from any area zoned for and containing a licensed municipal sewage treatment works either within or outside the limits of the Corporation as shown on Schedule "A" to this By-law.

6.26.2 Notwithstanding the above noted section, nothing in this By-law shall prevent an addition or extension being made to an existing structure used for human habitation in compliance with the requirements of the applicable zone.

6.27 SIGHT VISIBILITY TRIANGLES

The intersection of all roads within the municipality shall require the maintenance of a sight visibility triangle as defined in the definitions section of this by-law. The following restrictions shall apply to site visibility triangle areas:

- (i) No building, structure, fence, sign, or vegetation greater than 1m (3ft) in height above the elevation of the centre of any adjoining road shall be permitted;
- (ii) Vehicular parking is prohibited; and,
- (iii) Finished grade will not exceed the elevation of the road line by more than 60cm (23.6 inches).

6.28 OPEN STORAGE - COMMERCIAL AND INDUSTRIAL ZONES

6.28.1 Minimum Setbacks

- (a) The minimum setback from any front, side or rear lot line of any permitted open storage in any commercial or industrial zone shall be no less than the respective minimum front, side or rear yard of the zone in which the said open storage is located unless otherwise specified hereinafter.
- (b) In any lot in an Industrial or Commercial zone, where any side or rear lot line abuts a lot in the same zone as the zone in which the said lot is located, the minimum setback of any open storage shall be 3 m (9.8 ft) from the side or rear lot line.

6.28.2 Surface Treatment

Any permitted open storage area, or vehicular access thereto, involving the storage, parking or display of motor vehicles for the purpose of sale, lease, rental, washing, service or repair, or any primary means of vehicular access to any permitted open storage area, shall be constructed and maintained with a stable surface of crushed stone or gravel adequately treated to prevent the raising of dust or loose particles, and shall include provisions for adequate drainage facilities.

6.28.3 Parking and Loading Spaces to be Preserved

Any areas used for permitted open space storage shall be in addition to and separate from such areas as may be required by this By-law for the provision of off-road parking or loading space.

6.28.4 Lighting

Where lighting facilities are provided in conjunction with any permitted open storage, such lighting shall be so arranged as to deflect light onto the open storage area and away from any adjoining properties.

6.29 OPEN STORAGE - RESIDENTIAL ZONES

- 6.29.1 No person shall use any lot in any Residential Zone for the parking or open storage of more than two commercial motor vehicles.

6.30 LAKE HURON - GEORGIAN BAY FLOOD CONSTRAINT REGULATIONS

The placement of habitable structures on all lands adjacent to Lake Huron or Georgian Bay shall be subject to one of the following flood constraint regulations:

6.30.1 Flood Proofing

In any zone, no building openings associated with the habitable floor area of a dwelling or structure shall be located at or below the minimum elevation of 179.1 m G.S.C. (587.5 ft) for lands adjacent to Lake Huron and 178 m G.S.C. (583.9 ft) for lands adjacent to Georgian Bay.

or;

In any zone on lands adjacent to Georgian Bay or Lake Huron, all habitable buildings shall be setback a minimum of 15 m (49 ft) measured horizontally from the 177.6 G.S.C. (582.6ft) elevation.

6.30.2 Additions and Accessory Uses Permitted

The flood proofing requirements outlined in the above noted section shall not be applied to the expansion of existing buildings and structures where such expansion represents an increase in ground floor area less than 50 % of the original structures ground floor area.

6.31 SHORELINE DEVELOPMENT CONSTRAINT

6.31.1 Prohibited uses

The following uses are prohibited below the minimum flood proofing elevations noted in Section 6.30 of this by-law:

- i) the manufacture, storage and/or consumption of hazardous or toxic substances.
- ii) hospitals, nursing homes, and schools.
- iii) fire and ambulances stations, and electrical substations.

E. REGULATIONS FOR PARKING, LOADING AND MUNICIPAL ROADS

6.32 OFF-ROAD PARKING REGULATIONS

Unless otherwise provided for in this By-law, permanently, maintained angle or parallel parking spaces shall be provided in accordance with the following regulations:

6.32.1 Required Number of Spaces

Use	Minimum number of spaces
detached dwelling, duplex dwelling, cottage dwelling, semi-detached dwelling	2 spaces per dwelling unit; may be stacked parking spaces
dwelling for exclusive use by the elderly	1 space for each dwelling unit; plus 1 space for every 4 dwelling units, to be set aside for and visually identified as visitor parking
apartment dwelling or dwelling not otherwise specified herein	1 space for each dwelling unit; plus 1 space for every 4 dwelling units, to be set aside for and visually identified as visitor parking
Bed & Breakfast Establishment	In addition to the two parking spaces a detached dwelling is required to have by this by-law, a Bed & Breakfast Establishment shall provide one parking space for each guest room
hotel, motel	1 space per sleeping guest room, plus 1 space for each 20m ² (215ft ²) of floor area used for assembly, restaurant or the dispensing of food or drink
church, place of worship	1 space for each 10 fixed seats or if no fixed seats, 1 space for each 10m ² (107.6ft ²) of floor area, used for seating
auditorium, convention or meeting hall, community center, sports arena, fairground, stadium, private club, fraternal society, or any institutional or non-profit use or place of assembly not otherwise specified herein	1 space for each 5 fixed seats or if no fixed seats, 1 space for each 5m ² (53.8ft ²) of floor area, used for seating
elementary school, nursery school, day nursery	1 space for each classroom plus one additional space for each office, or if the school contains a place of assembly, according to the requirements of such place of assembly, whichever is greater. Education facilities with a gymnasium and/or auditorium may utilize hard surface play areas to meet such additional parking requirements provided such hard surfaced areas are adjacent to and have direct access from the required parking areas.

secondary school, vocational or technical training school or college or combined elementary-secondary school	3 spaces for each classroom plus one additional space for each office, or if the school contains a place of assembly, according to the requirements of such place of assembly, whichever is greater. Education facilities with a gymnasium and/or auditorium may utilize hard surface play areas to meet such additional parking requirements provided such hard surfaced areas are adjacent to and have direct access from the required parking areas.
funeral home	1 space for each 5 fixed seats, or where no fixed seats, 1 space for each 5m ² (53.8ft ²) of floor area in reposing rooms plus 1 space per funeral home vehicle.
government office, bank, financial institution, veterinary clinic & other offices excluding those for the health care professions	1 space for each 40m ² (430.5ft ²) of gross floor area,
clinic or office for any health care profession	5 client spaces for each member of the health care professions employed at the clinic or office. 1 space for each member of the health care professions employed at the clinic or office.
establishment for the sale and immediate consumption of food and/or drink on the premises, including taverns, restaurants, public houses and similar uses	1 space for each 5 m ² (53.8 ft ²) of building floor area, devoted to public use and where outdoor seating is provided 1 space per 5 seats.
drive-in or take-out establishment where food and/or drink is purchased over the counter for consumption on or off the premises	1 space for each 5m ² (53.8ft ²) of gross floor area, or where outdoor seating is provided 1 space per 5 seats.
general store, retail store, personal service establishment, convenience store	1 space for each 20m ² (215ft ²) of sales or service area
laundromat, automatic dry cleaning establishment	1 space for each four machines, or 1 space for each 20 m ² (215 ft ²) of gross floor area, whichever is greater
automobile car wash	Sufficient spaces for the storage and movement of at least 3 automobiles in advance of and 1 automobile at the terminus of each wash stall
automobile sales and/or service establishment	1 space for each 20m ² (215ft ²) of gross floor area
automobile service station	3 spaces
automobile repair shop	1 space for each 20 m ² (215 ft ²) of gross floor area
place of recreation not otherwise specified herein	1 space for each 20 m ² (215 ft ²) of gross floor area
industrial use, service and/or repair shop	1 space for each 100m ² (1,076ft ²) of gross floor area or 1 space for each 2 employees on the maximum working shift, whichever is greater for the industrial service and/or repair uses; plus 1 space for each 40m ² (430.5ft ²) devoted to office use.
wholesaling, warehousing or storage use	1 space for each 100m ² (1,076ft ²) of gross floor area for the wholesaling, warehousing or storage uses; plus 1 space for each 40m ² (430.5ft ²) floor area, devoted to office use.
commercial use establishment not otherwise specified	1 space for each 20 m ² (215 ft ²) of gross floor area

6.32.2 Calculation of Spaces

- (a) When a building or lot accommodates more than one use or purpose the required parking spaces shall be the sum total of the required parking spaces for the separate uses or purposes. Parking facilities for one use shall not be considered as providing required parking for any other uses.
- (b) If calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.

6.32.3 Size and Accessibility of Parking Spaces

Every parking space shall maintain a minimum area and width exclusive of aisles and shall be accessible from unobstructed manoeuvring aisles and shall be in accordance with the following regulations:

(a) Angle Parking

Angle in Degree	Parking Space in Length	Manoeuvring Aisle Width	Parking Space in Width
30	5.5 m (18 ft)	4.3 m (14 ft)	3 m (9.8 ft)
45	6 m (19.6 ft)	4 m (13.1 ft)	3 m (9.8 ft)
60	6 m (19.6 ft)	6 m (19.6 ft)	3 m (9.8 ft)
90	5.5 m (18 ft)	8 m (26.2 ft)	3 m (9.8 ft)

(b) Parallel Parking

Parking Space Length	Parking Space Width	Manoeuvring Aisle Width
6 m (19.6 ft)	3 m (9.8 ft)	3 m (9.8 ft)

6.32.4 Provisions and Location of Spaces

- (a) Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.
- (b) Parking spaces shall be located on the same lot or within the same building as the use for which said parking is required.

However, where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such shall be located not more than 150 metres (492.1 feet) from the said lot.

- (c) Uncovered parking spaces may be located in the required yards except that:
 - (i) in any zone other than a residential zone no parking space shall be permitted on a lot closer to any road line than 3 m (9.8 ft); and
 - (ii) in any zone no parking area for residential uses containing 3 or more units shall be permitted within any front, interior or exterior side yard.

6.32.5 Application of Parking Requirements

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. In the case of the expansion or enlargement of an existing building or structure, the requirement for the provision of additional parking spaces shall be based on said expansion or enlargement. In the case of a change in use the number of parking spaces required will be determined by calculating the difference between that which would be required by the new and the existing uses.

6.32.6 Seating Accommodation by Benches

For the purposes of [Section 6.31.1](#), where benches provide seating accommodation, 0.5 m (1.6 ft) of bench space shall be considered as equivalent to one (1) seat.

6.32.7 Driveways

- (a) A driveway entrance serving a detached dwelling or a semi-detached dwelling shall have a width of 3 m (9.8 ft) minimum, 6 m (19.6 ft) maximum. A driveway entrance serving any other use shall have a width of 3 m (9.8 ft) minimum, 9 m (29.5 ft) maximum.
- (b) The maximum width of any joint entrance and exit driveway measured along the road line shall be 9 m (29.5 ft).
- (c) The minimum distance between a driveway and an intersection of road lines measured along the road line intersected by such driveway shall be 9 m (29.5 ft).
- (d) The minimum angle of intersection between a driveway and a road line shall be 60 degrees.
- (e) Every lot shall be limited to the following number of driveways:
 - (i) Up to the first 30 m (98 ft) of frontage measured along the road line not more than one (1) driveway. A residential use not on a Provincial Highway or County Road may have a 'U' shaped driveway.
 - (ii) For each additional 30 m (98 ft) of frontage measured along the road line not more than one (1) additional driveway.
- (f) Parking areas and associated driveway systems servicing any use other than a cottage dwelling, duplex dwellings, triplex dwellings, fourplex dwellings, detached dwellings and road townhouses and semi-detached dwellings shall be designed in such a manner that any vehicle entering or leaving a road or public lane need not travel in a backwards motion.
- (g) A driveway serving a non-residential use shall not be located closer than 3 m (9.8 ft) to a lot containing a dwelling as a principle use.
- (h) A driveway serving a residential use shall not be located closer than 1 m (3.2 ft) to the side property line, save and except for a joint driveway servicing two lots in which case the driveway shall not require any setback.

6.32.8 Surfacing and Drainage of Parking Areas and Access Lanes

All driveways shall be constructed of asphalt, paving stones, concrete or portland cement binder, or a stable surface of crushed stone or gravel and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

6.32.9 Illumination of Parking Areas or Driveways

When parking areas and/or driveways are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 9 m (29.5 ft) above the adjoining finished grade and light shall be directed downward and away from adjoining lots.

6.32.10 Landscaping

- (a) Where, in any yard in any zone, a parking area which is required to provide for more than four off-road parking spaces adjoins a lot in a residential zone, a minimum landscaped area of 3 m (9.8 ft) shall be provided within the lot requiring such parking area and along the lot line adjoining such residential zone.
- (b) Where, in any yard in any zone, a parking area which is required to provide for more than four off-road parking spaces adjoins a road, then a landscaped area of a minimum width of 3 m (9.8 ft) shall be provided within the lot requiring such parking area along the lot line adjoining such road.

