



# **Township of Asphodel-Norwood Comprehensive Zoning By-Law By-Law No. 2009-08**

## **Consolidation**

**This office consolidation incorporates By-law No. 2009-08, which served to merge the comprehensive zoning by-laws of the former Township of Asphodel and the former Village of Norwood; and also includes all amendments up to By-law No. 2018-18.**

**The Council of The Corporation of The Township of Asphodel-Norwood  
Comprehensive Zoning By-Law  
(By-Law No. 2009-08)**

Being a By-law to regulate the use of lands and the character, location, and use of buildings and structures within the Township of Asphodel-Norwood, pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended.

Whereas Section 34 of The Planning Act provides that the governing body of a municipal corporation may pass By-laws to regulate the use of lands and the character, location and use of buildings and structures;

And Whereas the Council of the Corporation of the Township of Asphodel-Norwood has recommended that such a By-law be enacted which reflects the amalgamation of the former Township of Asphodel and the former Village of Norwood, to ensure proper and orderly development within the corporate limits of the Township of Asphodel-Norwood;

And Whereas the Council for the Corporation of the Township of Asphodel-Norwood has deemed it to be in the public interest that such a By-law be enacted;

Now Therefore the Council of the Township of Asphodel-Norwood Enacts as follows:

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# Section 1

## Interpretation and Administration

### 1.1 **Short Title**

This By-law is known as “The Township of Asphodel-Norwood Comprehensive Zoning By-Law”.

### 1.2 **Scope**

The provisions of this By-Law shall apply to all lands within the limits of the Corporation of the Township of Asphodel-Norwood.

### 1.3 **Application Conformity**

Except as provided by the Planning Act, no building, structure or land shall be used, and no building or structure shall be hereafter erected, structurally altered or enlarged within the limits of the Municipality as now or hereafter legally constituted except in conformity with the provisions of this By-law. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose and the use is not discontinued for a period of twelve consecutive months or longer.

### 1.4 **Minimum And Maximum Requirements**

In their interpretation and application, the provisions of this By-law are held to be the minimum and maximum requirements adopted for the promotion of the public health, safety, convenience or general welfare.

### 1.5 **Interpretation**

Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender include more persons, parties or things of the same kind than one, and female as well as male; and the converse. Words used in the present tense include the future; and the word “shall” is mandatory and not discretionary.

“Illustrations” and “Notes” contained in this document are provided for information and convenience, and do not form part of this By-law.

### 1.6 **Idem (Reference)**

Where the uses of land, buildings or structures permitted in the By-law are defined in general terms, the Committee of Adjustment may permit the use of any land, building or structure for any purpose that, in the opinion of the Committee, conforms to the uses permitted in this By-law.

### 1.7 **Zoning Administrator**

This By-law shall be administered by the Planning Coordinator and/or By-law Enforcement Officer, as appointed by Council.

## **1.8 Building Permits**

Notwithstanding the provisions of the Ontario Building code or any other By-law of the Corporation, 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.

## **1.9 Application For Building Permits**

In addition to the requirements of the Building By-law, every application for a building permit shall be accompanied by a plan in duplicate, drawn to scale and showing the following:

- 1.9.1 The true shape and dimension of the lot to be used or upon which it is proposed to erect any building or structure;
- 1.9.2 The proposed location, height and dimensions of any building, structure or use proposed for such lot;
- 1.9.3 Proposed locations and dimensions of any yards, setbacks, landscaping, off-street parking spaces or off-street loading facilities required by this By-law;
- 1.9.4 The location of all existing buildings or structures on the lot; and
- 1.9.5 A statement signed by the owner or his agent duly authorized thereunto in writing, filed with the Chief Building Official, disclosing the current and intended use of each building and structure or part thereof, the sanitary facilities available and all information necessary to determine whether or not such proposed or existing building, structure or use conforms to the requirements of this By-law.

## **1.10 Inspection**

### 1.10.1 Conditions of Entry:

Subject to Clause 1.9.2 of this subsection, the By-law Enforcement Officer, Chief Building Official, or any other officer or employee of the Corporation, acting under the direction of Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purposes of carrying out his duties under this By-law.

### 1.10.2 Restrictions for Entry of Dwelling:

Notwithstanding any provision of clause 1.9.1 of this subsection to the contrary, no officer or employee of the Corporation shall enter any room or place being used as a dwelling or part thereof without the consent of the occupant except under the authority of a search warrant issued pursuant to the Summary Convictions Act.

## **1.11 Enforcement**

Any person convicted of a breach of any provision of this By-Law shall be guilty of an offence, and upon conviction therefore shall forfeit and pay a penalty:

1.11.1 On a first conviction, a fine of not more than \$25,000; and

1.11.2 On a subsequent conviction, a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted

Where a corporation is convicted under this section, the maximum penalty that may be imposed is:

1.11.3 On a first conviction, a fine of not more than \$50,000; and

1.11.4 On a subsequent conviction, a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

## **1.12 Application of Other Statutes and By-Laws**

Nothing in this By-law shall relieve any person from the obligation to comply with the requirements of the Ontario Building Code Act or of any By-law of the Township of Asphodel-Norwood in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Township of Asphodel-Norwood.

## **1.13 Repeal of Existing Zoning By-Laws**

All Zoning By-Laws and amendments thereto, passed pursuant to Section 34 of the *Planning Act*, or a predecessor thereto, and in full force and effect on the date of adoption of this By-law, shall be repealed immediately subsequent to the By-Law coming into full force and effect.

By-Law No. 89-13, as amended, of the Corporation of the Village of Norwood is hereby repealed.

By-Law No. 5-78, as amended, of the Corporation of the Township of Asphodel is hereby repealed.

## **1.14 Validity**

If any section, clause or provision of this By-law including any part of the Zone Schedules attached hereto, is for any reason held to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention, that all the remaining sections, clauses and provisions shall remain in full force and effect until repealed.

## **1.15 Zone Boundaries**

For the purpose of this By-law all land within the Township of Asphodel-Norwood is hereby divided into use zones as set out in Section 4 and on the Zoning Schedules.



### **1.16 Road Allowances**

A road allowance is, unless otherwise indicated, included within the zone of the adjoining property on either side thereof, and where such road allowance serves as a boundary between two or more different zones, a line midway in such road allowance and extending in the general direction of the long division thereof is considered the boundary between zones, unless specifically indicated otherwise.

### **1.17 Road Closings**

In the event a dedicated road shown on the map is closed, the property formerly in said road shall be included within the zone of the adjoining property on either side of the said closed road and the zone boundary shall be the former centre line of said road.

### **1.18 Litigation**

This By-law does not affect the rights of any party or any land concerned in any action, litigation or other proceeding pending on the date of the final passage thereof, except to the extent to be determined in the final adjudication of such action, litigation or other proceedings.

## Section 2 Definitions

**“Abattoir”** means a building or part thereof where livestock are slaughtered, and may include a holding area as well as the processing, packaging, treating, curing, smoking or storage of meats and meat products but shall not include any establishment or facilities for the disposal or rendering of dead livestock.

**“Accessory Building”** means a detached building that is clearly incidental, subordinate and exclusively devoted to a main building or use and located within the same lot.

**“Accessory Dwelling Unit”** means a dwelling unit which is part of and accessory to a permitted Non-Residential building. Such dwelling unit shall be occupied either by the owner of such Non-Residential building or by a person employed on the premises where such dwelling unit is located.

**“Accessory Use”** means a use that is clearly incidental, subordinate and exclusively devoted to a permitted use and carried on within the same lot.

**“Agricultural Building”** means any building or structure customarily used in connection with an agricultural use other than a residence.

**“Agricultural Use”** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

**“Alter”** means a structural change to a building such as an addition to the area or height or the removal of a part thereof, or any change thereto such as a construction of, cutting into or removal of any load bearing wall, column, beam, joist, floor or other support, or a change to or closing of any means of egress.

**“Apartment Building”** means the whole of a dwelling house containing five (5) or more dwelling units having a common entrance from street level and a separate entrance only from an internal corridor system, and the occupants of which have the right to use in common the halls and/or stairs, and/or elevators, yards and other facilities.

**“Arena”** means a building, or part of a building, in which facilities are provided for athletic, civic, educational, political, religious or social purposes and shall include an auditorium, gymnasium or other similar facility or use.

**“Assembly Hall”** means a building or part thereof used for gatherings of persons for civic, educational, political, religious, recreational, cultural, social or other purposes but does not include a cinema, theatre, or concert hall.

**“Attic”** means the portion of a building situated wholly or in part within the roof.

**“Basement”** means one or more stories of a building located below the first storey.

**“Bed And Breakfast Establishment”** means a single detached dwelling in which guest rooms are made available for the temporary accommodation of the travelling or vacationing public. Such establishment may offer meals to those persons patronizing the establishment. A bed and breakfast shall not include an eating establishment, boarding or lodging house, or motel.

**“Boarder”** includes a roomer or a lodger.

**“Boarding, Lodging or Rooming House”** means a building:

- i) that has a building height not exceeding three storeys and a building area not exceeding 600 square metres;
- ii) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and;
- iii) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

**“Boarding Stable”** means an equestrian facility where horse owners may keep their horse for a monthly fee.

**“Boathouse”** means a single storey detached accessory building or structure designed and used to house, shelter or protect a boat or other form of water transportation and may include storage of equipment strictly incidental to a boathouse use; but shall not contain sleeping, cooking, plumbing or sanitary facilities and in which human habitation and/or any other recreational activities are prohibited. Building height shall be measured from the highwater mark or average frontage elevation.

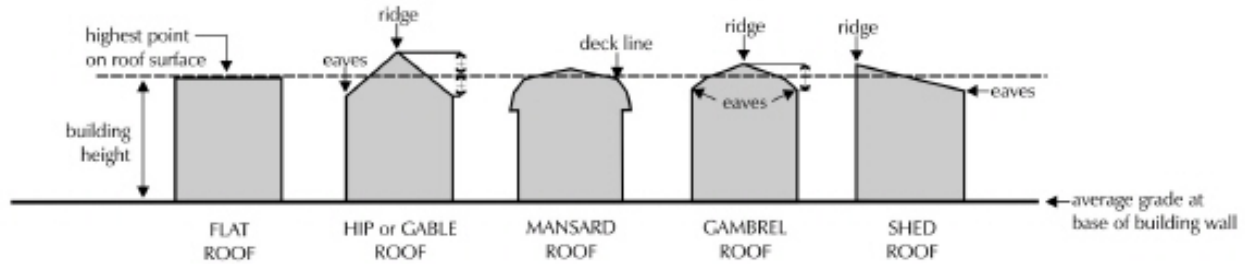
**“Building”** means any structure having a roof, supported by columns and/or walls or supported directly on the foundation and which is used for the shelter, accommodation or enclosure of persons, animals or goods, but does not include any vehicle as defined herein.

**“Building Height”** means the vertical distance between the established grade and:

- i) the highest point of a flat roof;
- ii) the deck line of a mansard roof;
- iii) the mean height between the eaves and ridges of a gabled or hip roof;

but exclusive of a roof or penthouse structure accommodating an elevator, staircase, tank, ventilating fan or other similar equipment; a smoke stack; a barn; silo; communications tower; drive-in theatre screen; or other utilitarian structure which does not provide habitable living space.

## Illustration of Building Height



**“Building Permit”** means a permit issued by the Chief Building Official of the Corporation of the Township of Asphodel-Norwood under the Building Code Act, 1992, as amended.

**“Business, Professional And/Or Administrative Office”** means a building or part of a building in which one or more persons are employed in the management, direction or conducting of business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this By-Law may include the administrative offices of a non-profit charitable organization and a financial establishment.

**“Bulk Fuel Storage Tank And/Or Supply Yard”** means a tank for the bulk storage of petroleum, gasoline, diesel, propane or other fuels, oil, gas or flammable liquid or fluid, but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the lot where such tank is located.

**“By-Law Enforcement Officer”** means an officer or employee of the Corporation of the Township of Asphodel-Norwood charged by the Council with the duty of enforcing the provisions of this By-Law or any other By-Law of the Corporation.

**“Carport”** means a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40% of the total perimeter, which shall include the main wall of the dwelling house to which such carport is attached, open and unobstructed

**“Cemetery”** means land that is set apart or used as a place of the interment of the dead or in which human bodies or animal pets have been buried as defined by the Cemeteries Act, as amended.

**“Cinema”** means a theatre where films are shown, and may include concessions and a box office for ticket sales.

**“Composting Facility”** means a facility which is established, operated and maintained in accordance with the certificate of approval, issued under the Environmental Protection Act, and the regulations made there under. Such facility will include the composting of organic non-hazardous waste from residential, industrial, commercial and institutional sources, but shall not include the processing of biosolids.

**“Community Centre”** means any tract of land, or building or buildings, or any part of any buildings used for community activities, whether used for commercial purposes or not, the control of which is vested in the Township, a local board or agent thereof.

**“Condominium”** means an apartment or block of land developed in such a manner as to provide for the individual ownership of each unit in accordance with the Condominium Act, as amended.

**“Conservation”** means the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a local Conservation Authority or other public authority for individual or public use.

**“Conversion”** means alteration and subsequent new use.

**“Converted Dwelling House”** means an existing dwelling house which building was originally designed, intended and used as a single detached dwelling house, which has been lawfully altered or converted so as to provide a maximum of two (2) dwelling units, neither of which is located in a basement, and each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

**“Corporation”** means the Corporation of the Township of Asphodel-Norwood.

**“Council”** means the Council of the Corporation of the Township of Asphodel-Norwood.

**“Day Care Centre”** means a building or part thereof which receives for temporary custody for a continuous period not exceeding twenty-four hours, five children or more, under 10 years of age in compliance with the Day Care Nurseries Act, as amended.

**“Dry Cleaners”** means a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or goods of fabric is carried on, through the use of only non-combustible and non-flammable solvents.

**“Dwelling”** means a building consisting of one or more dwelling units but shall not include a travel trailer, or motor home.

**“Dwelling, Duplex”** means a residential dwelling divided horizontally into two (2) separate dwelling units, each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

**“Dwelling, Row House”** means a building divided vertically into three (3) or more separate dwelling units each of which have an independent entrance directly from the outside.

**“Dwelling, Seasonal”** means a building containing only one dwelling unit, which is constructed and used as a secondary place of residence, for seasonal vacation and recreational purposes and not as the principal residence of the owner or occupant thereof.

**“Dwelling, Semi-Detached”** means a building divided vertically into two dwelling units.

**“Dwelling, Single Detached”** means a building containing only one dwelling unit.

**“Dwelling Unit”** means one or more habitable rooms designed or intended for use by an individual or individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building. But does not mean or include a tent, cabin, trailer, mobile home, or a room or suite of rooms in a boarding house, hotel, motel, motor hotel, or tourist home.

**“Dwelling Unit, Bachelor”** means a dwelling unit consisting of a bathroom and not more than two (2) habitable rooms.

**“Established Building Line”** means the average setback of the existing main building on at least three lots on the same side of a continuous 300 meters (984 feet) of land with street frontage.

**“Equipment Rental Establishment”** shall mean an establishment for the storage and display of goods or machinery for the purpose of lease or rental directly to the public.

**“Existing Use”** means a use lawfully existing on the day of the passing of this By-Law.

**“Fairground”** means a tract of land used for holding fairs, circuses, festivals, arts and craft shows, rodeos, educational seminars, fundraising/charitable activities and other similar uses and shall include exhibition grounds.

**“Farm Implement and Equipment Repair Shop”** means a building or structure where the exclusive service performed for compensation is major and minor repairs on vehicles, equipment or machinery designed and used for agricultural or horticultural uses including attachments.

**“Farm Implement Sales Establishment”** means a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment, but shall not include any other establishments otherwise defined or classified herein.

**“Farm Produce Sales Outlet”** means a use accessory to a permitted agricultural use which consists of the retail sale of agricultural products raised or grown on the farm operation on which the sales outlet is located.

**“Feed Mill”** means a process and/or combination of processes used to produce a processed food for fish, animal or human consumption. This shall not include pharmaceutical, medicinal, herbal medicine production facilities or any chemical plant.

**“Fence”** means any barrier or structure constructed of chain link, metal, wood, stone, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines. A fence may include a solid or continuous hedge as a component.

**“Financial Establishment”** means a building or structure used for a bank, trust company, finance company, mortgage company, investment company, credit union or other similar use.

**“Finished Grade”** means the average level of the finished ground adjoining a building at all exterior walls.

**“Fire-Fighting Academy”** means a school for the purpose of instructing volunteer and full or part time fire fighters and other persons or groups on fire-fighting and related practices and techniques.

**“Floor Area”** means the footprint of a building measured from exterior walls but excluding attached private garages and porches.

**“Forestry”** means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and the preservation of the recreation resource, and shall include reforestation areas owned or managed by the Ministry of Natural Resources, a local Conservation Authority or the County

**“Four-Plex”** means two (2) vertically attached duplex dwelling, each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

**“Funeral Home”** means a building or premises used for the furnishing of funeral supplies and services to the public and may include facilities for the preparation of the dead human body for interment or cremation.

**“Garden And Nursery Sales Establishment”** means a building or part of a building and land adjacent thereto for the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

**“Gasoline Bar”** means one or more gasoline pump islands, each consisting of one or more fuel pumps, and a shelter having a floor area of not more than 9 square metres, in addition to any washroom, mechanical or storage area. This shelter area shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.

**“Golf Course Or Driving Range”** means a public or private area operated for the purpose of playing golf and may include a clubhouse, liquor licensed premises, maintenance buildings and other structures generally associated with a golf course.

**“Greenhouse”** means a building with primarily transparent walls and roof in which temperature and humidity can be controlled for the cultivation, exhibition or protection of plants.

**“Group Home”** means a single housekeeping unit in a single detached dwelling for the accommodation of three to ten residents exclusive of staff or receiving family, living under responsible supervision consistent with the particular needs of the residents. The home shall be licensed or approved for funding by the Provincial Government and maintained in compliance with municipal by-laws and shall not include foster homes.

**“Highway”** means a highway within the meaning of The Municipal Act, S.O. 2001, as amended and The Highway Traffic Act, R.S.O. 1990, as amended.

**“Hobby Farm”** means an area of land on which a barn, shed or animal shelter may be erected to house horses, cows, goats, or similar domestic animals, kept for recreational purposes by the occupant(s) of a dwelling unit on the same lot; and may also include market gardening and/or the growing of crops.

**“Home Industry”** means a gainful occupation including woodworking, window frame, boat repair, welding, plumbing, machine or repair shop, or blacksmith or similar uses conducted in whole or in part in an accessory building to a single detached dwelling.