6.33 LOADING REGULATIONS

The owner or occupant of any lot, building or structure erected or used for any purpose involving the frequent receiving, shipping, loading or unloading of animals, goods, wares and merchandise and raw materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a road or lane, within the zone in which such use is located, loading and unloading spaces in accordance with the following regulations:

6.33.1 Required Number of Spaces

Gross Floor Area of Building or Structure	Number of Loading Spaces Required
100m ² (1,076ft ²) to 300m ² (3,229ft ²) or less	1
over 300m ² (3,229ft ²) but not over 2,500m ² (26,910.6ft ²)	2
over 2,500m ² (26,910.6ft ²) but not over 8,000m ² (86,114 ft ²)	3
over 8,000m ² (86,114ft ²)	3 spaces, plus 1 additional space for each additional 10,000m ² (107,642.6ft ²) or fraction thereof in excess of 8,000m ² (86,114ft ²).

6.33.2 Access

In addition to the number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading, and any additional area as is necessary for the manoeuvring of a truck-trailer either into or out of the loading space. Access to loading spaces shall be by means of a driveway at least 6m (19.6ft) wide contained within the lot on which the spaces are located and leading to a road or public lane located within or adjoining the zone in which the use is located.

6.33.3 Loading Space Dimensions

Each loading space shall be at least 15m (49.2ft) long, at least 3.5m (11ft) wide and shall have a vertical clearance of at least 4.5m (14.7ft).

6.33.4 Location of Loading Space

No loading space shall be located in the required front yard nor shall any required off-road parking space be considered in calculating the required number of off-road loading spaces. On a corner lot loading spaces may be located between the main building and the flanking road but not within the required exterior side yard.

6.33.5 Surface and Drainage of Spaces and Driveways

Loading spaces and driveways thereto shall be constructed of asphalt, concrete or Portland cement binder, a stable surface of crushed stone or gravel and shall be maintained or treated so as to prevent the raising of dust or loose particles. Drainage shall be provided so as to prevent the flow of surface water on to adjoining lots.

6.33.6 Application of Loading Space Requirements

When a building or structure has insufficient loading spaces on the date of passing of this By-law to conform to the provisions herein, this by-law shall not apply to require that the deficiency be made up prior to the construction of any addition. In the case of an expansion or enlargement of an existing building or structure, the requirement for the provision of additional loading spaces shall be based on said expansion or enlargement. Notwithstanding [Section 6.32.1](#), where the building or structure is deficient in loading spaces, a loading space shall not be required for an expansion of 25 m² (269 ft²) or greater and less than 100m² (1076ft²).

6.33.7 **Landscaping**

Where a loading area adjoins any residential zone or a road then a planting area of a minimum width of 3m (9.8ft) shall be provided within the lot requiring such loading area and along the lot line adjoining such residential zone or road.

6.34 MUNICIPAL ROADS

6.34.1 **Municipal Roads - Class 1**

Improved roads under the jurisdiction of the Corporation and shown on Schedule 'A' as Class 1 which are maintained on a year round basis.

6.34.2 **Municipal Roads - Class 2**

Improved roads under the jurisdiction of the Corporation and shown on Schedule 'A' as Class 2 shall for the purposes of the By-law mean that the Corporation is not obligated to provide services on a year round basis.

F. PROHIBITED USES

6.35 Prohibited Uses in All Zones

- a) Unless explicitly stated to the contrary, the following uses are prohibited in all zones:
 - i. a junk yard, salvage yard, automobile wrecking yard, or the collection, storage or sale of junk, salvage, partially or completely dismantled motor vehicles or trailers, or parts thereof,
 - ii. the occupancy of trailers and tents,
 - iii. the construction of hunting cabins.

- b) In addition to the uses prohibited under clause (a), all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Uses" subsection of one or more zones established by this by-law are and shall be deemed to be prohibited in each such zone, except for those uses of land and the erection or use of any building or structure for a purpose expressly permitted under the applicable provisions of this by-law.

SECTION 7 - ESTABLISHMENT OF ZONES

7.1 GENERAL

For the purposes of this By-law, the land area of the Corporation is hereby divided into various generalized and specific 'Zones' to which the provisions and regulations herein shall respectively apply.

7.2 ZONE SYMBOLS

7.2.1 The following Zones are hereby established and are designated on the Zoning Map Schedules by symbols consisting of letters and numbers, or letters only, as the case may be:

<u>Zone</u>	<u>Symbol</u>
Rural Zone 1 (General Rural)	RU1
Rural Zone 2 (Restricted Rural)	RU2
Residential Zone 1 (Detached Residential)	R1
Residential Zone 2 (Resort Residential)	R2
Residential Zone 3 (Semi-Detached/Duplex Residential)	R3
Residential Zone 4 (Low Density Multiple Family Residential)	R4
Residential Zone 5 (Medium Density Multiple Family Residential)	R5
Commercial Zone 1 (Business District Commercial)	C1
Commercial Zone 2 (Hamlet Commercial)	C2
Commercial Zone 3 (Resort Commercial)	C3
Commercial Zone 4 (Tent & Trailer Park & Commercial Campground)	C4
Highway Commercial & Industrial Zone	HCM
Rural Commercial & Industrial Zone	RCM
Extractive Industrial	EX
Institutional Zone	I
Open Space Zone (General Open Space)	OS
Municipal Infrastructure Services	MIS
Environmental Hazard Area Zone	EH
Planned Development Zone	PD

7.2.2 Whenever in this By-law the term 'Zone' is used, preceded or followed by any symbol, as the case requires, such combination shall refer to any area delineated on Schedule 'A' and designated therein by said symbol.

7.3 SPECIAL USE PROVISIONS

Where any of the Zone symbols described in [Section 7.2.1](#) are shown on Schedule 'A' followed by a dash and a letter (eg. R1-a) then special provisions and/or uses to the usual zone provisions apply to such lands. Such special provisions will be found by reference to that section of the By-law that deals with that particular zone. Lands designated in this manner shall be subject to all the restrictions of the zone, except as otherwise provided by the special provisions.

7.4 SPECIAL HOLDING PROVISIONS

7.4.1 Holding Provisions

The symbol "H" when used in conjunction with a zone symbol (eg. C1-H) denotes areas in which the use of land and the erection of buildings or structures will not be permitted in accordance with provisions for such zone designation. The removal of the holding symbol "H" by Council By-law will permit the use of land and erection of buildings and structures in accordance with the zone designation and its provisions. Until such time as the "H" symbol is removed, any lands so designated may be used for lawfully existing uses. The removal of the Holding symbol shall not require the holding of a public meeting.

An 'H', 'h', or 'Holding' symbol may be removed when the following conditions have been met:

- i) the owner/developer entering into a Site Plan Control or Subdivider's Agreement with the Municipality;
- ii) the owner/developer has completed to the satisfaction of the Municipality any traffic impact assessments, storm water management plans, flood control requirements and other such studies as required;
- iii) the owner/developer making arrangements for the installation of sanitary or storm sewer, water or road services;
- iv) the owner/developer receiving final approval for a plan of subdivision or condominium from the approval authority, and that all the conditions have been met such that the lots or units are ready for release;
- v) the owner/developer making arrangements for parking or loading spaces, including a cash-in-lieu for parking;
- vi) the development/redevelopment within any C-Commercial, HCM-Highway Commercial & Industrial, RCM-Rural Commercial & Industrial, and EX-Extractive Industrial Zone is in accordance with the design and site criteria established by the Municipality;
- vii) the owner/developer of lands within the HCM-Highway Commercial & Industrial Zone demonstrates that the development is space extensive in nature and cannot reasonably be located in the downtown core due to large lot area, outside storage or building area requirements.

7.4.2 Enlargements, Alterations, Additions to Existing Buildings or Structures in Zones with Holding Provisions

Notwithstanding the provisions of Section 7.5.1, alterations, additions or enlargements to existing residential buildings or structures and accessory structures will be permitted provided such buildings and structures were lawfully used for residential purposes on the date of the passing of this by-law and provided such alterations, additions or enlargements conform to the provisions of Section 12 of this by-law.

7.4.3 Limited Municipal service ("lms") Provisions

The symbol "lms" when used in conjunction with a zone symbol (e.g. R2-lms) denotes areas in which the use of land and the erection of buildings or structures is permitted in accordance with provisions for such zone designation however recognizing that only limited municipal services are available to the parcels. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

7.5 SPECIAL PROVISIONS FOR EXISTING USES

Where any of the zone symbols described in [Section 7.2.1](#) are shown on Schedule "A" followed by a dash and a number one, (e.g. R1-1), then such lands so designated shall permit the use of the land, building or structure which existed at the date of the passage of the by-law. Any changes of use or expansion, enlargement or change in the use of the land, building or structure shall conform to the provisions of the applicable zone.

7.6 INCORPORATION OF ZONING MAP

The locations and boundaries of the zones established by this By-law are shown on the maps appended hereto and which is referred to as Schedule 'A' and comprises the sectional parts of the zoning map and such maps together with everything shown thereon and all succeeding amendments thereto are hereby incorporated into and are declared to form part of this By-law.

7.7 ZONING MAPS

7.7.1 Boundaries of Zones

Where any uncertainty exists as to the boundary of any zone as shown on the Zoning Map Schedule, the following provisions shall apply:

- (a) where a zone boundary is indicated as following and is within the boundary of a road, lane, or watercourse, the boundary shall be the centreline of such road, lane, or watercourse.
- (b) where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lot lines of the original Township survey fabric, the boundary shall follow such lot lines.
- (c) where a zone boundary is indicated as approximately parallel to any road line and the distance from the road line is not indicated, such boundary shall be construed as being parallel to such road line, and the distance there from shall be according to the scale shown on the Zoning Map Schedule.
- (d) where a zone boundary is indicated as following a shoreline, the boundary shall follow such shoreline and, in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
- (e) where any zone boundary is left uncertain after application of the provisions of clauses a), b), c) and d) above, then the boundary shall be determined by the scale shown on the Zoning Map Schedule measured from the centre of the zone line.

7.7.1.2 Wherever it occurs, the municipal limit is the boundary of the zone adjacent to it.

7.7.2 Precedence of Schedules

In the event of a conflict or inconsistency between Schedule 'A' and another Schedule, the other Schedule shall take precedence over Schedule 'A' for those lands to which it more particularly refers.

7.7.3 Roads and Rights-of-Way

A road, public lane, electrical transmission right-of-way, or watercourses shown on Schedule 'A', unless otherwise indicated, shall be included within the zone of adjoining property on either side thereof and where such road, public lane, right-of-way or watercourse serves as a boundary between two or more different zones, the centre line of such road, public lane, right-of-way, or watercourse, and extending in the general direction of the long dimension thereof, shall be considered the boundary between zones unless otherwise indicated.

7.7.4 More Than One Zone on a Lot

Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot, except that the lot area requirement for an agricultural use can include the part zoned in a Rural zone and any part that may be zoned Environmental Hazard.

SECTION 8 - GENERAL PROVISIONS FOR ALL RURAL ZONES - RU

8.1 PROVISIONS FOR LIQUID MANURE STORAGE FACILITIES

In any Rural Zone, the construction or alteration of a facility used for the storage of liquid manure shall be constructed or altered in accordance with the following provisions:

- (a) be constructed of:
 - (i) reinforced concrete or corrosion proof steel using current Ontario Ministry of Agriculture and Food plans or plans individually stamped by a professional engineer, or;
 - (ii) properly compacted clay lining provided that the clay content of soil is over 15%, the storage facility floor is situated at least 3 feet above bedrock or more pervious soil.
- (b) have walls that:
 - (i) extend 1.5 m (4.9 ft) or more above the surrounding grade level; with continuous fencing of plywood, metal panelling, or other suitable material, erected on top of or in contact with these walls; extending 1.2 m (3.9 ft) or more above the top edge of these walls; thus providing a wind-break for a total height of 1.5 m (4.9 ft) above the surrounding grade level; or
 - (ii) extend 0.25 m (.09 inches) or more above surrounding grade level; and have a solid cover of metal panelling or other suitable material erected on top of these walls; thus providing an effective top seal for the storage facility, or have continuous fencing of plywood, metal panelling, or other suitable material, erected on top of or in contact with these walls; extending 1.5 m (4.9 ft) or more above the top edge of these walls.
- (c) have a safety sign warning of toxic gases installed at every access;
- (d) be adequate in size to contain the total amount of manure generated in any 200-day period by the agricultural operation plus any direct precipitation into the tank;
- (e) be sealed to prevent ground water from gaining entrance;
- (f) be erected not less than 60 m (196.8 ft) from any lake, stream, pond, well or other water source, municipal drain;
- (g) be erected in accordance with the setback requirements of the Agricultural Code of Practice;
- (h) a covered storage facility shall have:
 - (i) access ports that weigh at least 20.4kg (44.9lbs) and are attached by a chain to the storage top; and
 - (ii) a cover strong enough to support all vehicles and animal load or be protected by a safety fence and permanent warning signs.
- (i) an uncovered storage facility have walls or gates that:
 - (i) extend 1.5m (4.9ft) above adjacent ground level;
 - (ii) are constructed of concrete or other materials with opening less than 25.8cm (10 inches) in size; and,
 - (iii) have three (3) strands of barbed wire on top, if fence is climbable.
- (j) notwithstanding the foregoing paragraphs, liquid manure storage lagoons may be permitted provided that continuous fencing of plywood, metal panelling, or other suitable material extending to a height of at least 1.5m (4.9ft) above the surrounding grade level, is erected around the perimeter of such lagoon and provided that such lagoon is located not less than 45.7 m (149.9 ft) from any lake, stream, pond, municipal drain, or the edge of an Environmental Hazard Zone boundary, whichever is greater.