**“Home Occupation”** means any occupation conducted for gain or profit as an accessory use within a dwelling or dwelling unit by one or more persons residing in such dwelling or dwelling unit, inclusive of a private home daycare in accordance with Section 3.28, and a bed and breakfast establishment in accordance with Section 3.2, but shall not include a manufacturing industry.

**“Hospital”** means any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under The Public Hospitals Act, R.S.O., 1990, as amended, or under the Private Hospitals Act, R.S.O, 1990.

**“Hotel”** means a tourist establishment containing 5 or more guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff, one or more liquor licensed premises, dining rooms, meeting rooms and other similar uses.

**“Hunt Camp”** means a building erected for the purpose of temporary human habitation during any hunting or fishing open season.

**“Improved Public Street”** means a public highway maintained by a public authority so as to permit its use by motor vehicles.

**“Jail”** means a building or structure used for the confinement of persons in lawful detention, especially persons awaiting trial under a local jurisdiction.

**“Kennel”** means a building or structure where more than three dogs are kept, bred or boarded on a commercial basis and which is licensed by the Corporation.

**“Laboratory”** means a room or building equipped for scientific experimentation or research, and may include a computer lab, a film lab, or a medical lab.

**“Landscaped Open Space”** means the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping, an unenclosed or outdoor swimming pool, and includes any surfaced walk, patio or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.



**“Lane”** means a public or private thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

**“Laundromat”** means a building or part of a building where the service of a coin-operated laundry machine using only water, detergents and additives, and/or a coin-operated dry cleaning machine using only non-combustible and non-flammable solvents is made available to the public.

**“Library”** means a public library within the meaning of The Public Libraries Act, R.S.O. 1990, as amended.

**“Liquor Control Board Outlet”** means a building or structure which is occupied under the authority of the Province of Ontario and is used for the display and sale of alcohol to the public.

**“Liquor Licensed Premises”** means any building, structure or premises in compliance with The Liquor License Act, R.S.O., 1980, as amended.

**“Livestock”** means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer & elk, game animals, birds and other animals identified in Table 1 of the Minimum Distance Separation (MDS) Formulae Implementation Guidelines.

**“Livestock Sales Barn”** means a building or structure used for the presentation and sale of livestock, and may include a small arena for the showing of animals and bleachers for the patrons.

**“Loading Space”** means an off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, which abuts upon a street, lane, road, highway or other appropriate means of access.

**“Lot”** means a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title, and:

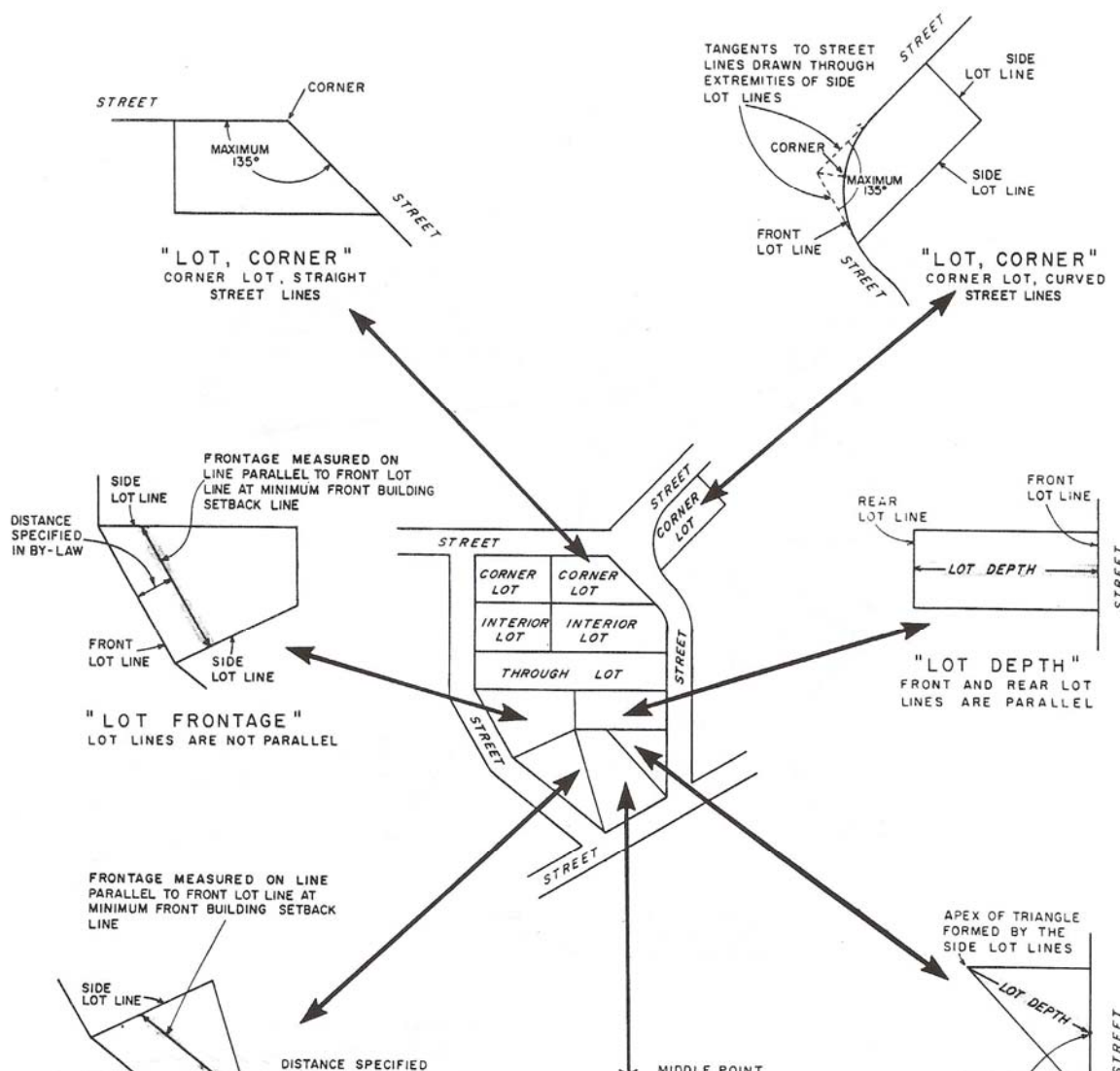
- a) is a whole lot described in accordance with and is within a Registered Plan of Subdivision, other than a Registered Plan of subdivision which has been deemed by the Corporation not to be a Registered Plan of Subdivision under a By-Law passed pursuant to The Planning Act, R.S.O., 1990, as amended; or
- b) is a legally separated parcel of land without any adjoining or abutting land being owned by the same owner or owners as of the date of passing of this By-Law; or
- c) the description of which is the same as in a deed which has been given consent pursuant to The Planning Act, as amended; or
- d) is the whole remnant remaining to an owner or owners after a conveyance is made with consent pursuant to The Planning Act, as amended, but for the purpose of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Corporation, County of Peterborough, Province of Ontario, Dominion of Canada, Public Authority; or

- e) is ordered by the Minister of Municipal Affairs to have not been created by a contravention of The Planning Act pursuant to the authority of The Planning Act, as amended.

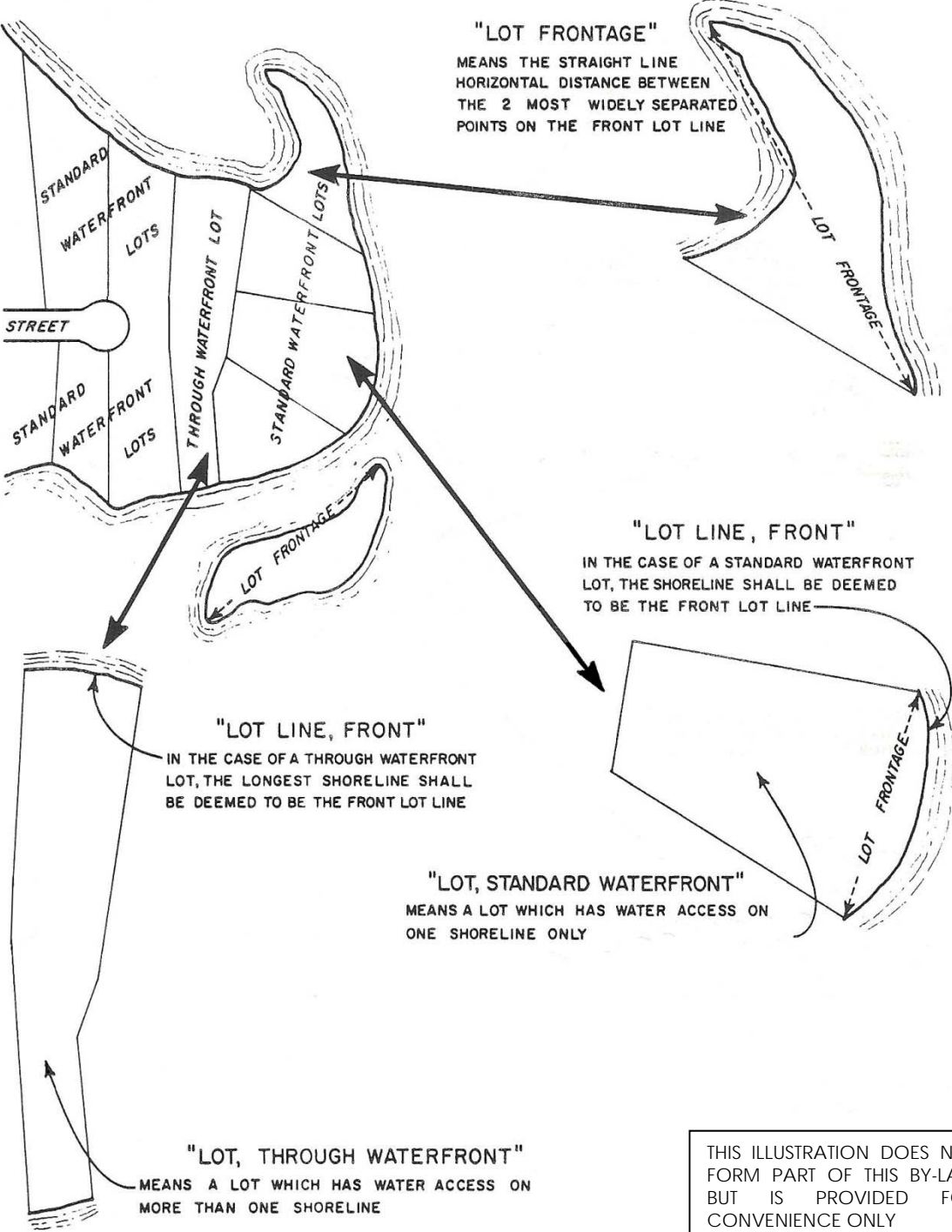
**“Lot Area”** means the total horizontal area within the boundary lines of a lot, excluding the horizontal area of such lot covered by water or wetland.

**“Lot, Corner”** means a lot situated at the intersection of and abutting upon two or more streets provided that the angle of intersection is not more than 135 degrees

### Illustration of Definitions Related to Lots



# Illustration of Definitions Related to Waterfront Lots



**“Lot Coverage”** shall mean the percentage of the lot area covered by the area of all buildings, including accessory buildings.

**“Lot Depth”** shall mean 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 apex of the triangle formed by the side lot lines.

**“Lot Frontage”** means the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured 9 metres back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

**“Lot Line”** means any boundary of a lot.

**“Lot Line, Front”** means:

- a) in the case of an interior lot, the lot line dividing the lot from the street shall be deemed the front lot line;
- b) in the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line except where the lot lines abutting a street are the same length, in which case the lot line used for principal entrance to the lot shall be deemed the front lot line;
- c) in the case of a through lot, the lot line used for the principal entrance shall be deemed the front lot line;
- d) in the case of a standard waterfront lot, the shoreline shall be deemed the front lot line;
- e) in the case of a through waterfront lot, the longest shoreline shall be deemed the front lot line;
- f) in the case of a lot that has both shoreline and public street frontage, the lot line dividing the lot from the street shall be deemed the front lot line.
- g) in the case of a lot that has neither street or shoreline frontage, the lot line used for the principle entrance shall be deemed the front lot line.

**“Lot Line, Rear”** means, in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line, except that where a lot has less than 4 lot lines there shall be deemed to be no rear lot line.

**“Lot Line, Side”** means a lot line other than a front or rear lot line.

**“Lot Line, Exterior Side”** means a side lot line that is also a street line.

**“Lot, Interior”** means a lot other than a corner lot or a through lot, which has street access but has no water access.

**“Lot, Standard Waterfront”** means a lot which may or may not have street access, but has water access on one shoreline only.

**“Lot, Through”** means a lot bounded on two opposite sides by streets provided however that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be deemed a corner lot for the purpose of this By-law.

**“Lot, Through Waterfront”** means a lot which may or may not have street access, but is bounded on two opposite sides by shoreline.

**“Lumber Yard”** means a building or structure used for the sale of processed lumber and other wood related products used in construction and/or home improvement projects, and may include a storage yard. Lumber yards may also provide services such as the use of a planer and other larger machinery for a fee.

**“Manufacturing Industry”** means a building or part of a building in which the process of producing any product by hand or mechanical power and machinery, is carried on systematically with the division of labour.

**“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 or rent as an accessory use and where facilities for the sale of marine fuels may be provided.

**“Marine Facility”** means an accessory building or structure which is used to take a boat into or out of a navigable waterway, to moor a boat, or to store a boat. This definition shall include a launching ramp, boat lift, dock, or boathouse but shall not include any buildings used for human habitation or any boat servicing, repair, or sales facility.

**“Material Recovery Facility (Mrf)”** means a building which is equipped and operated for the acceptance, sorting, packaging and marketing of Recyclable Materials and is under contract to the Corporation and/or a transfer facility which receives and transports Recyclable Material to either a MRF or directly to an end market.

**“Medical Centre”** means a building or part of a building where members of the medical profession, dentists, chiropractors, physicians or occupational therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include operating rooms, a pharmaceutical dispensary and a coffee shop, provided that all such uses have access only from the interior of the building.

**“Miniature Golf Course”** means an area designed for the purposes of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, sharp corners or other similar obstacles.

**“Mobile Canteen”** means any vehicle whether mechanically propelled or otherwise, which changes location and from which refreshments are sold for consumption by the public. A mobile canteen shall be treated as a restaurant for zoning purposes.

**“Mobile Home”** means any dwelling that is designed in one unit to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a modular home, recreational travel trailer or recreational motor home otherwise designed or defined herein.

**“Mobile Refreshment Vehicle”** means any vehicle whether mechanically propelled or otherwise, that remains in one place for the purpose of preparing, storing, selling or offering for sale food or refreshments for consumption by the public. A mobile refreshment vehicle shall be treated as a restaurant for zoning purposes.

**“Modular Home”** means any dwelling that is designed in more than one unit to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor home otherwise designed or defined herein.

**“Motel”** means a tourist establishment containing 5 or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff, one or more liquor licensed premises, dining rooms, meeting rooms and other similar uses.

**“Motor Vehicle”** means a motor vehicle within the meaning of The Highway Traffic Act, R.S.O. 1990, as amended.

**“Motor Vehicle, Commercial”** means a commercial motor vehicle within the meaning of The Highway Traffic Act, R.S.O. 1990, as amended.

**“Motor Vehicle Body Shop”** means a building or structure used for the painting or repairing of vehicle bodies, exterior and undercarriage, and in conjunction with which may be a towing service and motor vehicle rentals for customers while the vehicle is under repair, but shall not include any other use or activity as defined or classified in this By-Law.

**“Motor Vehicle Repair Garage”** means a building or structure where the exclusive service performed or executed on automobiles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repairs, motor vehicle diagnostic centre, major and minor mechanical repairs or similar uses and in conjunction with which there may be a towing service, gasoline bar, and motor vehicle rentals for the convenience of the customer while the automobile is being repaired.

**“Motor Vehicle Sales Centre”** means a building or structure where a dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair garage, a motor vehicle service station, a gasoline bar or a motor vehicle body shop.

**“Motor Vehicle Service Station”** means a building or structure where gasoline, oil, grease, and accessories are stored or kept for sale or where motor vehicles may be oiled, greased or washed and minor repairs essential to the operation of a motor vehicle are executed or performed.

**“Motor Vehicle Wash”** means a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purposes of this By-Law include a gasoline bar.

**“Motorized Snow Vehicle”** means a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act, as amended.

**“Municipal Office”** means a building or structure owned by the Corporation, the County of Peterborough or the Province of Ontario used for the administration of public services including, but not limited to tax collection, by-law enforcement, public works and planning.

**“Municipal Sewage Disposal”** means an adequate system of underground conduits, operated by the Corporation, which carries sewage to an adequate place of treatment which is in accordance with the standards of the Ministry of the Environment.

**“Municipal Water Supply”** means an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances, operated by the Corporation.

**“Museum”** means a permanent institution in the service of society and of its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment, for the purposes of education, study, and enjoyment", as defined by the International Council of Museums

**“Non-Complying Use”** means that which does not conform, comply or agree with the regulations of this By-Law as of the date of adoption thereof, other than the regulations which set out the permitted uses.

**“Non-Conforming Use”** means a use of land, buildings or structures which was lawfully built or commenced prior to the adoption of this By-Law but which is not a use permitted in the zone in which the said use is situated.

**“Noxious”** means, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious with regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

**“Nursery School”** means a building or part of a building containing facilities licensed under The Day Care Nurseries Act, R.S.O. 1990, as amended.

**“Nursing Home”** means any premises maintained and operated for persons requiring nursing care, which is licensed under The Nursing Home Act, R.S.O., 1990, as amended.

**“Off-Street Parking”** means space provided for the temporary storage of motor vehicles on the same lot as the subject use.

**“Outside Display”** means the outside display of finished products or wares available for retail sales.

**“Outside Storage”** means the storage of goods in the open air and in unenclosed portions of buildings, which are open to the air on the sides.

**“Park Model Trailer”** means a recreational unit that is built on a single chassis mounted on wheels, designed to facilitate relocation from time to time, is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances, and it has a floor area, including lofts, not exceeding 50 square metres when in the set-up mode and having a width greater than 2.6 metres in the transit mode. Additionally, all park model trailers shall comply with the Canadian Standards Association (CSA) Standard Z-241.

**“Parking Lot”** means an area provided for the parking of motor vehicles and related ingress or egress lanes.

**“Parking, Off-Street”** means space provided for the temporary storage of motor vehicles on the same lot as the subject use.

**“Parking Space”** means an area of not less than 3 metres by 6 metres, exclusive of any aisles or ingress or egress lanes, useable for the temporary parking or storage of motor vehicles, and may include a private garage.