8.2 NUMBER OF RESIDENTIAL DWELLINGS PER LOT

Except as otherwise provided, only one dwelling is permitted per lot, whether the dwelling is a principal building or an accessory building.

8.3 EXISTING LOTS

- (a) In any Rural Zone, an existing lot may be used for any non-residential use permitted by the applicable zone notwithstanding that such lot may have a lesser lot area and/or frontage than the minimum required by the applicable zone and provided that all other provisions of this By-law are complied with.
- (b) In any Rural Zone an existing lot may be used for a residential dwelling notwithstanding that such lot may have lesser lot area and/or frontage than the minimum required and provided that such lot and building shall conform to the provisions for residential uses in the RU1 zone and all other provisions of this by-law.

8.4 MINIMUM SEPARATION DISTANCES BETWEEN AGRICULTURAL AND NON-AGRICULTURAL USES

- a) Notwithstanding any other provisions in this By-law, unless explicitly stated to the contrary, no residential, institutional, commercial, industrial or recreational use, building or structure, located or proposed on a separate lot in the zone in which the lot is located, shall be erected or altered unless it complies with the Minimum Distance Separation Formulae (MDS I).
- b) Notwithstanding any other provisions in this By-law, unless explicitly stated to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation Formulae (MDS II).

SECTION 9 RU1 - RURAL ZONE 1 (GENERAL RURAL)

9.1 USES PERMITTED

No person shall within the RU1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- detached dwelling
- cottage dwelling
- accessory detached dwelling
- agricultural uses
- specialized agricultural uses
- sod farm
- Home Based Business - bed and breakfast establishment in accordance with [Section 6.11](#)
- Home Based Business - professional uses in accordance with [Section 6.7](#)
- Home Based Business - domestic and household arts in accordance with [Section 6.8](#)
- Home Based Business - rural business in accordance with [Section 6.9](#)
- liquid manure storage facilities in accordance with [Section 8.1](#) and 8.4
- wildlife sanctuaries
- conservation Areas
- forestry
- buildings, structures and uses accessory to a permitted use

9.2 ZONE PROVISIONS

No person shall within the RU1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	Agricultural Uses	Other uses
minimum lot area	39 ha (96 ac)	0.5 hectares (1.2 ac)
minimum lot frontage	100 m (328 ft)	89.9 m (294.9 ft)
minimum front yard	30 m (98 ft)	30 m (98 ft)
minimum exterior side yard	30 m (98 ft)	30 m (98 ft)
minimum side yard	20 m (65.6 ft)	10 m (32.8 ft)
minimum rear yard	20 m (65.6 ft)	10 m (32.8 ft)
minimum ground floor area for detached dwellings	46.45 m ² (500 ft ²)	46.45 m ² (500 ft ²)
minimum habitable floor area for detached dwellings	92.9 m ² (1000 ft ²)	92.9 m ² (1000 ft ²)
maximum building height detached dwellings	10 m (32.8 ft)	10 m (32.8 ft)
maximum lot coverage	5%	15%
minimum separation distance from accessory detached dwelling to any structure where animals are housed	30 m (98 ft)	not applicable

9.3 SPECIAL PROVISIONS

RU1-a Lot 4, Conc. 2 (Lindsay)

- uses shall be limited to a machine shop
- Parking requirements – 1 space for every 37.2m² (400ft²) of manufacturing floor space
- no development shall occur within 5m (16ft) of any part of a sewage disposal system
- All other setback requirements of the RU1 zone shall apply

RU1-b Lot 39, Con 3 WBR (Eastnor) (10)
Pt Lot 11, Con 3 WBR (Eastnor) (14)
Pt Lot 7, Con 2 WBR (Eastnor) (10)
Pt Lot 15, Con 1 WBR (Eastnor) (18)
Pt Lot 20, Con 5 EBR (Eastnor) (18)
Pt Lot 23, Con 3 EBR (Eastnor) (18)
Pt Lot 25, Con 4 EBR (Eastnor) (18)
Pt Lot 33, Con 2 WBR (Lindsay) (27)
Pt Lot 34, Con 8 EBR (Lindsay) (28)
Pt Lot 33, Con 1 EBR (St. Edmunds) (33)

- RU1 permitted uses plus contractor's yard in accordance with RCM-Rural Commercial & Industrial zone provisions excepting front yard setback shall be 30m (98ft)

RU1-c Lot 25, Conc. 4 WBR (Eastnor)

- RU1 uses plus clothing manufacturing business in an accessory building in accordance with RCM-Rural Commercial & Industrial zone provisions

RU1-d Exempt from [Section 6.15.1](#) (Frontage on a public road)

RU1-f Lot 31 & 32, Conc. 1 WBR (Eastnor)

- RU1 permitted uses plus sports camp

RU1-g Pt Lot 29, Conc. 2 WBR (Eastnor)

- the storage of boats shall be permitted in accordance with RCM-Rural Commercial & Industrial zone provisions

RU1-i Lot 27, Conc. 1 WBR (Eastnor)

- RU1 permitted uses and provisions plus two agricultural service dwellings
- "Agricultural Service Dwelling" shall mean a temporary dwelling unit to provide temporary sleeping accommodation and sanitary facilities for cooking and with such unit being serviced by an approved sewage disposal system.

RU1-j Lot 39, Conc. 1 EBR (St. Edmunds)

- a tourist home and cabins shall be permitted
- a maximum of four cabins shall be permitted
- riding academy with buildings and structures accessory to the permitted use shall be permitted

RU1-k Pt Lot 12, Conc. 1 EBR (Lindsay)

- uses shall be limited to the stockpiling and processing of aggregate accessory to a quarry located on the property abutting the 'EX' zone.

RU1-l Pt Lot 3, Con 2 EBR, Lindsay (Hayes)

- permitted uses shall include:
 - a) industrial machine shop
 - b) storage and warehousing of machine tools and parts
- the placement, alteration or expansion of the uses listed above shall be in accordance with the provisions of the M1 Rural Industrial zone excepting however that:
 - a) minimum lot area 1.62 ha (4 acres)
 - b) minimum lot frontage 122m (400ft)
 - c) minimum front yard setback 30.5m (100ft)

RU1-m Lot 39, Con 4 WBR (St. Edmunds)

- uses shall be limited to a telephone switching station

-
- RU1-n** Lot 17, Conc. 3 EBR (Eastnor)
- Commercial wind energy turbine
 - Buildings, structures and uses accessory to a commercial wind energy turbine
 - Setback from Highway 6 - 125m (410ft)
 - Setback from other property lines – 80m (262.5ft)
 - Maximum height of turbine – 120m (393.7ft)
- RU1-o** Lots 18 and 19, Conc. 3 EBR (Eastnor)
- Commercial wind energy turbine
 - Buildings, structures and uses accessory to a commercial wind energy turbine
 - Setback from Highway 6 - 125m (410ft)
 - Setback from other property lines – 80m (262.5ft)
 - Maximum height of turbine – 120m (393.7ft)
- RU1-p** Pt Lot 45, Con 3 WBR (St. Edmunds) (Hofstrand)
- Minimum lot area (agricultural uses) – 34.8 ha (86 ac)
 - One driveway off Belrose Road will be permitted.
- RU1-q** Pt Lot 18, Con 2 EBR (Eastnor) (Collins)
- Construction of any new residential dwelling shall be prohibited
- RU1-r** Pt Lot 18, Con 2 EBR (Eastnor) (Collins)
- The number of livestock units will be limited to 0.5 livestock units per ac (1.24 livestock units per ha)
 - Minimum lot frontage 60.0m
 - Minimum front yard setback 19.5m
 - Minimum side yard setback 2.5m (west) and 3.7m (east)
 - Minimum rear yard setback 8.0m
- RU1-s** Pt Lot 40, Con 3 EBR (Eastnor) (Souliere)
- Maximum of two (2) tourist cabins shall be permitted
 - An artist's studio in accordance with [Section 6.9](#) Home Based Business – Rural Business shall be permitted
- RU1-t** Pt Lot 3, Con 2 EBR (Lindsay) (Hayes Z-8-2005.66) By-law 2005-52, F&E 6 Oct 2005
- Minimum lot area reduced from 0.5 ha(1.2 ac) to 720 sq.m.(7,750 sq.ft)
- RU1-u** Pt Lot 3, Con 2 EBR(Lindsay) (Hayes Z-8-2005.66) By-law 2005-52, F&E 6 Oct 2005
- Minimum lot area reduced from 39ha (96ac) to 15.5ha(38.2ac)
- RU1-v** Pt. Lot 26, Con 1 WBR (Eastnor) (Atkinson Farms Z-12-2005.62) By-law 2005-55, F&E 28 Dec 2005
- Reduced minimum distance separation between a livestock facility(Animal Group 3) and a Type 'B' Land Use (Commercial) from 300 m(984 ft) to 16 m (54 ft)
- RU1-w** Pt. Lot 15, Con 4WBR (Eastnor) (Christiaan & Draper Z-13-2005.62) By-law 2005-56, F&E 28 Dec 2005
- Reduced minimum lot area from 0.5ha (1.2 ac) to 625 sq.m(6,727 sq.ft)
 - Reduced minimum lot frontage shall be permitted from 89.9m(249.9 ft) to 25m(82 ft)
- RU1-x** Pt. Lot 15, Con 4WBR (Eastnor) (Christiaan & Draper Z-13-2005.62) By-law 2005-56, F&E 28 Dec 2005
- Reduced minimum lot area shall be permitted from 39 ha(96 ac) to 15.5 ha(38.2 ac)
- RU1-y** Pt Lots 2 & 3, Con 3 WBR (Eastnor) (Hardman Z-14-2005.62) By-law 2006-02
- Minimum lot area 34 ha(84 ac)
- RU1-z** Pt Lots 2 & 3, Con 3 WBR (Eastnor) (Hardman Z-14-2005.62) By-law 2006-02
- Minimum lot area 24 ha(59 ac)
- RU1-aa** Lots 21 to 23, Con 3 WBR(Lindsay) (Robins Z-15-2008.66) By-law 2006-08, Apr 13 2006
- Minimum lot area 35ha(87 ac)
- RU1-ab** Lots 21 to 23, Con 3 WBR(Lindsay) (Robins Z-15-2008.66) By-law 2006-08, Apr 13 2006
- Permitted front yard setback(agriculture buildings) 20m (66 ft)

-
- RU1-cc** 677 West Rd, Pt Lot 4 Concession 3WBR (Eastnor) (Tucker c/o McLeod Z-17-2007.62) By-law 2007-45, Jan 15 2008
- Permit a reduced minimum lot area from 39ha (96ac) to 35.6 ha (88ac)
- RU1-dd** 677 West Rd, Pt Lot 4 Concession 3WBR (Eastnor) (Tucker c/o McLeod Z-17-2007.62) By-law 2007-45, Jan 15 2008
- Reduced minimum front yard setback from 30m (98ft) to 18.3 (60ft) for the existing detached dwelling
 - Number of livestock units will be limited to 0.5 livestock units per acre (1.24 livestock units per ha)
- RU1-ee** East Rd, Lot13 Concession 5 EBR (Lindsay) (Hayes Z-22-2007.66) By-law 2008-46, July 28, 2008
- Reduced minimum lot area shall be 33ha (81.5ac)
- RU1-ff** East Rd, Lot 14 Concession 5 EBR (Lindsay) (Hayes Z-23-2007.66) By-law 2008-4, July 28, 2008
- Reduced minimum lot area shall be 33ha (81.5ac)
- RU1-2011-49** 3088 Bruce Rd 9; Pt Lot 25 Con 4EBR (Eastnor) (Bridge Z-13-11.52) BL 2011-49, June 13, 2011
- In addition to the uses permitted in the RU1 zone, a commercial kitchen for processing agricultural products grown on site is permitted, subject to the provisions of [Section 6.9](#) Home Based Business - Rural Business.
- RU1-2011-71-H** 475 Forty Hills Rd; Lot 3 Con 4EBR (Lindsay) (Hayes Z22-11.66) BL 2011-71, Sept 15, 2011
- A reduced minimum lot frontage from 100m (328ft) to 20m (66ft) shall be permitted.
 - **The holding** can be removed once the developer has prepared an Environmental Impact Study to the satisfaction of the Municipality that demonstrates that the proposed development will not have a negative impact on the natural features or ecological functions for which the area has been identified through the Smoky Head – White Bluff ANSI.
- RU1-2012-17** Bartley Dr; Lot 41 Con 8EBR (Lindsay) (Warwyck Z-84-2011.66) BL 2012-17, March 26, 2012
- A reduced minimum lot area from 39ha / 96ac to 38.2ha / 94.5ac
- RU1-2012-40** Hwy 6, Pt Lot 37 Con 1 WBR (St Edmunds) (McAfee A-18-2012.68)
- That a kennel is a permitted use within the area zoned as RU1-2012-40

SECTION 10 RU2 - RURAL ZONE 2 (RESTRICTED RURAL)

All uses permitted in the RU1 zone under [Section 9.1](#) are permitted in the RU2 zone except intensive agricultural uses and liquid manure storage facilities. The zone provisions of [Section 9.2](#) shall apply to the RU2 zone.