**“Parking Space, Handicap”** means an area of not less than 24 square metres with a minimum width of 4 metres, useable for the temporary parking or storage of motor vehicles identified specifically for handicap purposes and signed accordingly.

**“Personal Service Shop”** means an establishment for providing personal services such as a beauty salon, hair salon, barber shop, tanning beds, spas, nail salons or other similar services.

**“Picnic Grounds”** means an open area for an excursion or outing with food usually provided by members of the group and eaten in the open.

**“Pit”** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.

**“Place Of Entertainment”** means and includes a theatre, auditorium, dance hall, cinema, bowling alley, ice or roller skating rink, curling rink, or arena and similar entertainment uses but shall not include an adult entertainment facility as defined in the Municipal Act.

**“Place Of Worship”** means a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a day nursery, a school of religious education, convent, monastery or parish hall.

**“Planting Strip”** means an unpierced and unbroken hedgerow of suitable evergreen or perennial shrub.

**“Playing Fields”** means an open area field for various games; especially the part of a field officially marked off for play.

**“Police Station”** means the headquarters of the police for a locality.



**“Portable Processing Plant”** means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes temporary stockpiling and storage of bulk materials used in the process and which is not of permanent construction but is designed to be dismantled and moved to another location as required.

**“Post Office”** means a local branch of a national post office handling the transmission of mail for a particular place or area.

**“Printing Or Publishing Establishment”** means a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as duplicating, is carried on, and may include an accessory retail establishment.

**“Private Home Day Care”** means the temporary care for reward or compensation of five children or less who are under 10 years of age where such care is provided in a private residence, other than the home of the parent or guardian of any child, for a continuous period not exceeding twenty-four hours, in accordance with the Day Care Nurseries Act.

**“Private Park”** means an open space or recreation area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a) a golf course, driving range or yacht club;
- b) areas for walking, riding and cross-country skiing, but does not include the racing of animals, motor vehicles, motor cycles or snowmobiles;
- c) playgrounds, picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses;
- d) buildings and structures accessory to the foregoing including a refreshment booth or pavilion, washrooms and administrative offices;
- e) a club-house only where accessory to a golf course which may include dining and recreational facilities; and
- f) parking lots accessory to the foregoing.

**“Propane Retail Outlet”** means any premises to which the public is invited at which propane is sold and is put into the fuel tanks of motor vehicles or into portable containers with a capacity exceeding 0.5 kg.

**“Public Authority”** means federal, provincial, district, regional, county or municipal agencies, and includes any commission board, authority or department established by such agency and shall include Bell Canada, Hydro One and Ontario Power Generation.

**“Public Park”** means any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and also may include one or more athletic fields, playing fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, lawn bowling greens, boat

liveries, bathing stations, curling rinks, refreshment booths, fairgrounds, arenas, golf courses or similar uses.

**“Public Use”** means a building, structure or lot used for public services by the Corporation, the County of Peterborough, any local board of either the Corporation or the County of Peterborough, any Conservation Authority established by the Government of Ontario, any Ministry or Commission of the Government of Ontario or Canada, or any telephone company.

**“Public Utilities”** shall include a public utility corporation as defined in The Public Utilities Corporations Act.

**“Public Works Yard”** means premises operated by, or under the direct authority of, the Corporation, the County of Peterborough or Province of Ontario or Government of Canada, for the storage, manufacture, maintenance or repair of buildings, infrastructure, materials or equipment, or any combination of these; and it may include uses such as a machine shop, paint shop, sign shop, wood-working shop, repair garage or storage facility used in connection with public works.

**“Pump House”** means a building or structure that is used for no other purpose than to house a water pump system and where maximum dimensions of the building or structure are no greater than 2.97 square metres in area and 1.22 metres in height.

**“Quarry”** means a place where unconsolidated 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 pit or open pit metal mine.

**“Race Course”** means an open area for the racing of animals, motor vehicles, motor cycles or snowmobiles.

**“Recreational Motor Home”** means a self-propelled vehicle designed for seasonal or temporary living, sleeping or eating accommodation, including a truck camper.

**“Recreational Travel Trailer”** means any vehicle constructed so that it can be attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicle unless it is used or intended for the temporary living, sleeping or eating accommodation of persons therein, and shall be deemed to include a tent and a recreation motor home.

**“Recreational Vehicle”** means a vehicle designed and intended and used for travel recreation or vacation. This definition may include boats, all terrain vehicles (ATV’s), recreational motor homes and recreational travel trailers.

**“Recreational Vehicle Sales And Service Establishment”** means a building or structure where a dealer displays new or used recreational vehicles for sale or rent in conjunction with which there may be motor vehicle service station.

**“Rental Storage Facility”** means a building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of

the building, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

**“Restaurant”** means a building or part of a building such as a patio or deck where food is offered for sale or sold to the public for immediate consumption on or off the premises, and includes a restaurant, a fast food restaurant, drive-thru restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, liquor licensed premises, snack bar or refreshment room or stand, mobile canteen or mobile refreshment vehicle as defined herein; but does not include a boarding or rooming home.

**“Restaurant, Fast-Food”** means an eating establishment involving the preparation and serving of meals for consumption on the premises or off the premises, normally requiring short amounts of time between the period of ordering and serving of the food, which is normally served in edible or disposable containers, and may include a drive-through window.

**“Retail Establishment”** means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include a use specifically listed as a permitted use in a Commercial Zone.

**“Retirement Home”** means any home for Senior Citizens sponsored and administered by any public agency or any service club, church or other non-profit organization, either of which obtains its financing from Federal, Provincial, or Municipal Governments or agencies, or by public subscription or donation or by an combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities, usually associated with Senior Citizens development.

**“Riding Arena”** means an area of land or buildings which is/are used as an educational centre for horse training, handling, care or for the lodging of horses.

**“Right-of-Way”** means a privately owned easement or right-of-way for the purpose of providing primary access to abutting lots and does not include a lane, street, road or highway as defined herein.

**“Salvage Yard”** means a place where goods, wares, merchandise, articles or things are processed for further use or disposal at another location, and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard or an automobile wrecking yard. A Salvage Yard shall not include an establishment where the principal or main use of a lot is the storage and/or recycling of used vehicle tires.

**“Sawmill”** means a building, structure or yard where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

**“School”**

- a) Post Secondary: means a premises used for educational purposes by a degree granting college or university under applicable Province of Ontario legislation.

- b) Private: means a premises used for elementary or secondary education regulated under the Education Act of the Province of Ontario but not publicly funded.
- c) Public or Separate: means a premises used for elementary or secondary education regulated under the Education Act of the Province of Ontario, and publicly funded by the Province of Ontario.

**“Setback”** means the shortest distance between the main wall of a building, structure or open storage use to the lot line, street line or zone boundary, whichever is designated in the phrase in which the term “setback” is used.

**“Sewage Storage Lagoon”** means a shallow artificial pond or facility approved by the Ministry of the Environment for the receiving and processing or stabilization of domestic and/or industrial waste.

**“Sewage Treatment Facility”** means a building or structure, approved by the Ministry of the Environment, where domestic and/or industrial waste is treated.

**“Sight Triangle”** means the triangular area enclosed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9.0 metres from the point of intersection of the street lines (measured along the street lines). Where the two (2) street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**“Sign”** means a name identification, description device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure, or lot and which directs attention to an object, product, place, activity, person, institution, organization or business and which does not contravene any By-Law of the Corporation or the County of Peterborough, or any Regulation of the Government of Ontario or Canada.

**“Significant Drinking Water Threat”** means an activity which poses or has the potential to pose a significant risk to the source of a municipal drinking water system.

**“Significant Drinking Water Threat, Existing”** means:

- a) an activity that has been engaged in prior to the date that the Trent Source Protection Plan took effect (January 1, 2015) and continues to occur;
- b) an agricultural activity as defined by the Trent Source Protection Plan that has been engaged in at sometime within the 10-year period prior to the date that the Trent Source Protection Plan takes effect (January 1, 2015);
- c) an activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act prior the Trent Source Protection Plan taking effect (January 1, 2015);
- d) an activity that is related to an application made for the issuance or amendment of a prescribed instrument (as defined in the Clean Water Act) prior the Trent Source Protection Plan took effect (January 1, 2015).

**“Significant Drinking Water Threat, Future”** means an activity that is proposed to commence after the date the Trent Source Water Protection Plan takes effect (January 1, 2015) and is not an existing activity.

**“Storage Yard”** means an open area used for storing materials and/or equipment.

**“Storey”** means the portion of a building between any floor and the floor, ceiling or roof next above, provided that the basement of a building shall not be deemed a storey.

- a) First Storey means the storey with its floor closest to finished grade and having its ceiling at least 1.8 metres above finished grade.

**“Street” or “Road”** means a public highway or public road which affords the principal means of access to abutting lots but does not include a lane, right-of-way or unopened road allowance.

**“Street Line”** means the limit of the road or street allowance and is the dividing line between the lot and the street.

**“Structure”** means anything constructed, built or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground and, without limiting the generality of the foregoing, includes a swimming pool and septic tank, but does not include any paved surface, a sidewalk, a sign, trailer, mobile home, tent, fences which do not exceed 2 meters in height or light fixtures.

**“Sugar Shack”** means an agricultural building used for the collection, production, bottling or packaging of maple syrup or maple products.

**“Temporary Use”** means a use authorized by Council in a By-law passed under Section 39 of the *Planning Act*, RSO 1990.

**“Tourist Camp”** means any land used to provide temporary accommodation for the public, or members of an organization, in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation.

**“Tourist Establishment”** means a building or buildings designed or used for the accommodation of the travelling or vacationing public and shall include a hotel, a motel, a lodge, rental cabins or cottages, and a summer camp.

**“Trailer”** means a trailer as defined in The Highway Traffic Act.

**“Tri-Plex”** means the whole of a dwelling house that is divided horizontally into three (3) separate dwelling units, each of which has a separate, independent entrance either directly from the outside or through a common vestibule.

**“Trucking Terminal”** means a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transporters, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

**“Unlicensed Motor Vehicle”** shall mean a truck, automobile or trailer unregistered under the Highway Traffic Act for the current year.

**“Use”** means, when used as a noun, the purpose for which any land, building, structure or premises, or any combination thereof is arranged, designed or intended to be used; or is or may be occupied or maintained, and when used as a verb, or “To Use” shall have a corresponding meaning.

**“Veterinary Clinic”** means a building or part of a building in which facilities are provided for the prevention, cure, treatment and alleviation of disease and injury to animals, and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period but shall not include outdoor pens.

**“Warehouse”** means a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include accessory facilities for wholesale or retail commercial outlet.

**“Waste Disposal Area”** means an approved place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of, dumped or incinerated.

**“Waste Transfer Station”** means a facility where solid waste materials, including yard waste, demolition materials, and household refuse, are transferred from small vehicles to large trucks for efficient transport to landfills, recycling centers, and other disposal sites.

**“Water Supply Plant”** means a building or structure, approved by the Ministry of the Environment, where water is treated for human consumption.

**“Waterbody”** means any navigable bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

**“Wayside Pit”** or **“Wayside Quarry”** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**“Well”** means an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

**“Wellness Centre”** means a building or structure for the purpose of physical exercise and may include a gym, a pool, a squash court, or other similar uses, and may offer services or classes such as aerobics, yoga, pilates, muscle training, or swimming lessons.

**“Wholesale Outlet”** means the use of land or the occupancy of a building or structure for the purpose of selling or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise.

**“Woodworking Shop”** means a building or part of a building used by a trade, craft or guild, where the fabrication or manufacturing of wood products is performed by tradesmen requiring manual or mechanical skills, including the sale of such finished products at retail, but shall not include a contractor’s yard or a builder’s supply outlet.

**“Workshop”** means a building or structure where manufacturing is performed by tradesmen or requires manual or mechanical skills, and may include a carpenter’s shop, a locksmith’s

shop, a gunsmith's shop, a tinsmith's shop, a woodworking shop, a commercial welder's shop or other similar uses.

**“Yard”** means an open, uncovered space on a lot ancillary to a building and unoccupied by buildings or structures except as may be expressly permitted in this By-Law, and in determining yard measurements minimum horizontal distance from the respective lot lines is to be used.

**“Yard, Exterior Side”** means a yard immediately adjoining an improved public street and shall extend from the front yard to the rear lot line. The “minimum” exterior side yard shall mean the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

**“Yard, Front”** means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot. The “minimum” front yard shall mean the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

**“Yard, Rear”** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure on the lot. The “minimum” rear yard shall mean the minimum distance between the rear lot line and the nearest wall of any principal building or accessory building on the lot, according to the context in which the term is used.

**“Yard, Side”** shall mean an interior yard extending from the front yard to the rear yard of a lot, and between a side lot line and the nearest wall of any building or structure on the lot. The “minimum” side yard shall mean the minimum distance between an interior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

**“Yard, Water”** means a yard extending from the high water mark on any body of water to the nearest wall of any building or structure on the lot.

**“Zone”** means the category of use or activity of land, buildings, structures or activities permitted by this By-Law.

**“Zone Provisions”** means the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum floor area, the minimum landscaped open space, the maximum building heights, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-Law.

## Section 3 General Provisions

### 3.1 Accessory Uses

- (a) **Uses 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:
- (i) Any occupation for gain, or profit conducted within a dwelling or on the lot except as specifically permitted in this By-Law;
  - (ii) Any building or structure used as a dwelling unit except as specifically permitted in this By-Law; and
  - (iii) Any agricultural/commercial type building or structure such as a Quonset hut, a coverall building or other similar agricultural/commercial type structure within the Residential Type 1 (R1) Zone, the Residential Type 2 (R2) Zone, the Residential Type 3 (R3) Zone, Rural Residential (RR) Zone or the Limited Service Residential (LSR) Zone.
- (b) **Location:**
- (i) Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, sidewalks, dog houses, legal signs, marine facilities, or similar accessory uses shall be exempt from the yard provisions of this By-law.
  - (ii) The regulations governing the location of any accessory building or structure in relation to a lot line shall not apply to prevent the erection or use of a jointly-owned double garage that services two dwellings, the common lot line of which shall be the dividing line of such garage.
- (c) **Lot Coverage:**  
Except as otherwise permitted herein, the total lot coverage of all accessory buildings or structures on a lot shall not exceed 8% of the lot area.
- (d) **Height:**  
Except as otherwise permitted herein, no accessory building or structure shall exceed 4.5 metres in any zone.
- (e) **Principal Use:**  
No building permit shall be issued for an accessory building or structure until such time as a principal use is constructed.
- (f) **Yards and Setbacks:**  
Except as otherwise provided herein, in the Residential Type 1 (R1) Zone, the Residential Type 2 (R2) Zone, the Residential Type 3 (R3) Zone, Rural Residential (RR) Zone and the Limited Service Residential (LSR) Zone, any accessory building or structure shall be erected:



- (i) in the side or rear yard only;
- (ii) with a minimum side yard of 1.5 metres;
- (iii) with a minimum rear yard of 3 metres;
- (iv) with a minimum separation distance of 1.5 metres from any building, structure, or part thereof, and shall not be intruded upon by any awning, canopy, roof, wall or similar structure; and
- (v) notwithstanding any other provision of this section, for lots within the Residential Type 1 (R1), the Residential Type 2 (R2), or the Residential Type 3 (R3) zone serviced with municipal water and sewer, the minimum side yard setback shall be 1 metre and the minimum rear yard setback shall be 1.5 metres.

### **3.2 Bed And Breakfast Establishments**

The following shall apply to the location and operation of bed and breakfast establishments as defined in this By-Law:

- (a) Bed and breakfast establishments shall be permitted only within a single detached dwelling and shall contain no more than three guest rooms made available for the temporary accommodation of the public;
- (b) A bed and breakfast establishment shall be operated by one or more residents of the single detached dwelling;
- (c) Bed and breakfast establishments shall be permitted in the Residential Type 1 Zone (R1), Rural Residential Zone (RR), Limited Service Residential Zone (LSR), Agricultural Zone (A), and the Rural Zone (RU);
- (d) Parking area requirements shall be in accordance with Section 3.24 of this By-Law;
- (e) One sign shall be permitted for a bed and breakfast establishment provided such sign does not exceed 1 square metre.

### **3.3 Construction Uses**

Buildings and structures incidental to and necessary for construction work on the premises may be permitted in any zone, provided that such uses, buildings or structures are used only as long as necessary for work in progress which has neither been finished or abandoned.

Such uses buildings or structures must be removed when the work in connection with which they are constructed is finished or abandoned.

### **3.4 Established Building Line**

Notwithstanding the yard and setback provisions of this By-Law to the contrary, and with the exception of the Setback from High Water Mark provisions contained within Section 3.31 of this By-Law, 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 either side of the lot, such building or structure may be erected closer to the street line or the centreline of the street, as the case may be, than required by this By-Law, provided such permitted building or structure is not erected closer to the street line or the centreline of the street, as the case may be, than the established building line on the date of the passing of this By-Law.

### **3.5 Existing Lots, Lesser Requirements**

A vacant lot, legally registered and existing on the date of passing of this By-Law, that has less than the minimum lot frontage and/or minimum lot area required in the applicable zone of this By-Law may be developed for all uses in the applicable zone provided that:

- (a) All other provisions of this By-Law are satisfied; and,
- (b) Such lot meets the servicing requirements of the authority having jurisdiction.

### **3.6 Fences**

- (a) Measurement:

Fences shall follow, where possible, the terrain of the property with minor variations in height allowed for when dealing with changes in grade.

- (b) Location:

No person shall erect or cause to be erected in a front yard or exterior side yard a fence that is higher than 1 metre above grade.

No person shall erect or cause to be erected in a rear yard or side yard a fence which is higher than 2 metres above grade.

- (c) Adjacent Zones:

Notwithstanding subsection 3.6(b) above, where a Residential zone abuts an Industrial or Commercial zone, the height of the fence shall be no higher than 3 metres in the rear yard or side yard only.

Where an Industrial zone abuts a Rural or Agricultural zone, the height of the fence shall be no higher than 3 metres in the rear yard or side yard only.

### **3.7 Flood Susceptible Lands**

#### **Flood Fringe Area -F(#)**

Lands within the established downtown core area of Norwood which are susceptible to flooding and have been designated as either Floodway or Flood Fringe in the Official Plan. Areas within the Floodway have been placed within the Environmental Protection (EP) zone, while areas within the Flood Fringe have been denoted by a special sub-category identified by the letter "F" followed by a number in brackets, for example F(212.7). The numerical value within the aforementioned brackets shall be the minimum elevation for flood proofing in metres based upon the Norwood Flood Plain Mapping (1989 Map Datum).

Where a zone symbol on the Schedules is followed by the symbol F(#) the following regulations shall apply:

- (a) all provisions which are applicable within a zone category for the use of land, building or structure permitted within the new zone category shall also apply where a special F(#) sub-category is also in effect;
- (b) all new buildings and structures shall be designed to withstand any anticipated hydrostatic forces resulting from a Regulatory Flood;
- (c) the composition and strength of all structural materials used in construction are to be adequate to avoid deterioration from flooding;
- (d) no new basements or expansions to existing basements shall be permitted unless it is flood proofed and designed to withstand hydrostatic pressures;
- (e) the minimum elevation of the ground or first floor level and any exterior building openings of any new development or redevelopment shall not be less than the minimum elevation for flood proofing;
- (f) notwithstanding subsection (e) above where these requirements are not feasible due to technical or legal reasons or would cause a major disruption in the streetscape, flood proofed doors or shields or other solutions acceptable to the municipality and the Otonabee Region Conservation Authority may be utilized for the development or redevelopment of new commercial and non-residential structures;
- (g) notwithstanding subsection (f) above the minimum elevation of the ground or first floor level and any exterior openings of any minor addition or renovation to an existing building or structure shall not be lower than the existing ground floor level;
- (h) the minimum elevation for flood proofing shall be the Regulatory Flood elevation based upon engineered flood plain mapping as approved by the Otonabee Region Conservation Authority;
- (i) new residential structures or the redevelopment or major renovation/addition to existing residential structures shall only be permitted where the habitable floor

space elevation is located above the Regulatory Flood level and safe access and safe parking can be achieved;

- (j) flood storage loss compensation for all development/redevelopment will not be required, however, new development/redevelopment must not adversely impact existing structures upstream or downstream as a result of increasing flood levels and/or velocities;
- (k) new development associated with substances of a chemical, hazardous or toxic nature which may pose an unacceptable threat to public safety if damaged as a result of flooding or failure of flood proofing measures, shall not be permitted to locate below the Regulatory Flood level;
- (l) new nursing homes, hospitals, homes for the aged, senior citizen apartments, group homes for the physically or mentally challenged, day care centres, or other similar uses for which flooding could pose a significant danger to the inhabitants shall not be permitted to locate below the Regulatory Flood level;
- (m) new development associated with services such as those provided by fire, police and ambulance stations and electrical substations which would be impaired during a flood emergency as a result of flooding, or failure of flood proofing measures, shall not be permitted below the Regulatory Flood level;
- (n) new building services such as electrical and heating systems shall be located above the Regulatory Flood elevation, but where this is not possible, building services shall be flood proofed to the Regulatory Flood level; and,
- (o) the construction or erection of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes may be permitted subject to the written approval of the Otonabee Region Conservation Authority and the Municipality.

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

**Regional Storm** is the Timmins storm centred event;

**Regulatory Flood** means the flood resulting from the Timmins storm centred event or the 1:100 year flood, whichever is greater, as determined by the Otonabee Region Conservation Authority;

**Flood proofing** means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to eliminate or reduce flood damages;

**Development** means the construction, erection or placing of new buildings or structures, including additions to existing buildings or structures, on land and includes a minor addition or renovation;

**Redevelopment** means the removal of buildings or structures from land and the development of new buildings or structures on the same site, and includes a minor addition or renovation;

**Minor addition or renovation** means the alteration of an existing building or structure that increases the size of a building by less than 50% of the existing ground floor area and which does not substantially increase the value of the building;

**Safe access** means pedestrian and vehicular access/evacuation routes direct or elevated, for residential purposes, not flooded to a depth greater than 0.3 metres;

**Safe parking** means parking facilities designed so as to minimize flood damages and not interfere with flood flows. Parking facilities for residential purposes shall be considered safe where flood depths do not exceed 0.3 metres.

### **3.8 Frontage On A Public Street**

- (a) No person shall erect any building or structure on a lot unless such lot abuts a street or road as defined herein. This provision shall not apply to a lot on a registered plan of subdivision registered subsequent to the date of passing of this By-law.
- (b) If a lot is located in a Limited Service Residential (LSR) or Recreational Commercial (C2) Zone, and if such lot does not abut a street or road, then the lot shall be exempt from the provisions of Section 3.8(a) hereof, provided such lot abuts a private right-of-way or navigable waterway.
- (c) Where a lot of record existed as of the date of passing of this By-Law in the Rural (RU) or Agricultural (A) zone, and if such lot abuts a private right-of-way, then such lot shall be exempt from the provisions of Sections 3.8 (a) hereof as it applies to agricultural buildings only, as defined herein, provided that all other applicable provisions and regulations of this by-law are complied with.

### **3.9 Height Exemption**

Notwithstanding the height provisions contained herein, nothing in this By-Law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the main use is a permitted use within the zone in which it is located:

- |                         |                                     |
|-------------------------|-------------------------------------|
| a barn;                 | a feed or bedding storage use;      |
| a bridge;               | a flag pole;                        |
| a bulk storage tank;    | a hydroelectric transmission tower; |
| a chimney;              | a television antenna;               |
| a church spire;         | a farm implement shed;              |
| a clock tower;          | a radio antenna;                    |
| a communications tower; | a silo;                             |
| a corn crib;            | a water tower;                      |
| a drying elevator;      |                                     |

### **3.10 Holding Provision**

Notwithstanding any other provision of this By-Law to the contrary, where a zone symbol is followed by a holding symbol denoted "H", no person shall use such lands except for such purposes existing as of the date of passing of this By-Law and, further, no person shall enlarge, extend, reconstruct any existing building or structure except where such building or structure existed as of the date of passing of this By-Law and the existing building or structure is a use permitted within the principal zone classification.

### **3.11 Home Industry**

A home industry may be conducted in whole or in part in an accessory building, provided that it is clearly secondary to the main residential use of the property and provided that:

- (a) No more than one person, other than a person residing in the dwelling, shall be employed in the home industry;
- (b) There shall be no outside storage of materials, supplies, tools, equipment or goods which are used for or result from the home industry;
- (c) There shall be no external advertising other than a non-illuminated sign which shall not exceed 1 square metre in size and shall comply with any applicable sign by-law;
- (d) The maximum floor area shall be 46.5 square metres;
- (e) No equipment or process shall be used which creates noise, vibration, glare, fumes, odours or electrical interference in excess of that normally experienced in a residential neighbourhood.

### **3.12 Home Occupation**

No person shall carry on or engage in a home occupation except in accordance with the following regulations:

- (a) No person other than a resident of the dwelling shall be engaged in such occupation;
- (b) Such home occupation shall be secondary to the main residential use and shall not change the residential character of the dwelling nor create or become a nuisance, particularly having regard for noise, odour, traffic and parking;
- (c) There shall be no external advertising other than a non-illuminated sign which shall not exceed 1 square metre in size and shall comply with any applicable sign by-law;
- (d) No goods, wares or merchandise, other than arts and crafts, shall be directly offered or exposed for sale or rent in the dwelling unit or on the lot;

- (e) Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures;
- (f) The home occupation may be operated or located in any part of the dwelling or dwelling unit provided that the home occupation located on the lot shall not occupy more than a floor area equivalent to 25% of the building area of the lot, or 25% of the floor area of the dwelling unit, or 37 square metres of floor area, whichever is the least;
- (g) There shall be no mechanical or other equipment used except that which is customarily employed in a dwelling for domestic or household purposes; and
- (h) There shall be no open storage of materials, supplies, tools, equipment or goods which are used for or result from the occupation.

### **3.13 Illumination**

Lighting fixtures designed for exterior illumination, which are not public uses, shall be installed with the light directed and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 metres above finished grade and no closer than 4.5 metres to any street line.

### **3.14 Kennels**

Kennels may only be permitted by amendment to this By-Law in the Agricultural (A) and Rural (RU) zones, provided the following criteria can be met:

- (a) The lot on which the kennel is to be located must have a minimum lot area of 6 hectares; and
- (b) The kennel must not be located within 61 metres of any streetline; and
- (c) The kennel must not be located within 61 metres of any adjacent lot line.

### **3.15 Livestock**

The keeping of livestock, horses, poultry or any other animals, items or uses customarily and normally related to the field of agriculture shall only be permitted in the Agricultural (A) and Rural (RU) zones and in accordance with the applicable regulations of this By-Law.

### **3.16 Loading Space Regulations**

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares and merchandise, and raw materials shall provide and maintain the premises on the lot occupied by the building or structure and not forming part of a public street or land, within the zone in which such use is located, loading and unloading spaces 9.0

metres long, 3.5 metres wide and having a vertical clearance of at least 4.5 metres, and in accordance with the following:

<b>Total Floor Area of Building or Structure</b>	<b>Number of Loading Spaces Required</b>
279 square metres or less	1
Exceeding 279 square metres but not 2,323 square metres	2
Exceeding 2,323 square metres but not 7,432 square metres	3
Exceeding 7,432 square metres	3 plus one additional space for each additional 9,290 square metres or fractional part thereof in excess of 7,432 square metres

In addition to the above number of loading spaces, one waiting space shall be provided for the parking of vehicles awaiting access to each loading space.

(a) Access

Access to loading or unloading spaces shall be by means of a driveway at least 6 metres wide, contained on the lot on which the spaces are located, and leading to an improved public street or lane which has a minimum width of 6 metres.

(b) Location

The required loading spaces shall be located in the interior side or rear yard unless such spaces are set back from the street line a minimum distance of 15 metres, or as may otherwise be prohibited herein.

(c) Additions to or change in the use of existing Buildings

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-Law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, or there is a change in use, additional loading spaces shall be provided as required above in accordance with the provisions of the Loading Space Requirement Table for such addition or change in use.

### 3.17 Lots Containing More Than One Use

Where a lot contains, or is proposed to contain, more than one use, each use shall conform to the provisions of this By-Law for the zone where such use is located provided that no dwelling, as may be permitted, shall be erected closer than 6 metres to



any other building or structure on the lot except for an accessory building or structure as may be permitted in accordance with the regulations contained in Section 3.1 of this By-Law. Each such use shall be considered to be located on a separate lot for the purpose of determining zone provisions.

### **3.18 Lots Divided Into More Than One Zone**

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-Law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

### **3.19 Marine Facilities**

Notwithstanding any other provisions of this By-law to the contrary, where ownership of a lot extends to the high water mark, a marine facility, boathouse, pump house or dock may be erected adjacent to a lot line when said lot line is on a body of water.

A pump house may not be located closer than 3.0 metres to a side lot line.

A boathouse may not be located closer than 3.0 metres to a side lot line; shall not exceed a maximum height of 4.9 metres as measured from the elevation of the highwater level; and shall not exceed a maximum total floor area of 74 square metres.

### **3.20 Minimum Distance Separation (MDS)**

Notwithstanding any other yard or setback provisions of this By-Law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted by this By-Law shall be erected or altered unless it complies with the Minimum Distance Separation formula as established by the Province. For the purposes of this section, definitions shall be determined by the Province.

New buildings and structures must comply with the following:

(a) Application to Existing Lots of Record (MDS 1):

Vacant lots of record that existed prior to January 1, 2007 shall be exempt from the MDS 1 formula as established by the Province.

(b) Application to Settlement Areas (MDS 1):

Notwithstanding any other provisions of this By-Law to the contrary, where an application made under the Planning Act is received, or where a building permit is required to permit development on an existing lot of record, MDS 1 shall not apply to livestock facilities located within an approved settlement area.

(c) Application after a Catastrophe (MDS 1):

Notwithstanding any other provisions of this By-Law to the contrary, where a dwelling is destroyed in whole or in part by a catastrophe, MDS 1 will not be

applied when the dwelling is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe.

(d) Application of MDS 2:

A first or expanding livestock facility permitted by the zone in which such building or structure is to be located shall comply with the MDS 2 formula as established by the Province.

(e) Application after a Catastrophe (MDS 2):

Notwithstanding any other provisions of this By-Law to the contrary, where a livestock facility is destroyed in whole or in part by a catastrophe, MDS 2 will not be applied when the livestock facility is rebuilt, provided it is no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D have not been increased for the livestock facility.

(f) Application to Cemeteries (MDS 2):

For the purposes of calculating MDS 2 for a first or expanding livestock facility, as permitted by this By-Law, cemeteries located within the Institutional (I) zone shall be treated as a Type-B land use.

### **3.21 Mobile Homes and Recreational Travel Trailers**

No person shall locate or use a mobile home or recreational travel trailer in any zone for the purposes of residential, commercial, industrial or institutional uses, temporarily or permanently, unless the use of a mobile home or recreational travel trailer for such purposes is listed specifically in the By-law as a permitted use within a particular Zone or where under a Temporary Use By-law with the Municipality, such is being used for construction or for emergency purposes where a dwelling or other building has been destroyed by fire or a natural disaster.

### **3.22 Non-Complying Buildings Or Structures**

(a) Nothing in this By-Law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-Law, which is used for a purpose specifically permitted within the Zone in which such building or structure is located, where such building or structure does not comply with the setback of one or more yards that is or are less than required under the provision of this By-Law provided that the setback of yard or yards that is or are less than required are not further reduced and that all other provisions of this By-Law are complied with.

(i) Notwithstanding the provisions of this section, where a deficiency is in the front or water yard, any proposed enlargement or extension of a building or structure which existed at the date of passing of this By-Law, shall not exceed 25 percent of the lateral dimension of the existing building or structure.

- (ii) For the purpose of this section, lateral dimension shall mean that part of a building or structure which defines a front or water yard and which is otherwise situated more or less parallel to the corresponding high water mark or road.
- (b) Nothing in this By-Law shall prevent an extension or an addition being made to a permitted dwelling house, which dwelling house existed at the time of passing of this By-Law, but which has a floor area or dwelling unit area less than that required by this By-Law provided such extension or addition does not contravene any other provision of this By-Law.
- (c) The above noted policies are not applicable to buildings or structures located within the Environmental Protection (EP) zone. Redevelopment of the non-complying uses in the (EP) zone is discouraged. Where re-development is the only viable option, the applicant must enter into a site plan agreement with the Municipality, to the satisfaction of the Conservation Authority, regarding flood proofing etc.

### **3.23 Non-Conforming Buildings, Structures And Uses**

- (a) Continuation of Existing Uses:

The provisions of this By-Law shall not apply to prevent the use of any lot, building, structure or part thereof for any purpose prohibited by this By-Law, if such use lawfully existed on the date of passing of this By-Law, so long as it continues to be used for that purpose and the use is not discontinued for a period of twelve consecutive months or longer.

- (b) Exterior Extension:

A building, structure, or part thereof, which at the date of passing of this By-Law was used for a purpose not permitted within the land use zone in which it is located, may be enlarged, extended, redeveloped or reconstructed provided that:

- (i) The enlargement or alteration to the building or structure does not reduce the existing yards except where such yards are greater in size than the minimum required in this By-Law, such yards may be reduced to the minimum yards required by this By-Law;
- (ii) The enlargement or alteration does not create another deficiency or increase the degree of an existing deficiency with respect to any requirements of this By-Law; and
- (iii) All other applicable provisions of this By-Law are complied with as they relate to the enlargement, reconstruction, repair and/or renovation.

- (c) Interior Alteration:

The interior of any building, structure or part thereof, lawfully used on the date of passing of this By-Law for a use that is not permitted within the zone that such building, structure or part thereof is located, may be renovated or structurally altered in order to render the same more convenient or commodious for the same purpose for which, at the date of passing of this By-Law, such building, structure or part thereof was used.

(d) Restoration to a Safe Condition:

Nothing in this By-Law shall apply to prevent the strengthening or restoration to a safe condition of any building and/or structure or part thereof, lawfully used on the date of passing of this By-Law, provided that the strengthening or restoration does not increase the building height, size or volume, or change the use of such building or structure or part thereof.

(e) Reconstruction:

Nothing in this By-Law shall apply to prevent the reconstruction of any non-conforming building and/or structure or part thereof, which is damaged by causes beyond the control of the owner. Such reconstruction is only applicable for one year immediately following the date of damage. In the event that an existing non-conforming building is reconstructed within any Residential zone, the new building shall comply with the minimum floor area requirements and attempt to achieve the applicable zoning provisions. Where current zone setbacks can not be met, the new building shall not encroach into any yard more than the previously existing building.

(d) Within the Environmental Protection (EP) zone, reconstruction of the non-conforming use is discouraged. Where reconstruction is the only viable option, the applicant must enter into a site plan agreement with the Municipality, to the satisfaction of the Conservation Authority, regarding flood proofing etc.

(f) Minimum Lot Size:

Except as may be specifically permitted, no part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot so as to create a situation of non-conformity or increase the degree of non-conformity with this By-law.

### **3.24 Parking Area Regulations**

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

(a) Requirements:

The owner of every building or structure erected or used for the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering up or making use of the said premises from time to time, parking spaces and areas in accordance with the following requirements:

<b>Type of Use</b>		<b>Minimum Parking Requirement</b>
Residential	Single Detached Dwelling, Duplex, Semi-Detached Dwelling, Tri-Plex, Four-Plex or Row House	2 parking spaces per dwelling unit
	Apartment Buildings or Condominiums containing 10 dwelling units or less	2 parking spaces per dwelling unit
	Apartment Buildings or Condominiums containing 11 dwelling units and more	2 parking spaces per dwelling unit for the first 10 units and 1.5 parking spaces per each additional dwelling unit thereafter.
School		The greater of: 1.5 parking spaces per classroom 1 parking space per 3.5 square metres of floor area in the gymnasium 1 parking space per 3.5 square metres of floor area in the auditorium
Restaurant		1 parking space per 9.5 square metres of floor area
Professional or Administrative Office or Public Building		1 parking space per 37 square metres of floor area
Bowling Alley		4 parking spaces per bowling lane
Retail Establishment, Personal Service Shop, Medical Clinic, Dental Clinic, Veterinary Clinic		1 parking space per 18.5 square metres of floor area
Industrial Establishment		1 parking space per 37 square metres of manufacturing floor area
Home Occupation or Home Industry		1 parking space per dwelling unit plus 2 extra spaces
Bed and Breakfast		1 parking space per dwelling unit, plus 1 additional space per guest room
Hotels, Motels, Lodges, Tourist Establishment		1 parking space per bedroom plus the greater of:

	<p>- 1 parking space for each 4 people that can be accommodated at any one time in a beverage room, liquor lounge, dining room or meeting room; or</p> <p>- 1 parking space per 9.5 square metres of floor area</p>
Assembly Hall, Community Centre or Theatre	<p>The greater of:</p> <p>1 parking space per 5 fixed seats or fraction thereof; or</p> <p>1 parking space per 9.5 square metres of floor area; or</p> <p>1 parking space for each 4 people that may be legally accommodated at any one time</p>
Funeral Home	<p>The greater of:</p> <p>10 parking spaces; or</p> <p>5 parking spaces for each 100 square metres or fraction thereof of floor area</p>
Uses Permitted in this By-Law other than those Listed	<p>The greater of:</p> <p>1 parking space per 2 employees or fraction thereof; or</p> <p>1 parking space per 4 persons design capacity or fraction thereof; or</p> <p>1 parking space per 37 square metres of floor area</p>

<b><i>Type of Use</i></b>	<b><i>Number of Handicap Spaces to be Provided</i></b>
Uses with less than 20 parking spaces	At least 1 handicap space per establishment.
Uses with at least 20 spaces and all other uses	1 handicap space is required for the first 20 parking spaces. 1 space for every 20 parking spaces for any use that requires between 20 and 100 parking spaces. In addition, for any use that requires over 100 parking spaces the foregoing will apply to the first 100 spaces and 1 handicapped parking space will be required for every additional 100 parking spaces.