10.1 SPECIAL PROVISIONS

RU2-a Exempt from [Section 6.15.1](#) (Frontage on a public road)

RU2-b Pt. Lot 34, Conc. 8 EBR (Lindsay)

RU2 permitted uses and provisions except:

- Max. number of guest rooms in Bed & breakfast establishment shall be 7
- Max. number of guests shall be 14

RU2-c Lot 33 & 34, Conc. 9 EBR (Lindsay).

RU2 permitted uses and provisions plus:

- craft store
- restaurant
- One exterior sign is permitted for advertising

RU2-e Pt Lot 25, Con 2 WBR (Lindsay) (Mosiuk)

- Outside storage/display of goods shall be permitted in accordance with [Section 6.28](#) Open Storage Commercial and Industrial Zones
- The outside/storage display shall be limited to goods (garden sheds and lawn furniture) produced on site
- Reduced front yard setback to 8m (26ft) – reduced front yard setback will apply only to the storage/display of goods produced on site and not to any permanent buildings or structures that require a building permit.

RU2-f Lot 1, Con 4 WBR (Eastnor) (Meagher)

- Permitted uses shall be limited to forestry, conservation areas and wildlife sanctuary.
- Buildings and structures shall be prohibited.

RU2-g Part Lot 95, Plan 385, 2493 Bruce Rd 9 (Eastnor) Madill Z-6-2005.62, By-law 2005-35 F&E 5 Aug 2005

- minimum lot area shall be increased from 0.5ha (1.2 ac) to 2.73ha (6.75ac)
- construction of a detached dwelling in accordance with [Section 10.2](#) (R1 zone provisions) shall be permitted

RU2-i 1519 West Rd; Pt Lts 24/25 Con 3WBR (Eastnor) Thistle Z-33-2008.62, By-law 2009-03 F&E 9 Feb 2009

- minimum lot area shall be reduced from 39ha (96ac) to 22 ha (54ac).

RU2-j-H Pt Lot 51 Con 1WBR, RP 3R5992 Pt 1 (St Edmunds) Rowland Z-76-2009.68 Bylaw 2010-60 12Jul2010

- Provisions of an Environmental Impact Study to the satisfaction of Grey Sauble Conservation Authority and the County of Bruce, that justifies the removal of the Holding symbol
- Provision of a Site Servicing Report to the satisfaction of the appropriate approval authority.

RU2-2012-35 Pt Lt 4 Town Plot Bury WBR, Plan 3R8342 Pt 1 (St Edmunds) (Blue Heron Z-52-2011.68)

- Permitted uses shall be limited to those existing on the date of passing of this by-law.
- Any further development will require an Environmental Impact Study to address the natural heritage and hazard features on the subject and adjacent properties.

SECTION 11 - GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES

11.1 NUMBER OF BUILDINGS PER LOT

Except as otherwise provided, not more than one dwelling shall be permitted on any one lot in any Residential Zone.

11.2 EXISTING LOTS

In any Residential Zone where an existing lot has a lesser area and/or frontage than required in the applicable Residential Zone, such lot may be used in accordance with the applicable zone provided that all other provisions of this By-law are complied with.

11.3 PARKING REQUIREMENTS

Off-Road Parking shall be provided in accordance with [Section 6.31](#).

11.4 SERVICING REQUIREMENTS

Unless stated to the contrary, all residential zones within the areas shown on Schedule 'B' to this by-law shall be connected to municipal water and/or sewer servicing as the case may be.

SECTION 12 - R1 - PROVISIONS FOR RESIDENTIAL ZONE 1 (DETACHED RESIDENTIAL)

12.1 USES PERMITTED

No person shall within the R1 Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- a detached dwelling
- Group Home – Type 1
- Home Based Business - Bed and breakfast establishment in accordance with [Section 6.11](#)
- Home Based Business - Professional Uses in accordance with [Section 6.7](#)
- Home Based Business - Domestic and household arts in accordance with [Section 6.8](#)
- Home Based Business - Contractors and Trade Persons in accordance with [Section 6.10](#)
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)

12.2 ZONE PROVISIONS

No person shall within any R1 Zone use any lot or erect alter or use any building or structure except in accordance with the following provisions:

Provisions	No municipal water or sewer	Municipal water or sewer	Municipal water and sewer
minimum lot area	3000 m ² (32,292.7 ft ²)	1500 m ² (16,146 ft ²)	550 m ² (5920 ft ²)
minimum lot frontage	35 m (114.8 ft)	30 m (98 ft)	18 m (59 ft)
minimum lot frontage corner lot	43 m (141 ft)	22 m (72 ft)	18 m (59 ft)
minimum front yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum exterior side yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum side yard	3 m (9.8 ft) (b)	3 m (9.8 ft) (b)	3 m (9.8 ft) (a)
minimum rear yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft) (d)
minimum ground floor area for detached dwellings	70 m ² (753 ft ²)	70 m ² (753 ft ²)	70 m ² (753 ft ²)
minimum habitable floor area for detached dwellings	92.9 m ² (1000 ft ²)	92.9 m ² (1000 ft ²)	92.9 m ² (1000 ft ²)
maximum building height main building	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
maximum height accessory building	5 m (16 ft)	5 m (16 ft)	5 m (16 ft)
maximum lot coverage	15%	25%	35%

FOOTNOTES

- (a) Where no garage, carport or similar parking structure is provided, one side yard of at least 3 m (9.8 ft) shall be provided.
- (b) For existing lots with a frontage of 20.1m (65.9ft) or less, the minimum side yard requirements for one side yard may be reduced to 1.5m (4.9ft).
- (c) For existing lots with a lot area less than 3000m² (32,292.7ft²), the maximum permitted lot coverage may be 20 % provided the ground floor area of any dwelling does not exceed 307m² (3304.6ft²).
- (d) Where a single-family dwelling is located on a corner lot the rear yard requirement may be reduced to a minimum of 5m (16ft).

12.3 SPECIAL PROVISIONS

R1-a Exempt from [Section 6.24.2](#) (Natural Watercourse Setbacks)

R1-b Pt 1, RP 3R 5694 (Lion's Head)
Permitted uses include Orchard, Production of flowers and other plant material
One accessory building not exceeding 500 sq ft. permitted prior to construction of dwelling

R1-c Part Block 1, Town Plot Bury EBR (St. Edmund's) (35)
Permitted uses include fish processing and sales as a secondary use to a permitted use

R1-d Part Lot 50, Con 1 WBR (St. Edmund's) (34)
Permitted uses:

- mobile home park
- detached dwelling accessory to a mobile home park
- mobile home
- buildings, structures and uses accessory to a permitted use, including an administrative and sales office for a mobile home park and a mobile home park recreation building
- sewage disposal system

Zone provisions:

Minimum park area – 4 ha (10 ac)
Minimum park planting area – 20 m (66 ft)
Minimum open space and recreation area – 10 % of park area
Minimum front yard – 7.5 m (25 ft)
Minimum side yard – 7.5 m (25 ft)
Minimum rear yard – 7.5 m (25 ft)

Provisions for mobile home lots and accessory lots:

Minimum lot area (1 communal service) – 1500 m² (16140 ft²)
Minimum lot area (2 communal services) – 550 m² (6000 ft²)
Minimum lot planting area – 2 m (6 ft)
Minimum separation from mobile home – 10 m (33 ft)
Minimum ground floor area – 37 m² (398 ft²)
Maximum ground floor area – 60m² (650 ft²)
Minimum front yard – 5 m (16 ft)
Minimum side yard – 2 m (6 ft)
Maximum height – 4 m (13 ft)
Maximum height for accessory structures – 5 m (16 ft)

Provisions for mobile home park roads - All roads within a mobile home park shall have a minimum width of 10 m (33 ft) and shall be constructed and maintained in such a manner as to eliminate dust.

Provisions for accessory detached dwelling – One detached dwelling may be constructed and shall be accessory to a mobile home park and such dwelling shall be used only as the principal residence for an owner, manager or caretaker of the mobile home park and shall comply with the provisions of [Section 6.4](#) of this By-law.

Park Planting and Lot Planting Areas – Park planting and lot planting areas as provided for in Section 6.22 shall be provided along the front, side and rear lot line.

R1-e Part Lot 47, Con 1WBR(St. Edmunds) Watson Z-5-2005.68, By-law 2005-30 F&E 19 Jul 2005
Zone provisions: minimum lot area shall be 1.39 ha(3.44ac)

R1-f Part Lot 47, Con 1WBR(St. Edmunds) Watson Z-5-2005.68, By-law 2005-30 F&E 19 Jul 2005
Zone Provisions: minimum lot area shall be 3.06 ha (7.57 ac)

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SECTION 13 - R2- PROVISIONS FOR RESIDENTIAL ZONE 2 (RESORT RESIDENTIAL)

13.1 USES PERMITTED

No person shall within the R2 Zone use any lot or erect alter or use any building or structure for any purpose except for one or more of the following uses:

- a cottage dwelling
- one private guest cabin accessory to a permitted use
- Home Based Business - Bed and breakfast establishment in accordance with [Section 6.11](#)
- Home Based Business - Professional Uses in accordance with [Section 6.7](#)
- Home Based Business - Domestic and household arts in accordance with [Section 6.8](#)
- Home Based Business - Contractors and Trade Persons in accordance with [Section 6.10](#)
- buildings, structures and uses accessory to a permitted use in accordance with [section 6.3](#)

13.2 ZONE PROVISIONS

No person shall within any R2 Zone use any lot or erect, alter or use any building or structure except in accordance with the provisions of [Section 12.2](#) (Detached Residential Zone) of this By-law.

13.2.1 Notwithstanding the provisions of [Section 12.2](#) (Detached Residential Zone) of this by-law, the minimum lot area permitted within the R2 (Resort Residential) Zone shall be as follows:

	No Municipal Water or Sewer	Municipal Water or Sewer	Municipal Water and Sewer
minimum lot area waterfront lots	3000m ² (32,292.7ft ²)	1500m ² (16,146ft ²)	55 m ² (592 ft ²)
minimum lot area back-lots	8000m ² (86,114ft ²)	2000m ² (21,528.5ft ²)	55 m ² (592 ft ²)

13.2.2 Provisions for Island Development

Despite [Section 13.2](#), no person shall erect and/or use any building or structure on an island except in accordance with the following provisions.

<u>Provisions</u>	<u>Residential</u>
Minimum Lot Area above the High water mark	2ha (4.9ac)
Minimum Building Setback from the High Water Mark	15m (49ft)
Minimum Ground Floor Area	50m ² (538ft ²)
Maximum Building Height Main Building	10m (32.8ft)
Maximum Building Height Accessory Building	5m (16ft)
<u>Provisions</u>	<u>Residential</u>
Maximum Number of Accessory Buildings	3
Maximum Lot Coverage	8 %

13.2.3 **Existing lots - Islands**

Existing lot on an island which have a lesser area than required by this By-law may be used in accordance with the provisions of this section provided that the lot area is not less than 3,000 m² (32,292.7 ft²) and provided all other zone provisions are satisfied save and except for the requirements of [Section 6.15](#) "Frontage on a Public Road".

13.2.4 Development of Islands not attached to the mainland may be serviced with a Class One sewage disposal system.

13.3 **SPECIAL PROVISIONS**

R2-a Exempt from [Section 6.15.1](#) (Frontage on a public road)

R2-b Pt Lot 24, Con 1 WBR (Lindsay)
Pt Lot 16, Con 6 WBR (St. Edmunds) (5)
R2 zone permitted uses plus engine repair business

R2-c Pt Lot 30, Con 5 EBR (Eastnor) (19)
R2 permitted uses plus contractor's yard/workshop

R2-d Pt Lot 28, Con 3 WBR (Eastnor)
Pt Lot 18, Con 7 EBR (Eastnor) (18)
Exempt from [Section 6.15.1](#) (Frontage on a public road) and [6.24.2](#) (Natural Watercourse Setbacks)

R2-e Pt Lots 110 & 111, Reg. Plan 433, Pt 1, 3R-1005 (St. Edmunds)
- Minimum building opening elevation of 178.2 metres G.S.C.
- Minimum setback from EH (Environment Hazard) zone of 6.5 metres (21.3ft)
- Minimum elevation to be equal to or above 177.6 metres G.S.C. between the retaining wall and the building site.

R2-f Pt 7, 3R-6540, Pt 1, 3R-6540, Pt Lot 25, Con 8 WBR (Lindsay) (7)
- All buildings and structures must be setback a minimum horizontal distance of 30 metres from the high water mark (177.8 G.S.C)
- All habitable building openings be flood proofed to the 179.1 G.S.C. elevation
- Site development shall be regulated through a site plan agreement, with the site plan agreement including provisions for limiting negative impacts on the ANSI.