(b) More than One Use on a Lot:

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

(c) Location:

The required parking areas shall not form part of any street or lane and shall be provided on the lot occupied by the building, structure or use for which the said parking area is required, except in the case of a non-residential use, the required parking area may be provided on another lot if such parking area is not more than 91 metres from the lot requiring the parking area.

(d) Surface:

Each parking area and driveway connecting the parking lot with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

(e) Yard Where Permitted:

Notwithstanding the yard and setback provisions of this By-Law to the contrary, uncovered surface parking areas shall be permitted in the required yards, or in an area between the street line and the required setback as follows, provided that such parking areas shall be subject to the provisions of Section 3.34 hereof regarding sight triangles:

<b>Zone</b>	<b>Yard in Which Parking Area Permitted</b>
Rural, Agricultural	All yards, provided that no part of any parking area, other than a driveway, is located closer than 3 metres to any street line
All Residential zones	All yards, provided that no part of any parking area, other than a driveway, is located closer than the minimum required front yard depth to any street line
All Commercial, Institutional	All yards provided that no part of any parking area, other than a driveway, is located closer than 1 metre to any street line
All Industrial, Open Space	Interior side and rear yards only, except for visitor parking, provided that no part of any parking area, other than a driveway is located closer than 7.5 metres to any street line

(f) Access:

(i) Access to the required parking spaces and parking area shall be provided from the front lot line or exterior side lot line by means of unobstructed

driveways or passageways at least 3 metres, but not more than 9 metres in width.

- (ii) The aisles between parking space blocks within a parking area shall have a minimum width of 6 metres.
- (iii) The maximum width of any combined ingress and egress driveway or any abutting driveways along a common lot line, measured along the street, shall be 9 metres.
- (iv) The minimum distance between a driveway and an intersection of street lines, measure along the street line intersected by such driveway shall be 7.5 metres for all residential uses in all Residential zones and shall be 15 metres for all other uses in any zone.
- (v) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (vi) No driveway shall be established closer than 1 metre to a side lot line, but this shall not apply to prevent the establishment of abutting driveways along a common lot line if their combined width does not exceed 9 metres.

(g) Addition to Existing Use:

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

(h) Use of Parking Areas and Parking Spaces:

All parking spaces and area required herein shall be used only for the parking of operative and currently licensed passenger vehicles and other vehicles used in operations incidental to the permitted use for which parking is required.

(i) Parking Restrictions:

- (i) Parking of the following vehicles is prohibited in all Residential, Institutional and Environmental Protection Zones:
  - Commercial motor vehicles with a rated capacity of 1,016 kg (2,240 lbs) or greater;
  - Unlicensed vehicles;
  - Vehicles equipped with more than three axles, excluding spare wheels, designed to support the weight of the vehicle through contact with the ground;
  - Buses;
  - Vehicles designed to run only on rails;
  - Traction engines;
  - Farm tractors;
  - Self-propelled implements of husbandry;
  - Construction equipment;



- Tracked vehicles, except for motorized snow vehicles and ATV's;
  - Dump trucks;
  - Repair and towing vehicles;
  - Vehicles that are in a wrecked or dismantled or inoperative condition.
- (ii) The parking or storing of a boat and/or its trailer, a recreational travel trailer, or a recreational vehicle measuring more than 6 metres (19.7 feet) in overall length shall be prohibited in all Residential Zones except for a period of no more than 72 hours in any calendar year unless it is stored in an enclosed building.

### **3.25 Pits And Quarries**

The making and establishment of pits and quarries is prohibited except in the locations and in accordance with the provisions of this By-Law, and, no person shall use any land or erect any building or structure for the purpose of processing, washing, sorting, screening or crushing rock, sand or gravel except as provided for in this By-Law.

Notwithstanding any other provision of this By-Law, a wayside pit or wayside quarry shall be considered a permitted use in all zones except any Residential zone, an Institutional (I) zone, or an Environmental Protection (EP) zone.

### **3.26 Planting Strips**

Where the main use of a lot is for a non-residential purpose, other than an agricultural use or home occupation, and the side or rear lot line, or portion thereof, abuts a residential use or undeveloped land in a residential zone, or where such lot is in an Industrial Zone and the front, side or rear lot line abuts a portion of a street, the opposite side of which portion of the street abuts a residential use or undeveloped land in a Residential Zone, then a strip of land, located on the said lot, adjoining such abutting lot line, or portion thereof, shall be used for no other purpose than a planting strip in accordance with the provisions of this section.

Where a planting strip is required by this By-Law, it shall consist of an unpierced and unbroken hedgerow of suitable evergreen or perennial shrub, and shall conform to the following regulations:

- (a) minimum width of planting strip shall be 3 metres;
- (b) minimum planted height of hedgerow shall be 1.75 metres;
- (c) a planting strip may form part of any minimum front, side or rear yard; and
- (d) a planting strip may be interrupted where a driveway or walkway crosses:
  - i) a maximum of 3 metres from a driveway; and
  - ii) a maximum of 1.5 metres from a walkway.

- (e) Notwithstanding any of the above, where a planting strip is required, the landowner may erect a privacy fence constructed in such a manner as to provide a solid barrier not less than 1.5 metres and not more than 2.5 metres in height, in lieu of a planting strip. Where such a privacy fence is constructed on a lot, the width of the planting strip adjacent to the lot line may be reduced to 1.5 metres.

### **3.27 Portable Asphalt Plants**

Portable asphalt plants used by a public road authority or their agent shall be permitted in all zones with the exception of all Residential, Institutional and Environmental Protection Zones. The plants must comply with the Ministry of Environment's separation distances and prior to the establishment of such a plant, a certificate of approval must be obtained from the Ministry of Environment.

### **3.28 Private Home Day Care Uses**

Notwithstanding any other provision to the contrary, a private-home day care may be permitted as an accessory use in any zone which permits a permanent single detached dwelling. Such use may be subject to Fire Department and Building Department inspections and approvals as required.

### **3.29 Prohibited Uses**

- a) Noxious Trade: No use shall be permitted in any zone from which its nature or materials therein is declared to be a noxious trade, business or manufacture under the Public Health Act, as amended, or regulations thereof.
- b) Obnoxious Uses: No land shall be used and no building erected, altered or used for any purpose or in a manner which may result in the creation of a nuisance for adjacent uses and without affecting the generality of the foregoing, in particular by:
  - i) Generation of noise or vibration;
  - ii) Emission of fumes, smoke, dust, gas, or offensive or polluted effluents;
  - iii) The unsightly storage of goods, merchandise, salvage, refuse, building material or similar matter; and,
  - iv) Attracting or providing a breeding ground for flies, insects, rodents, vermin and similar pests.
- c) In addition to the uses prohibited in clauses (a) and (b) of this Subsection, all uses of land and the erection or use of any building or structure for a purpose not permitted under the "Permitted Use" 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 Section 3.27, 3.30 and 3.37 hereof.

### **3.30 Public Uses**

- (a) Public Utilities:

The provisions of this By-Law shall not apply to the use of any land or to the erection of any building or structure for the purpose of providing a public service. However, public buildings shall be prohibited from locating in the Environmental Protection (EP) Zone.

Where such lot, building or structure is located in any zone for a public use, the following provisions shall apply:

- i) Except as otherwise provided in this By-Law, if any public use is located in any Residential Zone, the minimum yard regulations, maximum lot coverage and minimum lot area and frontage regulations shall apply. In addition, any building erected under authority of this section shall be designed and maintained in general harmony with residential buildings of the type permitted in such zone.
  - ii) If such public use is located in any other zone, then the minimum yard regulations and maximum coverage regulations shall apply.
  - iii) No goods, materials or equipment shall be stored in the open, except as permitted in such zone.
- (b) Streets and Installations:
- Nothing in this By-Law shall prevent the use of land for streets or infrastructure or prevent the construction, maintenance or repair of such streets or infrastructure.
- (c) Provisions in Residential Zones:
- Any above-ground non-recreational public use which is located in a Residential zone shall be enclosed in a building designed, located and maintained in general harmony with the permitted residential buildings in such zone.
- (d) Railway Setbacks:
- Notwithstanding any provisions of this By-Law to the contrary, no residential dwelling shall be located within 15 metres of a railway right-of-way.
- (e) Traffic Signs:
- Nothing in this By-Law shall prevent the erection of any properly authorized traffic sign or signal.

### **3.31 Setback From High Water Mark**

Notwithstanding any other yard setback provision of this By-Law to the contrary, all buildings, structures and sewage system leaching beds shall be set back 30 metres from the high water mark. Excepted from this requirement are marine facilities, septic tanks, docks and other water access facilities, pumphouses and minor accessory structures (i.e. gazebos, doghouses, retaining walls, landings, stairs etc.).

Existing buildings and structures which require replacement due to structural defects, fire or natural causes or by demolition permit may be permitted to be reconstructed on the same footprint but are encouraged to meet the 30 metre setback if possible.

Minor variances or zoning by-law amendments from the 30 metre setback for buildings and structures may be permitted only in the following circumstances:

- (a) Where a vacant lot existed as of October 22, 2008; or
- (b) Where the development is an addition of an attached accessory structure such as a deck, sunroom, unenclosed porch or balcony to an existing building or structure.

Sewage system leaching beds on existing lots of record that existed prior to October 22, 2008, which require replacement due to structural damage or malfunction should be set back a minimum of 30 metres from the high water mark if possible or to the greatest setback that is achievable to the satisfaction of the Peterborough County-City Health Unit.

### **3.32 Setbacks From a Provincial Highway or County Road**

(a) Residential Zones:

Notwithstanding the Minimum Front Yard requirements for any Residential Zone:

- i) Where the front lot line abuts a Provincial Highway the minimum front yard shall be 8 metres; and
- ii) Where the front lot line abuts a County Road, and the subject property is not within a Village or other built-up area of the Township (reduced speed zone), the minimum front yard (measured from the centerline of the County Road) shall be 30.48 metres or 15.24 metres (measured from the property line); or
- iii) As determined by the road authority having jurisdiction thereon.

(b) Commercial Zones:

Notwithstanding the Minimum Front Yard requirements for any Commercial Zone:

- i) Where the front lot line abuts a Provincial Highway the minimum front yard shall be 14 metres; and
- ii) Where the front lot line abuts a County Road, and the subject property is not within a Village or other built-up area of the Township (reduced speed zone), the minimum front yard (measured from the centerline of the County Road) shall be 45.72 metres or 30.48 metres (measured from the property line); or
- iv) As determined by the road authority having jurisdiction thereon.

### **3.33 Setbacks From Waste Management Zones**

Notwithstanding any other provisions of the contrary, no residential, institutional or commercial use shall be located within:

- (a) 100 metres of a Waste Management (M3) Zone waste transfer station;
- (b) 120 metres of a Waste Management (M3) Zone salvage yard;
- (c) The recommended distance as per Ministry of Environment (MOE) Regulation D-5-5 of a Waste Management (M3) Zone, sewage treatment plant or sewage lagoon;
- (d) 120 metres of a Waste Management (M3) Zone composting facility or material recover facility;
- (e) 500 metres of a Waste Management (M3) Zone waste disposal site or solid waste landfill site.

The provisions of this section regulating setbacks from a sewage treatment plant or lagoon shall not apply to any lot, building or structure which was lawfully used for such purpose or lots of record existing on the date of passing of this By-Law.

The provisions of this section regulating setbacks from a waste disposal site or solid waste landfill site shall not apply to any lot, building or structure which was lawfully used for such purpose on the date of passing of this By-Law. Vacant lots of record existing on the date of passing of this By-Law may be developed in accordance with the provisions contained in Section 6.2.18.3 (e) of the Official Plan.

### **3.34 Sight Triangles**

On a corner lot, a triangular area formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres from the point of intersection of the two street lines, as measured along the street lines, shall be known as a 'sight triangle'. Notwithstanding any provisions of this By-law to the contrary, within any area defined as a 'sight triangle', the following uses shall be prohibited:

- (a) A building, structure or use which would obstruct the vision of drivers of motor vehicles;
- (b) A fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metre in height above the elevation of the centrelines of the abutting streets;
- (c) A parking lot; and
- (d) A finished grade which exceeds the elevation of the centrelines of the abutting streets by more than 0.5 metres.

### **3.35 Signs**

The provisions of this By-Law shall not apply to prevent the erection, alteration, or use of any sign provided such sign complies with the By-Laws of the Corporation of the Township of Asphodel-Norwood, the County, or the Ministry of Transportation regulating signs, and this By-Law.

### **3.36 Source Water Protection (SWP) Overlay**

Source water protection planning is the first line of defense in a multi-barrier approach that seeks to prevent the contamination or overuse of surface water and groundwater sources of municipal drinking water. This is achieved by evaluating threats to municipal drinking water sources and establishing policies and regulations to prevent, manage, or eliminate threats. The Township of Asphodel-Norwood is located within the Trent Conservation Coalition Source Protection Region and is subject to the policies of the Trent Source Protection Plan.

The purpose of the Source Water Protection Overlay is to prevent the inadvertent approval of Planning Act Applications and/or the issuance of building permits that may result in the establishment of a land use activity(ies) that are significant drinking water threats.

Development applications (i.e. Planning Act applications, building permit applications) for development within the Source Water Protection (SWP) Overlay shall be accompanied by a Notice under Section 59(2) of the Clean Water Act, 2006, as amended.

Existing land uses and/or an expansion of existing land uses which pose a significant drinking water threat activity should be managed pursuant to the Trent Source Protection Plan. Persons undertaking those land use activities that are, or may be, significant drinking water threats may be subject to a Risk Management Plan(s).

Notwithstanding the permitted uses and zone provisions of any underlying zones, the following land use activities shall be prohibited in the Source Water Protection Overlay where they would constitute a future significant drinking water threat, unless otherwise stated in the Trent Source Protection Plan:

- a) The application, storage or management of agricultural source material;
- b) The application, handling or storage of non-agricultural source material;
- c) The application, handling or storage of commercial fertilizer;
- d) The application, handling or storage of pesticide;
- e) The handling or storage of road salt;
- f) The storage of snow;
- g) The handling or storage of fuel;
- h) The handling or storage of a dense non aqueous phase liquid;
- i) The handling or storage of an organic solvent; or
- j) The use of land as livestock grazing or pasturing lands, an outdoor confinement area of a farm-animal yard.

Where the Province or other approval body has issued or approved a Prescribed Instrument, or the Township's Risk Management Official (RMO) issues a Notice pursuant to Section 59 of the Clean Water Act, a land use prohibited above may be permitted in accordance with the provisions of the underlying zone(s) and all other applicable provisions of Zoning By-law 2009-08 as amended.

### **3.37 Swimming Pools**

Notwithstanding anything contained in this By-law, a swimming pool is permitted as an accessory use to a permitted residential use:

- (a) In the front or exterior side yard of any lot if:
  - (i) no part of such pool is located closer to any lot line or street line than the minimum distance required for the principal building located on such lot; and
  - (ii) any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions of this By-Law respecting accessory buildings on such lot;
- (b) In the rear or side yard of any lot if:
  - (i) No part of such pool is located closer to any lot line or street line than the maximum distance required for an accessory building on such lot; and
  - (ii) Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions of this By-Law respecting accessory buildings on such lot.
- (c) In the Residential Type One (R1), Residential Type Two (R2), Residential Type 3 (R3), Rural Residential (RR) and Limited Service Residential (LSR) zones, a pool shall be prohibited in the front and exterior side yards.
- (d) All other provisions of the Municipal Pool By-Law and/or the Swimming Pool Enclosure By-Law, as amended, shall apply.

### **3.38 Temporary Uses**

The following uses are permitted in all zones: A tool shed, construction trailer, scaffold or other building or structure incidental to construction on the lot where it is situated, and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. Abandoned in this subsection shall mean the failure to proceed expeditiously with the construction of a work.

### **3.39 Yard Encroachments**

Every part of any minimum yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building or structure permitted elsewhere in the By-Law, provided however, that those structures listed below shall be permitted to project into the minimum required yards indicated for the distances specified:

- (a) belt courses, sills, cornices, eaves, gutters, chimneys, bay windows, pilasters or other ornamental structures may project into any minimum required yard not more than 0.5 metres;
- (b) open and roofed porches, sundecks and balconies may project into any minimum required front yard, exterior side yard or rear yard not more than 1.5 metres;
- (c) exterior stairs and landing may project into any one minimum required side yard not more than 1 metre, and may project into any minimum required rear yard 1.5 metres;
- (d) uncovered patios, awnings, garden trellises, flag poles, planting materials, fences, retaining walls, and similar uses may project into any minimum yard;
- (e) docks, pump houses and other uses required to be located in close proximity to a shoreline may project into any minimum yard.

#### **3.40 Mobile Canteens and Mobile Refreshment Vehicles**

Any person wishing to operate a mobile canteen or a mobile refreshment vehicle within the Township of Asphodel-Norwood shall acquire an appropriate license from the Corporation and shall be subject to the regulations of By-law No. 2000-23, as amended, and to the applicable zone provisions contained herein. In the event of conflict between these documents, the more restrictive provisions shall prevail.



# Section 4 Zones

## 4.1 Zones

For the purposes of this By-Law, the whole of the Township of Asphodel-Norwood is divided into various zones as follows:

<b>Zone</b>	<b>Symbol</b>
Residential One.....	(R1)
Residential Two.....	(R2)
Residential Three .....	(R3)
Rural Residential.....	(RR)
Limited Service Residential .....	(LSR)
Rural.....	(RU)
Agricultural .....	(A)
Commercial .....	(C1)
Recreational Commercial .....	(C2)
General Industrial.....	(M1)
Extractive Industrial .....	(M2)
Waste Management .....	(M3)
Institutional .....	(I)
Environmental Protection .....	(EP)
Open Space .....	(OS)

## 4.2 Schedules

The following schedules are included and form a part of this By-Law, together with the legend, notations, symbols, and other information included thereon:

Schedules “A1” to “A14” – rural areas

Schedules “B1” to “B16” – areas with higher density development (Hamlets, Villages etc.)

### 4.3 **Zone Boundaries**

Boundaries indicated on Schedules “A1” to “A14” and “B1” to “B16” shall be interpreted as follows:

- 4.3.1. The centre line of any road, right-of-way or watercourse; or
- 4.3.2 The lot line as indicated on a registered plan of subdivision, or a Township survey plan; except that,
- 4.3.3 In the absence of either of the above, the zone boundary is the distance scaled from the zoning Schedules.

## Section 5 Residential One Zone (R1)

No person shall within a Residential One (R1) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 5.1 Permitted Uses

- 5.1.1 a single detached dwelling; or
- 5.1.2 a duplex; or
- 5.1.3 a semi-detached dwelling; and
- 5.1.4 a home occupation, inclusive of a bed and breakfast establishment incidental to any one of the above.

### 5.2 Regulations For Permitted Uses

#### 5.2.1 Regulations for uses permitted in Section 5.1.1

- (a) Minimum Lot Area (municipal services):.....464.5 square metres
- (b) Minimum Lot Area (partial services): .....2,044 square metres
- (c) Minimum Lot Frontage (municipal services): ..... 15 metres
- (d) Minimum Lot Frontage (partial services): ..... 30 metres
- (e) Maximum Lot Coverage: ..... 40 %
- (f) Minimum Landscaped Open Space Requirement: ..... 30 %
- (g) Maximum Number of Dwelling Units per Lot: ..... one (1)
- (h) Minimum Front Yard: ..... 6 metres
- (i) Minimum Side Yard: ..... 1.2 metres
- (j) Minimum Exterior Side Yard: ..... 6 metres
- (k) Minimum Rear Yard: ..... 6 metres
- (l) Maximum Building Height: ..... 12 metres
- (m) Minimum Dwelling Unit Area: .....92.9 square metres

#### 5.2.2 Regulations for uses permitted in Sections 5.1.2 and 5.1.3

- (a) Minimum Lot Area (municipal services):.....576 square metres
- (b) Minimum Lot Area (partial services): .....2,044 square metres
- (c) Minimum Lot Frontage (municipal services): ..... 18 metres
- (d) Minimum Lot Frontage (partial services): ..... 16 metres
- (e) Maximum Lot Coverage: ..... 40 %
- (f) Minimum Landscaped Open Space Requirement: ..... 30 %
- (g) Maximum Number of Dwelling Units per Lot: ..... two (2)
- (h) Minimum Front Yard: ..... 6 metres
- (i) Minimum Side Yard: ..... 1.2 metres
- (j) Minimum Exterior Side Yard: ..... 6 metres
- (k) Minimum Rear Yard: ..... 6 metres
- (l) Maximum Building Height: ..... 12 metres
- (m) Minimum Floor Area: .....111.5 square metres

(n) Minimum Dwelling Unit Area: .....83.5 square metres

### **5.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### **5.4 Residential One (R1) Exceptions**

#### **5.4.1 Residential One Exception One (R1-1) Zone Reference By-Law 79-5**

On lands zoned (R1-1) on Schedule 'B16', identified as Roll No. 1501-020-002-10700, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

##### **5.4.1.1 Permitted Uses:**

A single detached dwelling; or  
A group home.

##### **5.4.1.2 Regulations for uses permitted in Section 5.4.1.1:**

- (a) The minimum lot area, minimum lot frontage, maximum lot coverage, minimum side, rear and front yards, maximum floor area and maximum building height regulations for the group home shall be as existing on the date of passing of this By-Law;
- (b) The floor area dimensions on the date of passing of this By-Law are 11.22 metres along Cedar Street by 9.33 metres.

#### **5.4.2 Residential One Exception Two (R1-2) Zone Reference By-Law 8-81**

On lands zoned (R1-2) on Schedule 'B13', identified as Roll Nos. 1501-010-004-09158 and 1501-010-004-09159, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

##### **5.4.2.1 Permitted Uses:**

A single detached dwelling;  
Accessory buildings and structures.

**5.4.2.2 Regulations for uses permitted in Section 5.4.2.1(i):**

- (a) Minimum Lot Area:.....0.15 hectares
- (b) Minimum Lot Frontage:..... 22 metres
- (c) Maximum Lot Coverage (all buildings & structures):... 40%
- (d) Minimum Front Yard: ..... 15 metres
- (e) Minimum Side Yard: ..... 6 metres
- (f) Minimum Rear Yard:..... 15 metres
- (g) Maximum Building Height: ..... 9 metres
- (h) Minimum Floor Area: .....95 square metres
- (i) Maximum Ground Floor Coverage:.....185 square metres

**5.4.2.3 Regulations for uses permitted in Section 5.4.2.1(ii):**

- (a) Minimum Front Yard: ..... 15 metres
- (b) Minimum Side Yard: ..... 6 metres
- (c) Minimum Rear Yard:..... 15 metres
- (d) Maximum Building Height: ..... 9 metres
- (e) Maximum Ground Floor Coverage:.....93 square metres

**5.4.3 Residential One Exception Three (R1-3) Zone  
Reference By-Law 99-7**

On lands zoned (R1-3) on Schedule 'B16', identified as Roll No. 1501-020-002-12500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

**5.4.3.1 Permitted Uses:**

A home occupation which may include the display and sale of gifts, crafts and collectibles.

**5.4.3.2 Regulations for uses permitted in Section 5.4.3.1:**

- (a) All other permitted uses, provisions and requirements of Sections 5.1, 5.2 and 5.3 shall apply and be complied with.

**5.4.4 Residential One Exception Four (R1-4) Zone  
Reference By-Law 2005-35**

On lands zoned (R1-4) on Schedule 'B6', identified as Roll No. 1501-020-001-01802, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

**5.4.4.1 Permitted Uses:**

A single detached dwelling;  
A home occupation which may include a tea room and small gift shop.

**5.4.4.2 Regulations for uses permitted in Section 5.4.4.1:**

- (a) Maximum Floor Area of Home Occupation .....61.3 square metres
- (b) Minimum Number of Parking Spaces: ..... 3 (three)
- (c) Maximum Area of Advertising Sign:.....0.3 square metres
- (d) The dwelling within which a home occupation is permitted shall be occupied as a residence by the owner
- (e) All other permitted provisions and requirements of Section 5.2 and 3.12 shall apply and be complied with.

**5.4.5 Residential One Exception Five (R1-5) Zone  
Reference By-Law 2011-29**

On lands zoned (R1-5) on Schedule 'B4', identified as Roll No. 1501-020-002-08105, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

**5.4.5.1 Permitted Uses:**

All uses permitted in Section 5.1.

**5.4.5.2 Regulations for uses permitted in Section 5.4.5.1**

The applicable regulations of Section 5.2 shall apply. However, notwithstanding the provisions of Section 5.2.1(k) and Section 5.2.2(k), the Minimum Rear Yard (from the (EP) zone boundary) shall be 0 metres.

**5.4.5.3 General Zone Provisions:**

Notwithstanding the provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone, the provisions of Section 3.31 - Setback From High Water Mark shall not apply to the use of land, buildings or structures permitted within this zone.

**5.4.6 Residential One Exception Six (R1-6) Zone  
Reference By-Law 2016-80**

On lands zoned (R1-6) on Schedule 'B3', identified as Roll No. 1501-010-003-08205, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following special provisions:

**5.4.6.1 Permitted Uses:**

Two (2) Semi-Detached Residential Dwellings.

**5.4.6.2 Regulations for uses permitted in Sections 5.4.6.1:**

(a) Maximum Number of Dwelling Units per Lot.....four (4)

**5.4.7 Residential One Exception Seven (R1-7) Zone  
Reference By-Law 2017-63**

On lands zoned (R1-7) on Schedule 'B6', the subject parcel identified as Roll No. 1501-020-001-12100, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 5 hereof, and subject to the following additional provisions:

**5.4.7.1 Permitted Uses:**

A hospice with a maximum of two beds

## Section 6 Residential Two Zone (R2)

No person shall within a Residential Two (R2) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 6.1 Permitted Uses

- 6.1.1 a tri-plex; or
- 6.1.2 a four-plex; or
- 6.1.3 a row house.

### 6.2 Regulations For Permitted Uses

#### 6.2.1 Regulations for uses permitted in Section 6.1.1

- (a) Minimum Lot Area: .....929 square metres
- (b) Minimum Lot Frontage:..... 21 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 30 %
- (e) Maximum Number of Dwelling Units per Lot: ..... three (3)
- (f) Minimum Front Yard: ..... 6 metres
- (g) Minimum Side Yard: ..... 2.4 metres
- (h) Minimum Exterior Side Yard: ..... 6 metres
- (i) Minimum Rear Yard:..... 6 metres
- (j) Maximum Building Height: ..... 12 metres
- (k) Minimum Floor Area per Unit:
  - Bachelor Unit: .....37 square metres
  - One Bedroom: .....51 square metres
  - Two Bedroom: .....60 square metres
  - Three Bedroom:.....72 square metres
  - Four Bedroom:.....81.5 square metres

#### 6.2.2 Regulations for uses permitted in Sections 6.1.2 and 6.1.3

- (a) Minimum Lot Area: .....975 square metres
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 30 %
- (e) Maximum Number of Dwelling Units per Lot: ..... four (4)
- (f) Minimum Front Yard: ..... 6 metres
- (g) Minimum Side Yard: ..... 3 metres
- (h) Minimum Exterior Side Yard: ..... 6 metres
- (i) Minimum Rear Yard:..... 6 metres
- (j) Maximum Building Height: ..... 12 metres
- (k) Minimum Floor Area per Unit:
  - Bachelor Unit: .....37 square metres



One Bedroom: .....	51 square metres
Two Bedroom: .....	60 square metres
Three Bedroom:.....	72 square metres
Four Bedroom:.....	81.5 square metres

**6.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

**6.4 Residential Two (R2) Exceptions**

# Section 7

## Residential Three Zone (R3)

No person shall within a Residential Three (R3) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 7.1 Permitted Uses

- 7.1.1 an apartment building; or
- 7.1.2 a condominium.

### 7.2 Regulations For Permitted Uses

#### 7.2.2 Regulations for uses permitted in Sections 7.1.1 and 7.1.2

- (a) Minimum Lot Area: .....1000 square metres or 185 square metres per dwelling unit, whichever is greater
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 40 %
- (e) Minimum Front Yard: ..... 12 metres
- (f) Minimum Side yard:..... 6 metres
- (g) Minimum Exterior Side Yard:..... 12 metres
- (h) Minimum Rear Yard:..... 12 metres
- (i) Maximum Building Height:..... 12 metres
- (j) Minimum Floor Area per Unit:
  - Bachelor Unit: .....37 square metres
  - One Bedroom:.....51 square metres
  - Two Bedroom:.....60 square metres
  - Three Bedroom: .....72 square metres
  - Four Bedroom: .....81.5 square metres

### 7.3 General Zone Provisions

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### 7.4 Residential Three (R3) Exceptions

#### 7.4.1 **Residential Three Exception One (R3-1) Zone** **Reference By-Law 9-85**

On lands zoned (R3-1) on Schedule 'B7', identified as Roll No. 1501-010-003-10500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 7 hereof, and subject to the following special provisions:

**7.4.1.1 Residential Uses:**

An apartment building.

**7.4.1.2 Regulations for uses permitted in Section 7.4.1.1:**

- (a) The use permitted in Section 7.4.1.1 shall be fully serviced with piped water and sewer service or with the approval of the Ministry of the Environment and the Peterborough County-City Health Unit on private water supply and piped sewer service;
- (b) Minimum Lot Area.....0.24 hectares
- (c) No building may be erected within 32 metres of the centerline of County Road 45;
- (d) Minimum Lot Frontage:..... 30 metres
- (e) Minimum Side Yard: ..... 3 metres or one half the height of the building, whichever is the greater;
- (f) Minimum Rear Yard:..... 9 metres or the height of the building, whichever is the greater;
- (g) Maximum Lot Coverage:..... 30%
- (h) Maximum Number of Storeys: .....three (3)
- (i) Maximum Floor Area:
  - i) Bachelor Dwelling Unit:..... 37 m<sup>2</sup>
  - ii) Dwelling Unit other than Bachelor:..... 55 m<sup>2</sup> plus 14 m<sup>2</sup> for each habitable room in excess of 4;
- (j) Maximum Lot Coverage for Open Parking Areas, Driveways and Vehicle Movement Areas:..... 25%
- (k) Maximum Number of Buildings in the (R3-1) zone: two (2)
- (l) Maximum Number of Dwelling Units in the (R3-1) zone:..... thirty (30)
- (m) Minimum Separation Distance between Buildings:15 metres
- (n) Where a lot is divided into more than one Special Exception Zone under the provisions of this Section, each such portion of said lot shall be used in accordance with the applicable special exception provisions;
- (o) For the purposes of this section, apartment building means a building containing four or more dwelling units each of which has access to common corridors and entrances.

**7.4.2 Residential Three Exception Two (R3-2) Zone  
Reference By-Laws 3-1988 and 88-3**

On lands zoned (R3-2) on Schedule 'B1', identified as Roll No. 1501-010-003-15401, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 7 hereof, and subject to the following special provisions:

**7.4.2.1 Permitted Uses:**

A five unit dwelling.

**7.4.2.2 Regulations for uses permitted in Section 7.4.2.1:**

(a) as outlined in Section 7.2.2 above.

**7.4.3 Residential Three Exception Three (R3-3) Zone  
Reference By-Law 2013-92**

On lands zoned (R3-3) on Schedule 'B6', Lot 16, Con. 8 in the Village of Norwood, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 7 hereof, and subject to the following special provisions:

**7.4.3.1 Permitted Uses:**

A condominium

**7.4.3.2 Regulations for uses permitted in Section 7.4.3.1**

- (a) Minimum Lot Area: ..... 1,600 square metres
- (b) Minimum Exterior Side Yard: .....9.5 metres
- (c) Minimum Front Yard: .....7 metres
- (d) Minimum number of parking spaces per unit..... 1.5 parking spaces
- (e) Minimum distance from nearest parking area to front street line .....6 metres

# Section 8

## Rural Residential (RR) Zone

The Rural Residential (RR) zone is intended to identify those properties which do not have municipal servicing. No person shall within a Rural Residential (RR) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 8.1 Permitted Uses

- 8.1.1 a single detached dwelling; or
- 8.1.2 a duplex; or
- 8.1.3 a semi-detached dwelling; and
- 8.1.4 a home occupation use, inclusive of a bed and breakfast establishment incidental to any one of the above.

### 8.2 Regulations For Permitted Uses

#### 8.2.1 Regulations for uses permitted in Section 8.1.1

- (a) Minimum Lot Area: .....0.4 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 30 %
- (e) Maximum Number of Dwelling Units per Lot: ..... one (1)
- (f) Minimum Front Yard: ..... 15 metres
- (g) Minimum Side Yard: ..... 3 metres
- (h) Minimum Exterior Side Yard:..... 15 metres
- (i) Minimum Rear Yard:..... 6 metres
- (j) Maximum Building Height:..... 12 metres
- (k) Minimum Dwelling Unit Area: .....92.9 square metres

#### 8.2.2 Regulations uses permitted in Section 8.1.2 and Section 8.1.3

- (a) Minimum Lot Area: .....0.6 hectares
- (b) Minimum Lot Frontage:..... 123 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 30 %
- (e) Maximum Number of Dwelling Units per Lot: ..... two (2)
- (f) Minimum Front Yard: ..... 15 metres
- (g) Minimum Side Yard: ..... 3 metres
- (h) Minimum Exterior Side Yard:..... 15 metres
- (i) Minimum Rear Yard:..... 6 metres
- (j) Maximum Building Height:..... 12 metres
- (k) Minimum Floor Area: .....111.5 square metres
- (l) Minimum Dwelling Unit Area: .....83.5 square metres

### 8.3 **General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### 8.4 **Rural Residential (RR) Exceptions**

#### 8.4.1 **Rural Residential Exception One (RR-1) Zone Reference By-Law 4-85**

On lands zoned (RR-1) on Schedule 'B14', identified as Roll No. 1501-010-004-14310, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

##### 8.4.1.1 **Permitted Uses:**

An existing seasonal dwelling.

##### 8.4.1.2 **Accessory Buildings and Structures:**

Prohibited.

##### 8.4.1.3 **Special provisions for uses permitted in Section 8.4.2.1:**

(a) Extensions or enlargements are prohibited.

#### 8.4.2 **Rural Residential Exception Two (RR-2) Zone Reference By-Law 6-1982**

On lands zoned (RR-2) on Schedule 'B15', identified as Roll No. 1501-010-004-20900, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

##### 8.4.2.1 **Permitted Uses:**

A single detached dwelling;  
Accessory buildings and structures.

##### 8.4.2.2 **Regulations for uses permitted in Section 8.4.2.1(i):**

- (a) Minimum Lot Area:.....0.12 hectares
- (b) Minimum Lot Frontage:..... 15 metres
- (c) Maximum Lot Coverage (municipal services): ..... 20 %
- (d) Maximum Lot Coverage (private services): ..... 25%
- (e) Minimum Front Yard: ..... 15 metres
- (f) Minimum Side Yard: ..... 3 metres
- (g) Minimum Rear Yard:..... 6 metres

- (h) Maximum Building Height: ..... 9 metres
- (i) Minimum Floor Area:
  - 1 storey or split level: .....97.5 square metres
  - 1 ½ storey: .....120 square metres
  - 2 storey: .....140 square metres

**8.4.2.3 Regulations for uses permitted in Section 8.4.2.1(ii):**

- (a) Minimum Front Yard: ..... 15 metres
- (b) Minimum Side Yard: ..... 3 metres
- (c) Minimum Rear Yard: ..... 6 metres

**8.4.3 Rural Residential Exception Three (RR-3) Zone  
Reference By-Law 2002-52**

On lands zoned (RR-3) on Schedule 'A8', identified as Roll No. 1501-010-003-24810, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.3.1 Permitted Uses:**

A single detached dwelling.