R2-g Lot 18, Con 7 WBR (Lindsay) (8) (Vespasiano)
- Front yard setback 7.5 m (24.6 ft)
- Side yard setback 15 m (49.2 ft)
- Rear yard setback 152.5 m (500.3 ft)
- Building envelope 30 m x 50.6 m (98.4 ft x 165.9 ft)

R2-i Lot 18, Con 7 WBR (Lindsay) (8) (Vespasiano)
- Front yard setback 7.6 m (24.9 ft)
- Side yard setback 15 m, 128 m (49.2 ft, 420 ft)
- Rear yard setback 212.4 m (696.8 ft)
- Building envelope 40 m x 40 m (131.2 ft x 131.2 ft)

R2-j Placement of buildings or structures is prohibited

R2-k Pt Lot 24, Con 1 WBR (Lindsay) (26)
Setback from water's edge – 15 m (49.2 ft)

R2-m Pt Lot 16, Con 7 WBR (St. Edmunds) (5)
- Minimum elevation be equal to or above 177.6 m between the retaining wall and building site
- Minimum building opening elevation of 178.2 m
- Minimum setback from EH – 6.5 m (21.3 ft)

-
- R2-n** Pt Lot 40, Con 2 EBR (Lindsay) (27)
- Minimum setback from high water mark – 30 m (98 ft)
- R2-o** Lot 5, Plan 623 (Pt Lot 35, Con 4 WBR) (St. Edmunds) (Campbell)
- Professional office in accordance with the provisions of Section 6.7 Home Based Business – Professional Uses
 - 430 square foot professional office shall be permitted in an accessory building
 - Maximum number of employees permitted within the professional office who are not residing in the associated residence: two (2)
- R2-p** Lot 1, Con 4 WBR (Eastnor) (Meagher)
- Minimum lot area shall be no less than 6 070 m² (65 340 ft²).
- R2-t** Pt Lot F, Con 4 WBR Townplot of Hardwick (Eastnor)
- Minimum front yard setback 10 m (32.8 ft)
 - Minimum rear yard setback 11.1 m (36.7 ft)
 - Minimum north side yard setback 11.6 m (38.1 ft)
 - Minimum south side yard setback 8 m (26.2 ft)
- R2-u** Town Plot Bury WBR Block 14 (St Edmunds) (Matheson Z-18-2006.68) BL#2008-48, F&E Aug 11, 2008
- i. Buildings and structures shall be restricted to the 40 m by 40 m building envelope as per Schedule 'A' attached hereto.
 - a. The building envelope will be setback 82 ft from the front lot line and 20 ft from the northern side lot line.
 - ii. All development outside of the building envelope including grading and site alterations other than those needed to provide access to the building envelope are prohibited.
 - iii. Any future proposed development outside of the building envelope will require the completion of an environmental impact study to the satisfaction of the Grey Sauble Conservation Authority and the Municipality of Northern Bruce Peninsula.
- R2-v** Plan 630 Lot 65, Eastnor (Enman c/o Brooks Z-19-2008.62) BL#2008-25, F&E May 26, 2008
- Minimum rear yard setback shall be reduced to 3.0m (9.8ft)
- R2-w** 2008 Town Plot Bury WBR Block 14 (St Edmunds) (Matheson Z-18-2006.68) By-Law #2008-48, F&E Aug 11, 2008
- i. Buildings and structures shall be restricted to the 40 m by 40 m building envelope as per Schedule 'A' attached hereto.
 - a. The building envelope will be setback 295 ft from the front lot line and 21 ft from the northern side lot line.
 - ii. All development outside of the building envelope including grading and site alterations other than those needed to provide access to the building envelope are prohibited.
 - iii. Any future proposed development outside of the building envelope will require the completion of an environmental impact study to the satisfaction of the Grey Sauble Conservation Authority and the Municipality of Northern Bruce Peninsula.
- R2-x** 2008 Town Plot Bury WBR Block 14 (St Edmunds) (Matheson Z-18-2006.68) By-Law #2008-48, F&E Aug 11, 2008
- i. Buildings and structures shall be restricted to the 40 m by 40 m building envelope as per Schedule 'A' attached hereto.
 - a. The building envelope will be setback 213 ft from the front lot line and 82 ft from the northern side lot line.
 - ii. All development outside of the building envelope including grading and site alterations other than those needed to provide access to the building envelope are prohibited.
 - iii. Any future proposed development outside of the building envelope will require the completion of an environmental impact study to the satisfaction of the Grey Sauble Conservation Authority and the Municipality of Northern Bruce Peninsula.

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- R2-y** **Town Plot Bury WBR Block 14 (St Edmunds) (Matheson Z-18-2006.68) By-Law #2008-48, F&E Aug 11, 2008**
- i. Buildings and structures shall be restricted to the 40 m by 40 m building envelope as per Schedule 'A' attached hereto.
 - a. The building envelope will be setback 99 ft from the front lot line and 73 ft from the northern side lot line.
 - ii. All development outside of the building envelope including grading and site alterations other than those needed to provide access to the building envelope are prohibited.
 - iii. Any future proposed development outside of the building envelope will require the completion of an environmental impact study to the satisfaction of the Grey Sauble Conservation Authority and the Municipality of Northern Bruce Peninsula.
- R2-z** **Plan 3M161 Lot 4 (St Edmunds) (Moore Z-59-2008.68) By-Law #2008-52 Nov 03, 2008**
- i. The minimum lot frontage shall be reduced to 21 meters (69ft).
 - ii. All buildings outside of the EH zone shall have a minimum building opening at or above 179.5m G.S.C.
 - iii. The side yard setback along the southern lot for all buildings and structures shall be 15 meters (49ft).
- R2-aa** **Part Lot 28 Concession 3WBR Pt Lot 68 Plan 630, RP 3R3629 (Eastnor) (Brooks Z-3-2006.62) By-law #2009-12, F&E Mar 2, 2009**
The Minimum Lot size is 4,200 square metres.

SECTION 14 - R3 - PROVISIONS OF RESIDENTIAL ZONE 3 (SEMI-DETACHED/DUPLEX RESIDENTIAL)

14.1 USES PERMITTED

No person shall within any R3 Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- a semi-detached dwelling
- a duplex dwelling
- buildings, structures and uses accessory to a permitted use in accordance with [section 6.3](#).

14.2 ZONE PROVISIONS

No person shall within any R3 Zone use any lot or erect or use any building or structure except in accordance with the following provisions:

Provisions	Semi-Detached Dwelling same lot	Semi-detached Dwelling separate lots	Duplex Dwelling
minimum lot area	650 m ² (6996.7 ft ²)	325 m ² (3498 ft ²)	550 m ² (5920 ft ²)
minimum lot frontage	22.5 m (73.8 ft)	11.25 m (36.9 ft)	25 m (82 ft)
minimum lot frontage corner lot	25 m (82 ft)	14 m (45.9 ft)	28 m (91.8 ft)
minimum front yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum exterior side yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum side yard	3 m (9.8 ft) (b)	3 m (9.8 ft) (a) (b)	3 m (9.8 ft)
minimum rear yard	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
minimum ground floor area	one storey – 160m ² (1722ft ²)	one storey – 80m ² (861ft ²)	70 m ² (753 ft ²)
	more than one storey - 140m ² (1506.9ft ²)	more than one storey - 70m ² (753ft ²)	
maximum building height main building	10 m (32.8 ft)	10 m (32.8 ft)	12 m (39 ft)
maximum height accessory building	5 m (16 ft)	5 m (16 ft)	5 m (16 ft)
maximum lot coverage	40%	40%	40%

14.2.1 In addition to the provisions for a duplex dwelling, the following provisions shall apply with respect to the minimum dwelling unit floor area:

bachelor unit	40 m ² (430.5 ft ²)
1 bedroom unit	50 m ² (538 ft ²)
2 bedroom unit	60 m ² (645.8 ft ²)
3 bedroom unit	80 m ² (861 ft ²)
4 bedroom unit	90 m ² (968.7 ft ²)

FOOTNOTES

- (a) Where a semi-detached building has been legally divided in order to provide individual ownership to each dwelling unit, the common side yard shall be reduced to 0 m (0 ft).
- (b) Where no garage, carport or similar parking structure is provided, the side yard opposite the common wall shall be a minimum of 4 m (13 ft).

14.3 SPECIAL PROVISIONS

- R3-a** Part of Unit 42, Plan D-7 (Lion's Head) (Hill)
- Additional permitted uses include a medical office

SECTION 15 - R4 - PROVISIONS OF RESIDENTIAL ZONE 4 (LOW DENSITY MULTIPLE FAMILY RESIDENTIAL)

15.1 USES PERMITTED

No person shall within any R4 Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- a duplex dwelling
- a triplex dwelling
- a fourplex dwelling
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#).

15.2 ZONE PROVISIONS

No person shall within any R4 Zone use any lot or erect or use any building or structure except in accordance with the following provisions:

Provisions	Duplex Dwelling	Triplex Dwelling	Fourplex Dwelling
minimum lot area	550 m ² (5920 ft ²)	600 m ² (6458.5 ft ²)	890 m ² (9580 ft ²)
minimum lot frontage	25 m (82 ft)	25 m (82 ft)	30 m (98 ft)
minimum lot frontage corner lot	28 m (91.8 ft)	28 m (91.8 ft)	33 m (108 ft)
minimum front yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum exterior side yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum side yard	3 m (9.8 ft)	3 m (9.8 ft)	4 m (13 ft)
minimum rear yard	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
minimum ground floor area	70 m ² (753ft ²)	100 m ² (1076ft ²)	100 m ² (1076ft ²)
minimum dwelling unit floor area – bachelor unit	40 m ² (430.5ft ²)	40 m ² (430.5ft ²)	40 m ² (430.5ft ²)
minimum dwelling unit floor area – 1 bedroom	50 m ² (538ft ²)	50 m ² (538ft ²)	50 m ² (538ft ²)
minimum dwelling unit floor area – 2 bedroom	60 m ² (645.8ft ²)	60 m ² (645.8ft ²)	60 m ² (645.8ft ²)
minimum dwelling unit floor area – 3 bedroom	80 m ² (861ft ²)	80 m ² (861ft ²)	80 m ² (861ft ²)
minimum dwelling unit floor area – 4 bedroom	90 m ² (968.7ft ²)	90 m ² (968.7ft ²)	90 m ² (968.7ft ²)
maximum building height main building	12 m (39ft)	12 m (39ft)	12 m (39ft)
maximum height accessory building	5 m (16ft)	5 m (16ft)	5 m (16ft)
maximum lot coverage	40%	40%	45%

15.3 SPECIAL PROVISIONS

SECTION 16 - R5 - PROVISIONS OF RESIDENTIAL ZONE 5 (MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL)

16.1 USES PERMITTED

No person shall within any R5 Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses.

- a townhouse dwelling
- an apartment dwelling
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)

16.2 ZONE PROVISIONS

No person shall within any R5 Zone use any lot or erect or use any building or structure except in accordance with the following provisions.

Provisions	Townhouse Dwelling	Apartment Dwelling
minimum lot area	300 m ² per unit (3229ft ²)	250 m ² per unit (2691ft ²)
minimum lot frontage	30 m (98ft)	30 m (98ft)
minimum lot frontage corner lot	30 m (98ft)	30 m (98ft)
minimum front yard	7.5 m (24.6ft)	10 m (32.8ft)
minimum exterior side yard	8 m (26ft)	10 m (32.8ft)
minimum side yard	4 m (13ft)	10 m (32.8ft)
minimum rear yard	10 m (32.8ft)	10 m (32.8ft)
minimum dwelling unit floor area – bachelor unit	40 m ² (430.5ft ²)	40 m ² (430.5ft ²)
minimum dwelling unit floor area – 1 bedroom	50 m ² (538ft ²)	50 m ² (538ft ²)
minimum dwelling unit floor area – 2 bedroom	60 m ² (645.8ft ²)	60 m ² (645.8ft ²)
minimum dwelling unit floor area – 3 bedroom	80 m ² (861ft ²)	80 m ² (861ft ²)
minimum dwelling unit floor area – 4 bedroom	90 m ² (968.7ft ²)	90 m ² (968.7ft ²)
maximum building height main building	12 m (39.3ft)	12 m (39.3ft)
maximum height accessory building	5 m (16.4ft)	5 m (16.4ft)
maximum lot coverage	35%	30%
minimum landscaped open area	30%	30%

16.3 SPECIAL PROVISIONS

R5-a 20 Bury St., Unit 1, 51, 52 & 53, Plan D-7 (Lions Head) (20)

Maximum number of main buildings – six (6)
Minimum Front yard – 15 m (49 ft)
Minimum rear and side yards – 20 m (66 ft)
Maximum lot coverage – 15%

R5-b D-7 Part Units 1, 51 to 53 RP 3R8242 Pt Lots 1 & 2 (Lions Head) (Hayes Z-14-2007.64) By-Law 2007-42 03 Jan 2008

Permitted uses are limited to two (2) mini-storage units in accordance with [Section 22.2](#) Zone Provisions HCM Highway Commercial & Industrial Zone excepting that:

- a. mini-storage unit development shall be according to Schedule 'A' and located to the west of the existing townhouse developments
- b. minimum front yard setback for the mini-storage units shall be 107m (350ft)
- c. minimum side (east) yard setback for the mini-storage units shall be 156m (511ft)
- d. minimum separation distance between the townhouse dwellings and the mini-storage units shall be 55m (180ft)
- e. no buildings or structures are permitted in the area identified as 'Buffer Area' on Schedule A.

Site Plan Control is in effect.

R5-2010-89a 20 Bury St, Pt Lot 26 Con 5 EBR, RP 3R8242 Pts 1&2 (Lions Head) (Hayes Z-10-2010.64) 12 October 2010

- a. A maximum of three (3) buildings consisting of four (4) units each shall be permitted.
- b. A unit is defined as a one (1)-bedroom dual-occupancy unit.
- c. The development shall be subject to site plan control and development on the property shall be in accordance with a site plan agreement registered on the title of the property.

R5-2010-89b 20 Bury St, Pt Lot 26 Con 5 EBR, RP 3R8242 Pts 1&2 (Lions Head) (Hayes Z-10-2010.64) 12 October 2010

- a. A maximum of one (1) building consisting of five (5) units shall be permitted.
- b. A unit is defined as a one (1)-bedroom dual-occupancy unit.
- c. The development shall be subject to site plan control and development on the property shall be in accordance with a site plan agreement registered on the title of the property.

SECTION 17 - GENERAL PROVISIONS FOR ALL COMMERCIAL ZONES - C

17.1 MINIMUM SEPARATION OF COMMERCIAL BUILDINGS FROM RESIDENTIAL ZONES

No part of any commercial building shall be located within 9.14m (29.9ft) of a Residential Zone.

17.2 OUTSIDE STORAGE AND DISPLAY

Areas for the display or exhibition of goods, materials, produce or nursery stock may be established in any yard subject to [Section 6.27](#).

17.3 LIGHTING

Where lighting facilities and/or illuminated signs are provided, they shall be so arranged as to deflect light away from any abutting Residential Zone and traffic travelling along public roads.

17.4 ACCESSORY USES

Accessory uses shall be permitted in accordance with [Section 6.3](#).

17.5 ACCESSORY RESIDENTIAL USE

Where within a Commercial Zone, an accessory dwelling unit is permitted as an integral part of a permitted principal building, or as an accessory detached dwelling. Such accessory dwelling units shall be in accordance with the requirements of [Sections 6.4](#) and [6.5](#).

17.6 NUMBER OF BUILDINGS PER LOT

Not more than one principal building or structure may be erected on one lot except where the permitted use is a motel, lodge or Tourist cottage rental establishment in which cases more than one main building may be erected.

17.7 EXISTING LOTS

In any Commercial Zone where an existing lot has a lesser area and/or frontage than required in the applicable Commercial Zone, such lot may be used in accordance with the applicable zone provided that all other provisions of this By-law are complied with. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

17.8 PARKING REQUIREMENTS

Off-road parking shall be provided in accordance with [Section 6.31](#).

17.9 LOADING REQUIREMENTS

Loading areas shall be provided in accordance with [Section 6.32](#).

SECTION 18 - C1 - PROVISIONS FOR COMMERCIAL ZONE 1 (BUSINESS DISTRICT COMMERCIAL)

18.1 USES PERMITTED

No person shall within the C1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a detached dwelling existing at the date of passing of this By-law
- accessory dwelling units above or behind a non-residential building in accordance with [Section 6.4](#).
- A Bed and Breakfast establishment in accordance with [Section 6.11](#)
- An apartment dwelling
- an assembly hall
- bank or trust company
- barber shop and hairdressing shop
- business or professional office
- convenience store
- commercial schools
- delicatessen
- dry-cleaning establishment
- eating establishment
- **Farmer's Market (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)**
- fitness club
- funeral home
- general store
- grocery store
- hotel
- tourist home
- laundry and/or dry cleaner's distribution station
- marina
- medical clinic
- parking lots
- personal service establishment
- places of entertainment
- post office
- printing establishments
- public and private parks
- public use
- tavern
- tourist home
- retail store
- shopping centre
- specialty shop
- transportation depot
- variety store
- wholesale establishment
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)

18.2 ZONE PROVISIONS

No person shall within any C1 Zone use any lot or erect or use any building or structure except in accordance with the following provisions.

Provisions	Water or Sewer only	Water and Sewer
minimum lot area	1800 m ² (19375.6ft ²)	600 m ² (6458.5ft ²)
minimum lot frontage	30 m (98ft)	15 m (49ft)
minimum lot frontage corner lot	33 m (108ft)	18 m (59ft)
minimum front yard	7.5 m (24.6ft)	0 m
minimum exterior side yard	7.5 m (24.6ft)	0 m
minimum side yard	1.5 m (4.9ft)	0 m
minimum rear yard	10 m (32.8ft)	10 m (32.8ft)
minimum ground floor area	70 m ² (753ft ²)	70 m ² (753ft ²)
maximum building height, main building	10 m (32.8ft)	10 m (32.8ft)
maximum building height, accessory building	4 m (13ft)	4 m (13ft)
maximum lot coverage	20%	50%

18.3 EXISTING DETACHED DWELLINGS

Within the C1 zone, a detached dwelling existing at the date of passing of this By-law may be altered or enlarged in accordance with the provisions of the R1 zone [Section 12.2](#).

18.4 SPECIAL PROVISIONS

C1-a Notwithstanding Section 18.1, the lands delineated as 'C1-a' on Schedule 'A' to this By-law shall be used in compliance with the 'C1' zone provisions contained in this By-law excepting however that:

A detached dwelling on an existing lot of record shall be permitted in accordance with the provisions of the R1 Detached Residential zone. (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)

C1-b Various Locations within Lion's Head and Tobermory

C1 permitted and uses except:

- Min. front yard setback – 0.9 m (2.9 ft)
- Min. interior side yard setback – 0 m (0 ft)
- Min. exterior side yard setback – 0.9 m (2.9 ft)

SECTION 19 - C2 - PROVISIONS FOR COMMERCIAL ZONE 2 (HAMLET COMMERCIAL)

19.1 USES PERMITTED

No person shall within the C2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- accessory dwelling unit in accordance with [Section 6.5](#)
- automobile service stations
- automobile repair establishment
- automobile sales establishment
- automobile gas bar
- business and professional office
- general store
- merchandise and small engine repair establishment
- eating establishment
- Farmer's Market (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)
- government office
- hotel
- personal service establishment
- public and private parks
- veterinary clinic and office
- parking lots
- motels
- tourist home
- post office
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)
- day nursery
- retail store, not exceeding 3000 square feet
- marina
- Bed and Breakfast establishment in accordance with [Section 6.11](#)

19.2 ZONE PROVISIONS

No person shall within any C2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	No municipal water or sewer
minimum lot area	4000 m ² (43057ft ²)
minimum lot frontage	40 m (131ft)
minimum lot frontage corner lot	43 m (141ft)
minimum front yard	7.5 m (24.6ft)
minimum exterior side yard	7.5 m (24.6ft)
minimum side yard	5 m (16ft)
minimum rear yard	7.5 m (24.6ft)
minimum ground floor area	70 m ² (753ft ²)
maximum building height, main building	10 m (32.8ft)
maximum building height, accessory building	5 m (16ft)
maximum lot coverage	30%

19.3 SPECIAL PROVISIONS

- C2-a** Lot 26, Con 2 EBR (Eastnor)
- C2 permitted uses and provisions plus a contractor's yard
- C2-b** Pt. Lot 5, Con 4 WBR (Eastnor)
- C2 permitted uses plus real estate office, mini-golf
- C2-c** Pt. Lot 24, Con 2 EBR (Eastnor) (21) (Chalkley)
- C2 permitted uses plus a machine shop
-Planting Area shall be provided in side yards in accordance with [Section 6.22](#) (Planting Area)
- C2-d-H** Part Lot 26, Con 2 EBR (Eastnor) (21)
Permitted uses limited to:
- accessory dwelling unit in accordance with [Section 13.5](#)
 - automobile service station
 - automobile repair establishment
 - automobile gas bar
 - day nursery
 - eating establishment
 - general store
 - government office
 - hotel
 - merchandise and small engine repair establishment
 - motels
 - parking lots
 - post office
 - public and private parks
 - veterinary clinic and office
 - buildings, structures and uses accessory to a permitted use

The 'H' Holding symbol shall be removed only when the following provision have been satisfied:

- a. Showing proof of a Certificate of Approval (Air) under Part 9 of the Environmental Protection Act obtained from the Ministry of Environment, if a paint/spray booth is to be part of the operation or notification from the Ministry of Environment that a Certificate of Approval is not required;
- b. A statement obtained from the certified engineer stating that all floor drains which may become contaminated with materials from a repair/service establishment are not directly connected to a new/existing domestic waste treatment system on the property;
- c. A statement obtained from the certified engineer stating that all floor drains which may become contaminated with materials from a repair/service establishment have been connected to a 'total retention/seperator tank' or similar engineered system; A statement obtained from the certified engineer stating a 'total retention/seperator tank' or similar engineered system which separates oils, fuels, lubricants, cleaners and solvents etc, and stores all separated contaminates has been installed and is functioning according to its design specifications
- d. Proof of a current contract entered into with an MOE-certified carrier engaged for the disposal of materials from the 'total retention/seperator tank' or similar engineered system;
- e. A statement/certificated from the MOE-certified carrier that than approved disposal/treatment facility is available and will accept the materials; and
- f. Showing proof a Certificate of Approval under the Ontario Water Resources Act or other applicable legislation obtained from the Ministry of Environment, for any/all components of the 'total retention/seperator tank' or similar engineered system or notification from the Ministry stating that a Certificate of Approval is not required.

SECTION 20 - C3 - PROVISIONS FOR COMMERCIAL ZONE 3 (RESORT COMMERCIAL)

20.1 USES PERMITTED

No person shall within a C3 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses.

- an accessory dwelling unit in accordance with [Section 6.5](#)
- tourist cottage rental establishment
- general store
- lodge
- marinas
- miniature golf course
- restaurants
- specialty shops
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)

20.2 ZONE PROVISIONS

No person shall within any C3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	All uses within C3 zone
minimum lot area (no municipal services)	4000 m ² (43057ft ²)
minimum lot area (one or more municipal services)	2000 m ² (21528.5ft ²)
minimum lot frontage	40 m (131ft)
minimum front yard	7.5 m (24.6ft)
minimum exterior side yard	7.5 m (24.6ft)
minimum side yard	5 m (16.ft)
minimum rear yard	10 m (32.8ft)
minimum floor area	90 m ² (968.7ft ²)
maximum floor area for retail purposes	200 m ² (2152.8ft ²)
maximum building height, main building	10 m (32.8ft)
maximum building height, accessory building	5 m (16ft) (a)
maximum lot coverage	15%

NOTES: (a) an accessory building associated with a marina may have a maximum height of 10 m (32.8 ft)

20.3 PROVISIONS FOR TOURIST COTTAGE RENTAL ESTABLISHMENT

In addition to all other requirements of this By-law the use of any land, buildings or structures for tourist cottages shall comply with the following provisions:

- (i) The minimum ground floor area for a tourist cottage shall be 60 m² (645.8 ft.²). Any tourist cottage shall be a maximum of one storey in height.
- (ii) Minimum distance between tourist cottage shall be 6 m (19.6 ft).
- (iv) Planting areas shall be provided adjacent to the side and rear lot line.
- (v) The minimum side and rear yards shall be 5 m (16ft).
- (vi) All other provisions of this By-law are complied with.

20.4 MARINA DEVELOPMENT

In addition to all other requirements of this By-law any marina development with docking facilities must contain a minimum of 30 m (98 ft) frontage on a navigable waterway. No part of any sewage disposal system shall be within 30 m (98 ft) of the high water mark.

20.5 SPECIAL PROVISIONS

C3-a Exempt from [Section 6.15.1](#) (Frontage on a public road)

C3-b Pt. Lot 57, Con 5 & 6 WBR (St. Edmunds)

- Permitted uses:
 - a nature appreciation reserve, which may include 5 cabins for accommodation of overnight guests, a central comfort station, education facilities and uses accessory to or incidental to a nature appreciation reserve, such as boardwalks and interpretive facilities
 - accessory residential uses in accordance with [Section 17.5](#)
- Max. permitted guest cabin size: 14 m² (150.6 ft²)
- All habitable building openings shall be located above 179.0 G.S.C.
- Site development shall be regulated through a site plan agreement, with the agreement including provisions for limiting negative impacts on the ANSI and provisions for ongoing monitoring of impacts.

C3-c Lot 7, Con 6 WBR (Eastnor)

All C3 permitted uses and provisions plus uses that existed on the date of passage of the by-law. Alteration, additions and expansions to the existing use shall be in accordance with the R2-Resort Residential provisions.