**8.4.3.2 Regulations for uses permitted in Section 8.4.3.1:**

- (a) Minimum Lot Area..... 1 hectare
- (b) Minimum Lot Frontage: ..... 98.5 metres
- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard: ..... 4.5 metres
- (e) Minimum Rear Yard: ..... 15 metres
- (f) Minimum Floor Area: .....97.5 square metres

**8.4.4 Rural Residential Exception Four (RR-4) Zone  
Reference By-Law 9-89**

On lands zoned (RR-4) on Schedule 'A9', identified as Roll No. 1501-010-001-17410, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.4.1 Permitted Uses:**

A welding and machine shop.

**8.4.4.2 Regulations for uses permitted in Section 8.4.3.3:**

- (a) Minimum Lot Area.....0.24 hectares
- (b) Minimum Lot Frontage:..... 38 metres
- (c) Minimum Front Yard: ..... 7.5 metres
- (d) Minimum Side Yard: ..... 6.5 metres

**8.4.5 Rural Residential Exception Five (RR-5) Zone  
Reference By-Law 2010-25**

On lands zoned (RR-5) on Schedule 'A13', identified as Roll No. 1501-010-001-02802, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of this section:

**8.4.5.1 Permitted Uses:**

All uses permitted in Section 8.1.

**8.4.5.2 Regulations for uses permitted in Section 8.4.5.1**

The applicable regulations of Section 8.2 shall apply. However, notwithstanding the definition in Section 2 for "Lot Line, Front" in the case of a corner lot, the Front Lot Line for lands within the (RR-5) Zone shall be abutting Asphodel 2<sup>nd</sup> Line and the Exterior Side Lot Line shall be abutting River Road.

**8.4.5.3 General Zone Provisions:**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

In addition to the provisions of Section 3.1(f)(i) – Yards and Setbacks, an accessory building or structure which is not part of the main building may also be erected in the exterior side yard."

**8.4.6 Rural Residential Exception Six (RR-6) Zone  
Partial Reference By-Law 7-93**

On lands zoned (RR-6) on Schedule 'B14', identified as Roll No. 1501-010-004-11600, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.6.1 Permitted Uses:**

A single detached dwelling;  
Accessory buildings.



#### **8.4.6.2 Regulations for uses permitted in Section 8.4.6.1:**

- (a) Minimum Lot Area.....0.11 hectares
- (b) Minimum Lot Frontage:..... 62.5 metres
- (c) Minimum Front Yard:
  - i) Accessory Frame Garage:..... 0.97 metres
  - ii) Single Detached Dwelling:..... 3.21 metres
- (d) Minimum North Side Yard:..... 0.87 metres
- (e) Minimum West Side Yard: ..... 0 metres
- (f) Maximum Building Height: ..... 2 storey's
- (g) Maximum Number of Dwelling Units per Lot:..... one (1)
- (h) Minimum Building Separation: ..... 8 metres

#### **8.4.7 Rural Residential Exception Seven (RR-7) Zone Reference By-Law 2011-49**

On lands zoned (RR-7) on Schedule 'A10', identified as Roll Nos. 1501-010-004-03300 and 1501-010-004-03320, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

##### **8.4.7.1 Permitted Uses:**

All uses permitted in Section 8.1.

##### **8.4.7.2 Regulations for uses permitted in Section 8.4.7.1:**

The applicable regulations of Section 8.2 shall apply.

##### **8.4.7.3 General Zone Provisions:**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

In addition to the provisions of Section 3.1(f)(i) – Yards and Setbacks, an accessory building or structure which is not part of the main building may also be erected in the front yard.

#### **8.4.8 Rural Residential Exception Eight (RR-8) Zone Reference By-Law 2012-56**

On lands zoned (RR-8) on Schedule 'A1', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.8.1 Permitted Uses:**

All uses permitted in Section 8.1

**8.4.8.2 General Zone Provisions:**

Notwithstanding Section 3.24(f)(vi), a driveway shall be established along the south lot line with a zero (0) metre setback.

**8.4.9 Rural Residential Exception Nine (RR-9) Zone  
Reference By-Law 2012-74**

On lands zoned (RR-9) on Schedule 'A11', identified as Roll No. 1501-010-004-19701, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.9.1 Permitted Uses:**

All uses permitted in Section 8.1;  
Accessory buildings and structures; including an outdoor skating rink with a roof and cement foundation.

**8.4.9.2 Regulations for uses permitted in Section 8.4.9.1**

The applicable regulations of Section 8.2 shall apply.

**8.4.9.3 General Zone Provisions:**

All the provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within the zone shall apply and be complied with.

Notwithstanding the provisions of Section 3.1 (d) – accessory uses shall be allowed to establish a maximum height of 5.0 metres.

Notwithstanding the provisions of Section 3.1 (e) – accessory uses shall be permitted in the absence of a principle use.

**8.4.10 Rural Residential Exception Ten (RR-10) Zone  
Reference By-Laws 2016-43 and 2016-78**

On lands zoned (RR-10) on Schedule 'A7', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.10.1 Permitted Uses:**

All uses permitted in Section 8.1;

A barn, as it existed on the day of the passing of this by-law that is accessory to the main residential dwelling and shall only be used for storage purposes but shall not include the housing of livestock.

**8.4.11 Rural Residential Exception Eleven (RR-11) Zone  
Reference By-Law 2017-44**

On lands zoned (RR-11) on Schedule 'A10', the subject parcel identified as Roll No. 1501-010-001-24010, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following special provisions:

**8.4.11.1 Permitted Uses:**

A single detached dwelling

**8.4.11.2 Regulations for uses permitted in 8.4.11.1**

- (a) Minimum Lot Area .....0.08 Ha
- (b) Minimum Front Yard ..... 6 metres
- (c) Minimum Interior Side Yard ..... 3 metres
- (d) Minimum Rear Yard..... 6 metres

**8.4.12 Rural Residential Exception Twelve (RR-12) Zone  
Reference By-Law 2017-64**

On lands zoned (RR-12) on Schedule 'A7', the subject parcel identified as Roll No. 1501-010-003-04202, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 8 hereof, and subject to the following additional provisions:

**8.4.12.1 Permitted Uses:**

A hobby farm

**8.4.12.2 Regulations for uses permitted in 8.4.10.1**

- (a) Minimum Lot Area .....2 hectares
- (b) Minimum Lot Frontage.....180 metres

**8.4.12.3** Notwithstanding Section 3.18, where a portion of a lot is zoned the Environmental Protection (EP) Zone, those lands may be used in calculating minimum lot area and minimum lot frontage requirements.

**8.4.12.4** Notwithstanding Section 3.15, the keeping of livestock is permitted in the (RR-12) zone.

**8.4.13 Rural Residential Exception Thirteen (RR-13) Zone  
Reference By-Law 2018-18**

On lands zoned (RR-13) on Schedule 'B14', the subject parcel identified as Roll No. 1501-010-004-13520, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and subject to the following special provisions:

**8.4.13.1 Permitted Uses:**

A sign shop

**8.4.13.2 Regulations for uses permitted in 8.4.12.1**

- (a) Minimum Lot Area ..... 0.3 Ha
- (b) Minimum Lot Frontage..... 30 metres
- (c) Maximum Lot Coverage..... 10%
- (d) Minimum Front Yard..... 6 metres
- (e) Minimum Interior Side Yard ..... 6 metres
- (f) Minimum Rear Yard..... 15 metres
- (g) Maximum Building Height... 10 metres
- (h) Minimum Landscaped Open Space Area... 45%

## **Section 9**

### **Limited Service Residential (LSR) Zone**

No person shall within a Limited Service Residential (LSR) zone use any land or erect, alter or use any building or structure except as specified hereunder:

#### **9.1 Permitted Uses**

9.1.1 a seasonal dwelling.

#### **9.2 Regulations For Permitted Uses**

##### **9.2.1 Regulations for uses permitted in Section 9.1.1**

- (a) Minimum Lot Area: .....0.4 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 40 %
- (d) Minimum Landscaped Open Space Requirement: ..... 30 %
- (e) Maximum Number of Dwelling Units per Lot: ..... one (1)
- (f) Minimum Front Yard: ..... 15 metres
- (g) Minimum Side Yard: ..... 3 metres
- (h) Minimum Exterior Side Yard: ..... 15 metres
- (i) Minimum Rear Yard: ..... 6 metres
- (j) Maximum Building Height: ..... 12 metres
- (k) Minimum Dwelling Unit Area: .....92.9 square metres

#### **9.3 General Zone Provisions**

Notwithstanding any other provision of this Zone to the contrary, the water yard setback shall be 30 metres.

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

#### **9.4 Limited Service Residential (LSR) Exceptions**

##### **9.4.1 Limited Service Residential Exception One (LSR-1) Zone Reference By-Law 10-89**

On lands zoned (LSR-1) on Schedule 'B12', identified as Roll No. 1501-010-004-01300, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**9.4.1.1 Permitted Uses:**

A single detached dwelling.

**9.4.1.2 Regulations for uses permitted in Section 9.4.1.1:**

- (a) Minimum Lot Frontage:..... 22 metres
- (b) Maximum Lot Coverage:..... 20 %
- (c) Minimum Floor Area: .....97.5 square metres
- (d) All other provisions of Section 9.2.1 shall apply and be complied with.

**9.4.2 Limited Service Residential Exception Two (LSR-2) Zone  
Reference By-Law 8-1990**

On lands zoned (LSR-2) on Schedule 'B12', identified as Roll No. 1501-010-004-01100, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**9.4.2.1 Permitted Uses:**

A single detached dwelling.

**9.4.2.2 Regulations for uses permitted in Section 9.4.2.1:**

- (a) Minimum Lot Frontage:..... 15.2 metres
- (b) Minimum Side Yard: ..... 1.2 metres
- (c) Maximum Lot Coverage:..... 20 %
- (d) Minimum Floor Area: .....97.5 square metres
- (e) All other provisions of Section 9.2.1 shall apply and be complied with.

**9.4.3 Limited Service Residential Exception Three (LSR-3) Zone  
Reference By-Law 2009-44**

On lands zoned (LSR-3) on Schedule 'B13', identified as Roll No. 1501-010-004-04201, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**9.4.3.1 Permitted Uses:**

A single detached dwelling.

**9.4.3.2 Regulations for uses permitted in Section 9.4.3.1:**

- (a) Minimum Lot Frontage:..... 0 metres
- (b) Minimum Yard Requirements:
  - (i) North Lot Line: ..... 6 metres

- (ii) West Lot Line:..... 3 metres
- (iii) South/East Lot Line:
  - (a) All buildings – above the elevation of 187.9 m geodetic as shown on Part 7 of Plan 45R-3082
  - (b) Septic:..... 17 metres
- (c) All other provisions of Section 9.2.1 shall apply and be complied with.

**9.4.4 Limited Service Residential Exception Four (LSR-4) Zone  
Reference By-Law 2015-76**

On lands zoned (LSR-4) on Schedule ‘B13’ identified as Roll No. 1501-010-004-07000, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**9.4.4.1 Permitted Uses:**

All uses permitted in the Section 9.1

**9.4.4.2 Regulations for uses permitted in Section 9.1:**

- (a) Minimum Lot Area.....489 square metres
- (b) Minimum Lot Frontage.....13 metres
- (c) Minimum Front Yard Setback.....9.7 metres
- (d) Minimum Side Yard Setback on the south east corner for a single detached dwelling as it existed on the day of the passing of this by- law.....0.70 metres
- (e) Minimum Side Yard Setback on the north east corner for a single detached dwelling as it existed on the day of the passing of this by- law.....0.75 metres
- (f) All other provisions of Section 9.2.1 shall apply and be complied with.

**9.4.5 Limited Service Residential Exception Five (LSR-5) Zone  
Reference By-Law 2015-76**

On lands zoned (LSR-5) on Schedule ‘B13’ identified as Roll No. 1501-010-004-07100, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**9.4.5.1 Permitted Uses:**

All uses permitted in the Section 9.1

**9.4.5.2 Regulations for uses permitted in Section 9.1:**

- (a) Minimum Lot Area.....580 square metres

- (b) Minimum Front Yard Setback.....9.4 metres
- (c) Minimum Side Yard Setback on the south west corner for an accessory building as it existed on the day of the passing of this by-law.....0.55 metres
- (d) All other provisions of Section 9.2.1 shall apply and be complied with.



## Section 10 Rural (RU) Zone

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

### 10.1 Permitted Uses

- 10.1.1 an agricultural use;
- 10.1.2 a single detached dwelling, or a semi-detached dwelling, or a duplex;
- 10.1.3 a home occupation, inclusive of a bed and breakfast establishment incidental to any one of the above;
- 10.1.4 a home industry;
- 10.1.5 a conservation, forestry or other similar use;
- 10.1.6 a farm produce sales outlet as an accessory to an agricultural use;
- 10.1.7 a farm implement sales establishment;
- 10.1.8 a livestock sales barn;
- 10.1.9 a veterinary clinic;
- 10.1.10 a wayside pit or quarry in accordance with the provisions of The Aggregate Resources Act, R.S.O. 1990 , c. A.8. as amended, the regulations made there-under, and the Provisions of Section 3.25 of this By-law;

### 10.2 Regulations For Permitted Uses

#### 10.2.1 Regulations for uses permitted in Sections 10.1.1 and 10.1.2

- (a) Minimum Lot Area: .....30 hectares
- (b) Minimum Lot Frontage:..... 123 metres
- (c) Minimum Front Yard: ..... 30 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Exterior Side Yard:..... 30 metres
- (f) Minimum Rear Yard:..... 15 metres
- (g) Maximum Number of Dwellings per Lot:..... one (1)
- (h) Maximum Number of Dwelling Units per Lot: ..... two (2)
- (i) Maximum Building Height:..... 12 metres
- (j) Minimum Dwelling Unit Area: .....92.9 square metres  
(as of April 14, 2015)
- (k) Minimum Dwelling Unit Area: .....83.5 square metres

#### 10.2.2 Regulations for uses permitted in Sections 10.1.7 to 10.1.9

- (a) Minimum Lot Area: .....2 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Minimum Front Yard: ..... 30 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Exterior Side Yard:..... 30 metres
- (f) Minimum Rear Yard:..... 15 metres

(g) Maximum Lot Coverage: ..... 80%

### **10.2.3 Regulations for Extraction Limits of uses permitted in Section 10.1.10**

- (a) Minimum Front Yard: ..... 30 metres
- (b) Minimum Side Yard: ..... 15 metres
- (c) Minimum Rear Yard: ..... 15 metres

**10.2.3.1** Notwithstanding any other provision of this subsection to the contrary, where a pit license is issued by the Ministry of Natural Resources (MNR) and the setbacks for the license are contrary to the setbacks noted above, the greater of the two setbacks shall apply.

### **10.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### **10.4 Rural (RU) Exceptions**

#### **10.4.1 Rural Exception One (RU-1) Zone No Reference By-Law**

On lands zoned (RU-1) on Schedule 'A10', being those parcels merged as a result of the severance of a surplus farm dwelling per Provincial Policy Statement 2.3.4.1(c), identified as, but not limited to Roll No. 1501-010-004-05500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

##### **10.4.1.1 Residential Uses:**

Prohibited.

##### **10.4.1.2 Permitted Uses:**

An agricultural use and agricultural buildings.

##### **10.4.1.3 Regulations for uses permitted in Section 10.4.1.2:**

- (a) Minimum Lot Area ..... 30 hectares
- (b) Minimum Lot Frontage: ..... 123 metres
- (c) Minimum Front Yard: ..... 30 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Exterior Side Yard: ..... 30 metres
- (f) Minimum Rear Yard: ..... 15 metres
- (g) Maximum Number of Dwellings per Lot: ..... zero (0)

- (h) Maximum Number of Dwelling Units per Lot:..... zero (0)
- (i) Maximum Building Height: ..... 12 metres

**10.4.2 Rural Exception Two (RU-2) Zone**  
**Reference By-Law 2005-36**

On lands zoned (RU-2) on Schedule 'A9', identified as Roll No. 1501-010-001-04300, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.2.1 Residential Uses:**

All uses permitted in Section 10.1

**10.4.2.2 Regulations for uses permitted in Section 10.4.2.1:**

- (a) Minimum Front Yard (West):..... 15 metres
- (b) Minimum Side Yard (North): ..... 4.5 metres
- (c) Minimum Side Yard (South):..... 121.5 metres
- (d) Minimum Rear Yard (East): ..... 101.5 metres

**10.4.3 Rural Exception Three (RU-3) Zone**  
**Reference By-Law 2005-40**

On lands zoned (RU-3) on Schedule 'A6', identified as Roll No. 1501-010-002-08712, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.3.1 Permitted Uses:**

All uses permitted in Section 10.1.