C3-d Pt. Lot 25, Con 1 EBR (Lindsay)

- Permitted uses only:
 - mini golf course
 - horseshoe pit
 - shuffle board
 - similar recreation facilities
 - snack bar and an office associated with the recreation use of the property shall be permitted and may be located 7 m (22.9 ft) from the front lot line
 - horseshoe pit and shuffle board may be located 4.6 m (15 ft) from the exterior side yard
 - 20 parking spaces shall be provided
 - 2 m (6.5 ft) privacy fence shall be erected where zone abuts residential zone

SECTION 21 – C4 - PROVISIONS FOR COMMERCIAL ZONE 4 (TRAVEL TRAILER PARK AND COMMERCIAL CAMPGROUND)

21.1 USES PERMITTED

No person shall within the C4 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- an accessory dwelling unit in accordance with [Section 6.5](#)
- campground, private park including open space and recreational uses such as tennis courts, trails, games room and playing fields
- restaurant
- buildings, structures and uses accessory to a permitted use including a swimming pool, variety store, a snack bar, laundromat and an administrative building for a campground operation in accordance with [Section 6.3](#).
- tourist cottage rental establishment

21.2 ZONE PROVISIONS

No person shall within any C4 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	All uses within C4 zone
minimum lot area	4 hectares
minimum lot frontage	100 m (328ft)
minimum side yard for separation for accessory detached dwelling	15m (49ft)
minimum buffer area – all lot lines	15m (49ft)
minimum area of campground site	232m ² (2497ft ²)
minimum frontage of campground site	15m (49ft)

21.3 The maximum density of campgrounds shall not exceed 25 campground sites per hectare (10 sites per acres)

21.4 A minimum of 10 % of the area of the camping establishment shall be developed for open space purposes.

21.5 A planting area along the side and rear lot lines.

21.6 PROVISIONS FOR TOURIST COTTAGE RENTAL ESTABLISHMENT

No person shall within any C4 zone use any lot or erect, alter or use any building or structure for a tourist cottage rental establishment except in accordance with the provisions of [Section 20.3](#).

21.7 SPECIAL PROVISIONS

C4-a Pt Lot 25, Con 4 WBR (Eastnor)

- Permitted uses limited to:
 - 30 trailer and camping sites
 - 8 unit motel
 - convenience store
 - an accessory dwelling
 - two tourist cottages

C4-b Pt Lot 29, Con 3 WBR (Eastnor) (11)

Pt Lot 1, Con 5 WBR (Eastnor) (15)

- C4 permitted uses and provisions plus:
 - a general store
 - a restaurant

C4-c Pt. Lot 26, Conc. 1 EBR (Lindsay)

- C4 permitted uses and provisions plus:
 - craft store
 - restaurant
 - lodge
 - rental cabins

C4-d Pt Lot 22, Conc. 2 WBR (Lindsay)

Pt. Lot 25, Conc. 1 WBR (Lindsay) (26)

- Permitted uses only:
 - mini golf course
 - snack bar
 - hiking and ski trails
 - accessory buildings and structures
 - campground
 - maximum number of campsites – 20
 - minimum setback from Highway No. 6 shall be 90 m (297 ft)

SECTION 22 - HCM - PROVISIONS FOR HIGHWAY COMMERCIAL & INDUSTRIAL ZONE

22.1 USES PERMITTED

No person shall within a HCM Zone use any lot or erect, alter or use any building or structure for any commercial purpose except one or more of the following uses:

- an accessory dwelling unit forming an integral part of the building of structure containing a permitted non-residential use in accordance with [Section 6.5](#)
- automobile service station
- automobile repair establishment
- automobile sales establishment
- automobile gas bar
- building supply and sales
- bulk sales establishment
- car wash
- contractors yard
- establishment for the manufacture and repair of electronics and computer equipment
- farm implement sales and repair establishment
- furniture and appliance sales
- garden centre (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)
- grocery store in a single purpose building
- hotel
- tourist home
- institutional zone uses and public uses
- light manufacturing plant
- establishment for the sale of nursery stock and/or garden supplies
- veterinary clinic and office
- kennel
- marina, marine repair and fabrication establishment
- mini storage units
- model home display
- motel
- parking lot
- printing establishment
- recreational vehicle repair and sales establishment
- research & development facilities
- retail stores involving the sale of heavy machinery, fuels, factory equipment, boats, trailers and motorcycles
- snowmobile repair and sales establishment
- small engine repair and sales establishment
- transportation depot
- wholesale establishment
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)

22.2 ZONE PROVISIONS

No person shall within any HCM Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	All uses within HCM zone
minimum lot area (no municipal services)	4000 m ² (43057ft ²)
minimum lot area (one or more municipal services)	2000 m ² (21528.5ft ²)
minimum lot frontage (no municipal services)	80 m (262ft)
minimum lot frontage (one or more municipal services)	40 m (131ft)
minimum front yard	20 m (65.6ft)
minimum exterior side yard	20 m (65.6ft)
minimum side yard	10 m (32.8ft)
minimum rear yard	10 m (32.8ft)
minimum ground floor area	140 m ² (1506.9ft ²)
maximum building height	10 m (32.8ft)
maximum lot coverage	15%

22.2.1 Buffer from Residential Zone

- a) No part of any building used for any use permitted in this zone shall be located within 15 m (49 ft) of a Residential Zone.
- b) Planting areas shall be provided no less than 1 m (3 ft) in width and be no shorter than 3 m (9.8 ft) at maturity, except within a sight triangle, in which the maximum planting area height shall be 1m (3 ft).

22.3 SPECIAL PROVISIONS

HCM-a Lot 4, Conc. 2 EBR (Lindsay)

- Permitted uses only:
 - general store
 - post office or retail postal outlet
 - accessory residence
 - Min. front yard setback – 16.8 m (55 ft)
 - Min. rear yard setback – 6.1 m (20 ft)

HCM-b Lot 4, Conc. 2 EBR (Lindsay)

- Permitted uses only:
 - automobile service station
 - automobile repair establishment
 - automobile sales establishment
 - automobile gas bar
 - small engine repair and sales establishment
 - Min. front yard setback – 16.8 m (55 ft)
 - Min. rear yard setback – 6.1 m (20 ft)
 - Accessory residential uses are prohibited

HCM-c Lot 5, Conc. 1 & 2 EBR (Lindsay)

- Permitted uses only:
 - Automobile gas bar
 - Restaurant

HCM-d Part of Lot 46, Con 1 EBR (St. Edmunds) Oosterhuis Z-7-2005.68, #2005-51 F&E 6 Oct2005

- Additional permitted uses:
 - detached accessory dwelling located behind the commercial building as per Section 6.4 Detached Accessory Dwelling
 - Min. lot frontage reduced from 95m (321 ft) to 76.2m (250 ft)

HCM-f Pt Lot 47, Conc. 1 WBR (St. Edmunds)

- Permitted uses as per Section 21.1 Uses Permitted - C4 Travel Trailer and Commercial Campground

HCM-i Plan D7 Part Unit 56 & 57, SEC D-7 PCL 56-3 & 57-4, RP 3R5236 Pt 3 RP 3R5700 Pt 1 (Lion's Head) Hayes Z-15-2008.64, #2008-26 F&E 26 May 2008

In compliance with the 'HCM' zone provisions excepting however that:

- Two principal buildings or structures shall be permitted.
- The minimum front yard shall be reduced to 10m (33ft).
- The minimum interior side yard setback to 6.1m (20ft).
- The minimum rear yard setback shall be reduced to 6.1m (20ft).

HCM-2012-35 7425 Hwy 6; Pt Lt 4 Town Plot Bury WBR, 3R-8342 PT 1 (St Edmunds) (Blue Heron Z-52-2011.68)

- Permitted uses shall be limited to a parking lot.

SECTION 23 – RCM - PROVISIONS FOR RURAL COMMERCIAL & INDUSTRIAL ZONE

23.1 USES PERMITTED

No person shall within the RCM Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- an accessory detached dwelling in accordance with [sections 6.4](#) and [6.5](#)
- establishments for the repair and servicing of agricultural implements and equipment
- establishments for the storage, grading and handling of seed, feed fertilizer and farm produce, together with a sales office for such products
- fuel storage establishments
- greenhouse (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)
- sawmill
- lumber yard
- flour mill
- veterinary clinics
- kennels
- establishment for the sale of nursery stock
- aerodrome
- nursery (Z-30-2009.68, By-law 2009-87, F&E 13Oct09)
- open storage accessory to the permitted use
- buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)
- contractor's yard
- small engine and recreational vehicle repair establishment

23.2 ZONE PROVISIONS

No person shall within any RCM Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Provisions	All uses within RCM zone
minimum lot area (no municipal services)	4000 m ² (43057ft ²)
minimum lot area (one or more communal services)	3000 m ² (32292.7ft ²)
minimum lot frontage	40 m (131ft)
minimum front yard	15 m (49ft)
minimum exterior side yard	15 m (49ft)
minimum side yard	5 m (16ft)
minimum rear yard	10 m (32.8ft)
minimum ground floor area	70 m ² (753ft ²)
maximum building height	15 m (49ft)
maximum lot coverage (no municipal services)	10%
maximum lot coverage (one or more communal services)	20%

23.2.2 Buffer from Residential Zone

- a) No part of any building used for any use permitted in this zone shall be located within 15m (49ft) of a Residential Zone.
- b) Planting areas shall be provided no less than 1m (3ft) in width and be no shorter than 3m (9.8ft) at maturity, except within a sight triangle, in which the maximum planting area height shall be 1m (3ft).

23.3 SPECIAL PROVISIONS

RCM-a Pt Lot 26, Con 3 WBR (Eastnor)

- an accessory café with a maximum floor area of 600 sq ft that is accessory to a garden supply and nursery establishment.

RCM-b Lot 15, Con 5 WBR (Eastnor)

- Permitted uses only machine shop and/or a welding shop

RCM-c Lot 15, Conc. 4 WBR (Eastnor)

- Permitted uses only machine shop
 - Max. lot coverage shall be 17%
 - Planting areas shall be required in the side yards in accordance with [Section 6.22](#) (Planting Area), save and except for the following provision:
 - The planting area on the south east side of the proposed lot addition shall have a width of 45.7 m (149.9 ft) and a depth of 167.6 m (549.8 ft).

RCM-d Lot 21, Con 5 EBR (Eastnor)

- a concrete batching plant and the crushing and washing of aggregates, a machine shop, a welding shop a wood and steel fabricating operation are permitted uses.

RCM-e Lot 40, Con 3 EBR (Eastnor)

- Permitted uses only:
 - sawmill
 - lumber yard
 - Planting area required in front yard in accordance with [Section 6.22](#) (Planting Area)

RCM-f Lot 8, Con 4 EBR (Lindsay)

- uses limited to manufacturing of flags
- single detached dwelling permitted
- maximum lot coverage 15%
- planting area in front and side yards in accordance with [section 6.22](#) (Planting Area)

RCM-i 17 Hay Bay Road (St.Edmunds) (35)

- uses limited to fish net construction and or repair

RCM-j Pt Lot 24, Conc. 3 WBR (Lindsay)

- permitted industrial uses shall be limited to an industrial saw mill and wood products processing facility.

RCM-k Pt. Lot 42 - 45, Con 1 WBR (St. Edmunds) (34)

Permitted uses include:

- airport
- public uses
- aviation manufacture, repair or service establishment
- industrial and commercial uses related to airports and aeronautics

RCM-I Pt. Lot 26, Con 1 WBR (Eastnor) (Z12 Atkinson Z-12-2005.62) By-law 2005-55 F&E Dec 28 2005

- reduced minimum side yard setback from 5.0m(16 ft) to 4.0m(13 ft) for the garage(primary use)
- reduced minimum lot frontage from 55m(180 ft) to 53m(175 ft) for a lot containing a detached accessory dwelling ([Section 6.4](#))

RCM-2010-22 2673 Hwy 6 & 52 Spry Rd; Con 2 EBR Parts Lot 21 (Eastnor) Z-42 Blacklock, Mar 22 2010

- permitted uses shall be limited to a contractor's yard and an accessory detached dwelling.

RCM-2012-06 3458 Hwy 6; Con 3 EBR Pt Lot 40; 3R4976 PARTS 1-3 (Eastnor) Z-53 Liverance, Feb 13 2012

- permitted uses shall be limited to a sawmill, a lumber yard and a building supply sales establishment

SECTION 24 - EX - PROVISIONS FOR INDUSTRIAL ZONE 2 (EXTRACTIVE INDUSTRIAL)

24.1 USES PERMITTED

No person shall within the EX Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- (a) Residential Uses
 - none

- (b) Non-Residential Uses
 - a pit
 - a quarry
 - a wayside pit
 - buildings, structures and uses accessory to a permitted use including a private fuel pump island and an open storage area in accordance with [Section 6.3](#)
 - agricultural uses (excluding accessory farm dwelling)
 - conservation areas
 - contractor's yard
 - a portable asphalt plant used by a public authority

24.2 ZONE PROVISIONS

No person shall within any EX Zone use any lot or erect, alter or use any building or structure for the purpose except for one or more of the following provisions:

minimum lot area	1 hectare (2 acres)
minimum lot frontage	76.2 m (250 ft.)
maximum lot coverage	1 %
minimum setback from a municipal road allowance for area of extraction	30 m (98 ft.)
minimum setback from any lot lines	15 m (49 ft.)
maximum building height	30 m (98.4 ft.)

24.3.1 When an Extractive Industrial use abuts another such use no side lot boundary setback shall be required.

24.4 SPECIAL PROVISIONS

EX-89-2011 Pt Lots 12-13 & Lots 14-15, Concession 2EBR (Lindsay) (Hayes Z-35-08.66)
Bylaw 2011-89, Nov14, 2011

- a. A reduced minimum lot frontage from 76.2 m (250 ft) to 0 m (0 ft) shall be permitted.
- b. A reduced setback from lot lines from 15m (50 ft) to 0 m (0 ft) shall be permitted along the lot line associated with the quarry.

SECTION 25 – ‘I’ - PROVISIONS FOR INSTITUTIONAL ZONE

25.1 USES PERMITTED

No person shall, within any I Zone, use any lot, or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

-an accessory dwelling unit or detached dwelling in conjunction with a church and used as a residence by the minister, rabbi, priest or other religious head of the church congregation in accordance with [Section 6.5](#) or [Section 6.4](#) whichever is applicable

- a dormitory in conjunction with an educational facility
- a private or public nursing home
- a home for the aged
- a church
- a cemetery and crematorium
- a private or public curling or skating arena
- an assembly hall
- a public school
- a separate school
- a day nursery
- a private club
- a post office

- a hospital
- a health care clinic
- a private school
- a museum
- a public use
- a library
- fire stations
- recycling depot
- open storage accessory to the permitted public use
- a private campground or lodge existing at the date of the passing of this by-law

25.2 ZONE PROVISIONS

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

Provisions	No municipal water or sewer	Municipal water or sewer	Municipal water and sewer
minimum lot area	4000 m ² (43057 ft ²)	1800 m ² (19375.6 ft ²)	550 m ² (5920 ft ²)
minimum lot frontage	40 m (131 ft)	30 m (98 ft)	15 m (49 ft)
minimum lot frontage corner lot	43 m (141 ft)	33 m (108 ft)	18 m (59 ft)
minimum front yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum exterior side yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum side yard	5 m (16 ft)	5 m (16 ft)	5 m (16 ft)
minimum rear yard	7.6 m (24.9 ft)	7.6 m (24.9 ft)	7.6 m (24.9 ft)
minimum ground floor area	70m ² (753 ft ²) (a) (b)	70m ² (753 ft ²) (a) (b)	70m ² (753 ft ²) (a) (b)
maximum building height - main building	10 m (32.8 ft)	10 m (32.8 ft)	10 m (32.8 ft)
maximum number of accessory buildings	5	5	5
Maximum height accessory building	5 m (16 ft)	5 m (16 ft)	5 m (16 ft)
maximum lot coverage	10%	20%	30%

Footnote

- (a) Structures or buildings used for recreation, administration, or maintenance shall conform to the requirements of the above, save and except for the minimum ground floor area which may be reduced to 30m² (322.9ft²).
- (b) Uses accessory to a public use do not require a minimum building ground floor area.

25.3 EXISTING LOTS

In any Institutional Zone where an existing lot has a lesser area and/or frontage than required in the applicable Institutional Zone, such lot may be used in accordance with the applicable zone provided that all other provisions of this By-law are complied with.

25.4 SPECIAL PROVISIONS

- I-a** 80 Main St., Unit 21, Plan D-5 (Lion's Head) (20) (Golden Dawn Senior Citizens)
- Maximum Lot Coverage 25%
 - exterior side yard 1.22 m (4 ft)
 - front yard 1.49 m (4.9 ft)
- I-b** Lot 20, Con 2 EBR (Eastnor)
- uses limited to a church and accessory uses
- I-c** Lot 4, Con 4 EBR (Eastnor)
- uses limited to a cemetery and accessory uses
- I-d** Pt Lot 37, Con 3 EBR (Eastnor)
- uses limited to an Ontario Ministry of Transportation depot and accessory uses
- I-e** Pt Lot 36, Con 2 EBR (Eastnor)
- uses limited to a Canadian Legion Branch and accessory uses
- I-f** Pt Lot 23, Con 2 EBR (Eastnor)
Pt Lot 28, Conc. 3 EBR (Eastnor)
- uses limited to a hydro transformer station and accessory uses
- I-g** 11 Nicholas St., Pt Block A, Town Plot Bury EBR (St.Edmunds) (35) (ambulance station)
- Minimum lot area – 1,017 m² (10956 ft²)
 - Maximum lot coverage – 20%
 - Minimum front yard setback – 3 m (10 ft)
 - Minimum lot frontage – 25 m (82 ft)
- I-h** D-6 Unit 46 (Lion's Head) (Forbes c/o Christ Church Z-23-2006.64) By-Law 2007-20, F&E 24 May 2007
- permitted uses limited to a cemetery
 - a fence with a minimum height of 1.5m (5ft) shall be required on the north, east and south property boundaries of the cemetery

SECTION 26 – OS - PROVISIONS FOR OPEN SPACE ZONE (GENERAL OPEN SPACE)

26.1 USES PERMITTED

No person shall within any OS Zone use any lot or erect, alter or use any building or structure for any purpose except for one or more of the following uses:

- an accessory dwelling unit only in conjunction with a golf course use and in accordance with [Section 6.4 & 6.5](#).
- parks, private parks, conservation areas, historic sites
- golf courses
- buildings, structures and uses accessory to a permitted use
- curling and skating arena
- municipal boat launching and docking
- an agricultural use but not an intensive agricultural use
- sewage treatment works

26.2 ZONE PROVISIONS

No person shall within any OS Zone use any land or erect, alter or use any building or structure except in accordance with the following provisions:

Minimum lot area	1 hectare (2 acres) (a)
Minimum building setback	10 m (32.8 ft.) from any lot line
Maximum height, main building	10 m (32.8 ft.)
Maximum height, accessory building	5 m (16 ft.)
Minimum ground floor area golf course, main building	100 m ² (1076 ft ²)
Maximum lot coverage	1%

FOOTNOTE

- (a) The minimum lot area for public parks, conservation areas and historic sites may be reduced to 300 m² (3229.3ft²).

26.3 SPECIAL PROVISIONS

OS-a Lot 23 & 24, Con 4 WBR, Lot 22, 23 & 24, Con 3 WBR (Eastnor)

Permitted uses:

- assembly hall
- day nursery
- parks
- conservation areas
- boat storage
- private club
- recycling depot
- swimming pool
- tennis court
- buildings, structures and uses accessory to a permitted use

Zone provisions:

- minimum lot area 9 hectares (22.2 acres)
- minimum setback 10 m (32.8 ft)
- maximum height, main building 10 m (32.8 ft)
- maximum height, accessory building 5 m (16.4 ft)
- maximum lot coverage 3%

OS-b Lot 23 & 24, Con 4 WBR, Lot 22, 23 & 24, Con 3 WBR (Eastnor)

Permitted uses:

- Conservation area
- -a maximum of 12 docks and one main dock
- -sewage treatment works
- -board walk

OS-c Pt Lot 33 and 34, Con 9 EBR (Lindsay)

Permitted uses are limited to a parking lot

OS-d 4 Cameron Lake Rd, Con 1 EBR Pt Lot 34 (St Edmunds) (Adams Z-10-2009.68) By-law 2009-39

- i. Permitted uses shall be limited to parks, private parks, conservation areas, and historic sites.
- ii. All buildings, structures and site grading and drainage works shall be prohibited.

SECTION 27 – MIS - PROVISIONS FOR MUNICIPAL INFRASTRUCTURE SERVICES ZONE (MUNICIPAL INFRASTRUCTURE SERVICES)

27.1 USES PERMITTED

No person shall within any MIS Zone use any lot or erect or use any building or structure for any purpose except one or more of the following uses:

- a waste disposal site
- an accessory building for administration and storage of equipment
- all uses permitted in the OS Zone save and except for any buildings or structures
- a municipal or provincial water treatment plant or pumping station
- a municipal or provincial sewage treatment plant or pumping station
- recycling plant
- way side pit

27.2 ZONE PROVISIONS

Except as provided in Section 27.4 no person shall within any WD Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

minimum lot area	4 hectares (9.8 acres)
minimum lot frontage	20 m (65.6 ft.)
maximum lot coverage	1 %
minimum setback from any lot line for all structure	15 m (49 ft.)
maximum building height	10 m (32.8 ft.)
minimum setback (dumping or disposal or waste material) from lot line	30 m (98ft)

27.3 All OS Zone uses permitted in a MIS Zone shall be subject to the OS Zone provisions regarding such uses.

27.4 SPECIAL PROVISIONS

SECTION 28 – EH - PROVISIONS FOR ENVIRONMENTAL HAZARD AREA ZONE

28.1 USES PERMITTED

No person shall within any Environmental Hazard Zone use any lot for any purpose except for one or more of the following uses:

- parks, conservation areas, picnic areas, historic sites
- existing agricultural uses
- boat launching and docking and housing
- pumphouse
- forestry

28.2 STRUCTURES PERMITTED

No person shall within any Environmental Hazard Zone erect, alter or use any building or structure for any purpose except for one or more of the following:

- non-habitable buildings or structures designed for the purposes of flood and/or erosion control
- boat house

28.3 ZONE PROVISIONS

No person shall within any Environmental Hazard Zone use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

<u>Provisions</u>	<u>Flood Control Buildings</u>	<u>Boat House</u>
minimum building setback from any lot line	10 m (32.8 ft)	10 m (32.8 ft)
maximum building area	20 m ² (215 ft ²)	8 m ² (86 ft ²)
maximum building height	3 m (9.8 ft)	5 m (16 ft)

28.4 MINOR ADJUSTMENTS TO ZONE BOUNDARY

Notwithstanding the boundaries designated for the EH-Environmental Hazard Zone shown on Schedule 'A' to this By-law, minor changes may be made to these boundaries without a formal amendment to this By-law. Such minor boundary changes must be approved in writing by the Grey-Sauble Conservation Authority and the Chief Building Official of the Corporation.

28.5 SPECIAL PROVISIONS

EH-a Lot 27, Conc. 4 WBR, Eastnor Twp. (map 11)

- Existing building & structures permitted
- Alteration, expansion in accordance with 'R1' provisions and Section 30 (flood proofing)

EH-b-H Part Lot 16, Con 7 WBR (St.Edmunds) (Joris)

- Development in the EH-b zone shall be in accordance with the R2 Resort Residential zone provisions as laid out in [Section 12.2](#) Zone Provisions
- Permitted uses will be limited to a cottage dwelling, one private guest cabin accessory to a permitted use and buildings, structures and uses accessory to a permitted use in accordance with [Section 6.3](#)
- All buildings must be situated above an elevation of 178.2 meters G.S.C
- The minimum elevation of the top of the shoreline protection structure must be at or above an elevation of 177.6 meters G.S.C

The 'H' Holding provisions shall be removed when the following conditions have been met:

- a. The applicant enters into a site plan control agreement with the Municipality; and
- b. A qualified consultant provides written confirmation to the CBO/Clerk that the shoreline protection structure is at or above an elevation of 177.6 meters G.S.C

EH-c Pt Lot 25, Con 2 WBR (Lindsay) (Mosiuk)

- Outside storage/display of goods shall be permitted in accordance with [Section 6.28](#) Open Storage – Commercial and Industrial Zones
- The outside storage/display shall be limited to goods (garden sheds and lawn furniture) produced on site
- Reduced front yard setback to 8 m (26 ft) shall be permitted. The reduced front yard setback will apply only to the storage/display of goods produced on site and not to any permanent buildings or structures that require a building permit.

SECTION 29 – PD - PROVISIONS FOR PLANNED DEVELOPMENT ZONE

29.1 USES PERMITTED

No person shall within a PD Zone may use any lot or erect, alter or use any building or structure, for any purpose except the following:

- (a) uses, buildings and structures existing at the date of passing of this By-law
- (b) uses permitted in the RU1, OS and EH Zones provided that no buildings or structures are erected.
- (c) the expansion and alteration to existing detached dwellings and accessory uses shall be permitted in accordance with the provisions of the R1-Detached Residential zone.
- (d) accessory buildings and structures are permitted, in accordance with [Section 6.3](#) (Accessory Uses) and notwithstanding [Section 6.15](#) (Frontage on a Public Road).

29.2 SPECIAL PROVISIONS

SECTION 30 - ENACTMENT

30.1 Conflict with Other By-laws

In the event of any conflict or inconsistency between this By-law and any other general or special By-law of the Corporation, the provisions of this By-law shall prevail.

30.2 Repeal of Existing By-law

From the coming into force of this By-law, all previous by-laws passed under Section 34 of the Planning Act, R.S.O. 1990 or a predecessor thereof shall be deemed to have been repealed except to the extent that any of the said by-laws prohibit the use of any land, building or structure for a purpose that is also prohibited by this By-law.

30.3 Effective Date

This By-law shall come into force on the date it is passed by Council subject to the provisions of The Planning Act, R.S.O. 1990.

READ A FIRST & SECOND TIME THIS 28th DAY OF October 2002.

REEVE ___ 'Milt Mclver' _____

CLERK ___ 'Cathy Robins' _____

READ A THIRD TIME & FINALLY PASSED THIS 28th DAY OF, October 2002.

REEVE ___ 'Milt Mclver' _____

CLERK ___ 'Cathy Robins' _____