**10.4.3.2 Regulations for uses permitted in Section 10.4.3.1:**

- (a) Minimum Lot Frontage:..... 6.09 metres

**10.4.4 Rural Exception Four (RU-4) Zone**  
**Reference By-Law 2012-56 & 2014-15**

On lands zoned (RU-4) on Schedule 'A1', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.4.1 Permitted Uses:**

All uses permitted in Section 10.1

**10.4.4.2 Regulations for uses permitted in Section 10.4.4.1:**

- (a) Minimum Lot Area:..... 18 hectares
- (b) Maximum Number of Dwellings per Lot: ..... two (2)

**10.4.5 Rural Exception Five (RU-5) Zone  
Reference By-Law 2014-30**

On lands zoned (RU-5) on Schedule 'B10', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.5.1 Permitted Uses:**

All uses permitted in Section 10.1

**10.4.5.2 Regulations for uses permitted in Section 10.4.5.1:**

- (a) Minimum Lot Area:.....7 hectares

**10.4.6 Rural Exception Six (RU-6) Zone  
Reference By-Law 2014-70**

On lands zoned (RU-6) on Schedule 'A1', identified as Roll No. 1501-010-002-05601, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.6.1 Permitted Uses:**

All uses permitted in Section 10.1

**10.4.6.2 Regulations for uses permitted in Section 10.4.6.1:**

- (a) Minimum Lot Area:..... 5 hectares
- (b) Minimum Lot Frontage  
(combined on Asphodel 4<sup>th</sup> Line): ..... 103 metres

**10.4.7 Rural Exception Seven (RU-7) Zone  
Reference By-Law 2016-81**

On lands zoned (RU-7) on Schedule 'B3', identified as Roll No. 1501-010-003-08210, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.7.1 Permitted Uses:**

All uses permitted in Section 10.1

**10.4.7.2 Regulations for uses permitted in Section 10.4.7.1:**

(a) Minimum Lot Area: ..... 11.8 hectares

**10.4.8 Rural Exception Eight (RU-8) Zone  
Reference By-Law 2016-90**

On lands zoned (RU-8) on Schedule 'B7', being a parcel merged on title as a result of a consent for lot addition to lands identified as Roll No. 1501-010-003-14322, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.8.1 Permitted Uses:**

An agricultural use;  
A conservation, forestry or other similar use;  
Temporary parking lot;

**10.4.8.2 Regulations for uses permitted in Section 10.4.8.1:**

(a) Minimum Lot Area: .....3.3 hectares  
(b) Minimum Lot Frontage in (RU) zone: ..... 0 Metres

**10.4.9 Rural Exception Nine (RU-9) Zone  
Reference By-Law 2016-90**

On lands zoned (RU-9) on Schedule 'B7', being a parcel identified as Roll No. 1501-010-003-14400, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 10 hereof, and subject to the following special provisions:

**10.4.9.1 Permitted Uses:**

All uses permitted in Section 10.1

**10.4.9.2 Regulations for uses permitted in Section 10.4.9.1:**

(a) Minimum Lot Area: .....21 hectares

# Section 11

## Agricultural (A) Zone

No person shall within an Agricultural (A) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 11.1 Permitted Uses

- 11.1.1 an agricultural use;
- 11.1.2 a single detached dwelling, or a semi-detached dwelling, or a duplex;
- 11.1.3 a conservation, forestry or other similar use;
- 11.1.4 a farm produce sales outlet as an accessory to an agricultural use;
- 11.1.5 a feed mill;
- 11.1.6 a home occupation, inclusive of a bed and breakfast establishment incidental to any one of the above;
- 11.1.7 a home industry;
- 11.1.8 a wayside pit or quarry in accordance with the provisions of The Aggregate Resources Act, R.S.O. 1990 , c. A.8. as amended, the regulations made there-under, and the Provisions of Section 3.25 of this By-law;

### 11.2 Regulations For Permitted Uses

#### 11.2.1 Regulations for uses permitted in Sections 11.1.1 and 11.1.2

- (a) Minimum Lot Area: .....40 hectares
- (b) Minimum Lot Frontage:..... 123 metres
- (c) Minimum Front Yard:..... 30 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Exterior Side Yard:..... 30 metres
- (f) Minimum Rear Yard:..... 15 metres
- (g) Maximum Number of Dwellings per Lot:..... one (1)
- (h) Maximum Number of Dwelling Units per Lot: ..... two (2)
- (i) Maximum Building Height:..... 12 metres
- (j) Minimum Dwelling Unit Area: .....92.9 square metres  
(as of April 14, 2015)
- (k) Minimum Dwelling Unit Area: .....83.5 square metres

#### 11.2.2 Regulations for uses permitted in Section 11.1.5

- (a) Minimum Lot Area: .....2 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Minimum Front Yard:..... 23 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Rear Yard:..... 15 metres
- (f) Maximum Lot Coverage: ..... 10%

### **11.2.3 Regulations for Extraction Limits of uses permitted in Section 11.1.8**

- (a) Minimum Front Yard: ..... 30 metres
- (b) Minimum Side Yard: ..... 15 metres
- (c) Minimum Rear Yard: ..... 15 metres

**11.2.3.1** Notwithstanding any other provision of this subsection to the contrary, where a pit license is issued by the Ministry of Natural Resources (MNR) and the setbacks for the license are contrary to the setbacks noted above, the greater of the two setbacks shall apply.

### **11.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### **11.4 Agricultural (A) Exceptions**

#### **11.4.1 Agricultural Exception One (A-1) Zone No Reference By-Law**

On lands zoned (A-1) on Schedules 'A1' to 'A14' or Schedules 'B1' to 'B16', being those parcels merged as a result of the severance of a surplus farm dwelling per Provincial Policy Statement 2.3.4.1(c), no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions:

##### **11.4.1.1 Residential Uses:**

Prohibited.

##### **11.4.1.2 Permitted Uses:**

An agricultural use and agricultural buildings.

##### **11.4.1.3 Regulations for uses permitted in Section 11.4.1.2:**

- (a) Minimum Front Yard: ..... 30 metres
- (b) Minimum Side Yard: ..... 15 metres
- (c) Minimum Exterior Side Yard: ..... 30 metres
- (d) Minimum Rear Yard: ..... 15 metres
- (e) Maximum Number of Dwellings per Lot: ..... zero (0)
- (f) Maximum Number of Dwelling Units per Lot: ..... zero (0)
- (g) Maximum Building Height: ..... 12 metres



**11.4.2 Agricultural Exception Two (A-2) Zone  
Reference By-Law 2011-49**

On lands zoned (A-2) on Schedule 'A10', identified as Roll No. 1501-010-004-03300, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions:

**11.4.2.1 Permitted Uses:**

All uses permitted in Section 11.1.

**11.4.2.2 Regulations for uses permitted in Section 11.4.2.1:**

Minimum Lot Area..... 34 hectares

**11.4.3 Agricultural Exception Three (A-3) Zone  
Reference By-Law 2014-60**

On lands zoned (A-3) on Schedule 'A6', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions:

**11.4.3.1 Permitted Uses:**

All uses permitted in Section 11.1.

**11.4.3.2 Regulations for uses permitted in Section 11.4.3.1:**

Minimum Lot Area..... 28 hectares

**11.4.4 Agricultural Exception Four Holding (A-4(H)) Zone  
Reference By-Law 2014-93**

In addition to the existing permitted uses within the Agricultural (A) zone, on land zoned (A-4(H)) on Schedule 'A2' the following shall also be permitted:

**11.4.4.1 Permitted Uses:**

Garden Suite

**11.4.4.2 Regulations for uses permitted in Section 11.4.4.1:**

The Holding Symbol shall require the owner to enter into an agreement with the Municipality for the temporary use of a garden suite. The agreement shall include the following:

- (a) The installation, maintenance and removal of the garden suite;
- (b) The period of occupancy of the garden suite by any of the persons named in the agreement;
- (c) The monetary or other form of security that the council may require for actual or potential costs to the municipality related to the garden suite; and,
- (d) The agreement shall be registered on the lands.

Maximum number of units.....1

Permitted Location of a garden suite shall be in a rear yard, side yard or exterior side yard.

Notwithstanding Section 3.20 (a) Minimum Distance Separation shall not apply between a garden suite and a barn located on the same property as it existed on the day of the passing of this by-law.

All other provisions of the Agricultural (A) zone shall apply.

Schedule “A2” of By-Law 2009-08, as amended, is hereby further amended in accordance with the provisions of this By-Law.

All other relevant provisions of By-Law 2009-08, as amended, shall apply.

**11.4.5 Agricultural Exception Five (A-5) Zone  
Reference By-Law 2015-18**

On lands zoned (A-5) on Schedule ‘A7’ identified as Roll No. 1501-010-003-03900, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions:

**11.4.5.1 Permitted Uses:**

All uses permitted in the Section 11.1

**11.4.5.2 Regulations for uses permitted in Section 11.1:**

Minimum Lot Area.....6.14 hectares

Schedule “A7” of By-Law 2009-08, as amended, is hereby further amended in accordance with the provisions of this By-Law.

All other relevant provisions of By-Law 2009-08, as amended, shall apply.

**11.4.6 Agricultural Exception Six (A-6) Zone  
Reference By-Law 2016-43**

On lands zoned (A-6) on Schedule 'A7', being those parcels merged as a result of the severance of a surplus farm dwelling per Provincial Policy Statement 2.3.4.1(c), no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions:

**11.4.6.1 Residential Uses:**

Prohibited.

**11.4.6.2 Permitted Uses:**

An agricultural use;  
A conservation, forestry or other similar use;  
A farm produce outlet as an accessory to an agricultural use;  
A feed mill;  
A wayside pit or quarry in accordance with the provisions of the Aggregate Resources Act, R.S.O 1990, c. A.8 as amended, the regulations made there-under, and the Provisions of Section 3.25 if this By-law

**11.4.7 Agricultural Exception Seven (A-7) Zone  
Reference By-Law 2016-95**

On lands zoned (A-7) on Schedule 'A5', being Part Lot 13, Concession 1, Asphodel Ward, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following special provisions

**11.4.7.1 Permitted Uses:**

A farm implement and equipment repair shop

**11.4.7.2 Regulations for uses permitted in 11.4.7.1**

- (a) Minimum Lot Area..... 0.4 Ha
- (b) Minimum Lot Frontage.....75 metres
- (c) Minimum Front Yard.....30 metres
- (d) Minimum Side Yard.....15 metres
- (e) Minimum Rear Yard.....9 metres
- (f) Maximum Lot Coverage.....10%
- (g) Maximum Building Height .....12 metres

**11.4.8 Agricultural Exception Eight (A-8) Zone  
Reference By-Law 2017-45**

On lands zoned (A-8) on Schedule 'A11', the subject parcel identified as Roll No. 1501-010-004-10800, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 11 hereof, and subject to the following additional provisions:

**11.4.8.1 Permitted Uses:**

A kennel

**11.4.8.2 Regulations for uses permitted in 11.4.8.1**

- (a) Maximum kennel area ..... 122 metres x 122 metres
- (b) Minimum Front Yard ..... 98 metres
- (c) Minimum Exterior Side Yard ..... 250 metres
- (d) Minimum Interior Side Yard ..... 174 metres
- (e) Minimum Rear Yard ..... 427 metres

## Section 12 Commercial (C1) Zone

No person shall within a Commercial (C1) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 12.1 Permitted Uses

- 12.1.1 an agricultural use;
- 12.1.2 a business, professional or administrative office;
- 12.1.3 a dry cleaners or a laundromat;
- 12.1.4 a farm implement sales establishment;
- 12.1.5 a funeral home;
- 12.1.6 a gasoline bar, a propane retail outlet;
- 12.1.7 a hotel or motel;
- 12.1.8 a liquor control board outlet;
- 12.1.9 a liquor licensed premises;
- 12.1.10 a motor vehicle repair garage, a motor vehicle service station;
- 12.1.11 a motor vehicle sales centre;
- 12.1.12 a motor vehicle wash;
- 12.1.13 a parking lot;
- 12.1.14 a personal service shop;
- 12.1.15 a place of entertainment;
- 12.1.16 a post office;
- 12.1.17 a printing or publishing establishment;
- 12.1.18 a restaurant;
- 12.1.19 a retail establishment;
- 12.1.20 a veterinary clinic;
- 12.1.21 dwelling units;
- 12.1.22 an equipment rental establishment;
- 12.1.23 the outside display of goods and materials where such use is accessory and incidental to a permitted use;
- 12.1.24 the outside storage of goods and materials where such use is accessory and incidental to a permitted use;

### 12.2 Regulations For Permitted Uses

#### 12.2.1 Regulations for all permitted uses exclusive of Section 12.1.6 and 12.1.21

- (a) Minimum Lot Area: .....0.14 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 80%
- (d) Minimum Front Yard: ..... 3 metres
- (e) Minimum Side Yard: ..... 3 metres  
Except where the side lot line abuts any Residential Zone or  
an Institutional Zone, in which case the minimum side yard  
shall be: ..... 6 metres
- (f) Minimum Exterior Side Yard:..... 3 metres

- (g) Minimum Rear Yard:..... 6 metres  
Except where the rear lot line abuts any Residential Zone or an Institutional Zone, in which case the minimum rear yard shall be: ..... 10 metres
- (h) Maximum Building Height:..... 12 metres
- (i) Planting Strip Requirements:  
Where the side or rear yard of a lot abuts any Residential Zone or an Institutional Zone, an area adjoining such abutting lot line or portion thereof shall be used for no other purposes than for a planting strip in accordance with the requirements of Section 3.26 of this By-Law.

**12.2.2 Regulations for uses permitted in Section 12.1.6**

- (a) Minimum Lot Area: .....0.37 hectares
- (b) Minimum Lot Frontage:..... 36 metres
- (c) Maximum Lot Coverage: ..... 50%
- (d) Minimum Landscaped Open Space Requirement: ..... 10%
- (e) Minimum Front Yard:..... 15 metres
- (f) Minimum Side Yard: ..... 6 metres  
Except where the interior side lot line abuts any Residential Zone or an Institutional Zone, in which case the minimum side yard shall be: ..... 12 metres
- (g) Minimum Exterior Side Yard:..... 15 metres
- (h) Minimum Rear Yard:..... 15 metres
- (i) Minimum Lot Depth Requirement:..... 30 metres  
Except where the lot is a corner lot in which case the minimum lot depth requirement shall be:..... 36 metres
- (j) Maximum Building Height:..... 10 metres

**12.2.2.1 Gasoline Pump Location:**

Notwithstanding any other provision of this By-law to the contrary, a gasoline pump island or gasoline pumps, as part of or as accessory to an automobile sales centre, a gasoline bar, an automobile repair garage, or an automobile service station, may be located within any yard provided:

- (a) that the minimum distance between any portion of the pump island or gasoline pumps and any street line or any rear or interior side lot line is not less than 5 metres; and
- (b) that where a lot is a corner lot, no portion of any pump island or gasoline pumps shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in the exterior side lot line, such points being distant 15 metres from the intersection of such lines.

**12.2.2.2 Propane Storage Tank Location:**

Propane storage tanks shall not be installed except in accordance with the provisions of the Provincial Gasoline Handling Act or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

**12.2.3 Regulations for Outside Storage**

No portion of any lands zoned within the Commercial (C1) Zone shall be used for the outside storage and sale of goods and materials except in accordance with the following provisions:

- (a) that such outside storage not be located closer than 2 metres to a side or rear lot line where the lot line abuts a lot zoned for commercial purposes or 6 metres of a side or rear lot line where the lot line abuts a lot zoned for other than commercial purposes;
- (b) that such outside storage does not cover in excess of 30 per cent of the total lot area; and
- (c) that any portion of a lot used for the outside storage of goods or materials is screened from adjacent residential zones adjoining the lot by buildings or is enclosed by shrub planting in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a closed privacy fence extending at least 2 metres in height from the finished grade.

**12.2.4 Regulations for uses permitted in Section 12.1.21**

Dwelling units may be permitted in a portion of a non-residential building permitted within the Commercial (C1) zone provided such dwelling is not located below the second storey and that all other applicable provisions of the By-Law are complied with.

- (a) Minimum Dwelling Unit Floor Area Requirements:
  - Bachelor Dwelling Unit: .....42 square metres
  - One Bedroom Dwelling Unit: .....56 square metres
  - Two Bedroom Dwelling Unit: .....70 square metres
  - Three Bedroom Dwelling Unit: .....84 square metres
  - Greater Than Three Bedroom Dwelling Unit: .. 84 square metres
  - .....plus 9 square metres for each additional bedroom

### **12.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### **12.4 Commercial (C1) Exceptions**

#### **12.4.1 Commercial Exception One (C1-1) Zone Reference By-Law 16-79**

On lands zoned (C1-1) on Schedule 'A3', identified as Roll No. 1501-010-003-02710, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

##### **12.4.1.1 Permitted Uses:**

- 12.4.1.1.1 A financial establishment, a medical centre, a restaurant, a fast food restaurant, a business, professional and/or administrative office, a parking lot, a public park, a retail establishment with or without a gasoline bar, a personal service shop;
- 12.4.1.1.2 An assembly hall, a veterinary clinic, a motor vehicle repair garage, a motor vehicle service station, a driving range or miniature golf course, a farm implement sales establishment, a greenhouse, a motor vehicle sales establishment, a recreational vehicle sales and service establishment, a place of entertainment, a garden and nursery sales establishment, a funeral home;
- 12.4.1.1.3 A motel, a hotel;
- 12.4.1.1.4 Dwelling units in a portion of a commercial building except that in the case of an auto service station or auto repair garage, such dwelling unit shall not be permitted;
- 12.4.1.1.5 A single detached dwelling if occupied by the owner, caretaker, watchman or other such person employed on the lot on which such single detached dwelling is located;
- 12.4.1.1.6 Accessory structures and uses.



**12.4.1.2 Regulations for uses permitted in Section 12.4.1.1.1:**

- (a) Minimum Lot Area.....0.20 hectares
- (b) Minimum Lot Frontage:..... 38 metres
- (c) Minimum Front Yard: ..... 12 metres
- (d) Minimum Side Yard: ..... 3 metres
- (e) Minimum Rear Yard:..... 7.5 metres
- (f) Maximum Lot Coverage:..... 40%

**12.4.1.3 Regulations for uses permitted in Section 12.4.1.1.2:**

- (a) Minimum Lot Area.....0.28 hectares
- (b) Minimum Lot Frontage:..... 53 metres
- (c) Minimum Front Yard: ..... 12 metres
- (d) Minimum Side Yard: ..... 7.5 metres
- (e) Minimum Rear Yard:..... 6 metres
- (f) Maximum Lot Coverage:..... 40%
- (g) Maximum Building Height: ..... 9 metres.

**12.4.1.4 Regulations for uses permitted in Section 12.4.1.1.3:**

- (a) Minimum Lot Area.....0.37 hectares  
Plus an additional 186 square metres of lot  
area for each guest room in excess of 8
- (b) Minimum Lot Frontage:..... 60 metres
- (c) Minimum Front Yard: ..... 12 metres
- (d) Minimum Side Yard: ..... 7.5 metres
- (e) Minimum Rear Yard:..... 6 metres
- (f) Maximum Lot Coverage:..... 40%
- (g) Maximum Building Height: ..... 9 metres.

**12.4.1.5 Regulations for uses permitted in Section 12.4.1.1.4:**

- (a) Minimum Front Yard: ..... 12 metres
- (b) Minimum Side Yard: ..... 3 metres
- (c) Minimum Rear Yard:..... 7.5 metres
- (d) Maximum Lot Coverage:..... 40%
- (e) Maximum Building Height: ..... 9 metres
- (f) Minimum Floor Area per Dwelling Unit: 835 square metres
- (g) Where a maximum of one dwelling unit is built on a lot together with a commercial use, the minimum lot area shall be increased by 93 square metres per dwelling unit.

**12.4.1.6 Regulations for uses permitted in Section 12.4.1.1.5:**

- (a) Minimum Lot Area:.....0.20 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard: ..... 6 metres
- (e) Minimum Rear Yard:..... 7.5 metres
- (f) Maximum Lot Coverage:..... 25%
- (g) Maximum Building Height: ..... 9 metres
- (h) Minimum Floor Area:
  - 1 storey or split level: .....95 square metres
  - 1 ½ storey: .....120 square metres
  - 2 storey:.....140 square metres.

**12.4.1.7 Regulations for uses permitted in Section 12.4.1.1.6:**

- (a) Maximum Building Height: ..... 5 metres
- (b) Maximum Lot Coverage:..... 8 %
- (c) Minimum Front, Side and Rear Yards shall be the same as set out for the main buildings.

**12.4.1.8 Minimum Parking Requirements for Uses Permitted in Section 12.4.1.1:**

- (a) One parking space per dwelling unit;
- (b) One parking space per 9.5 square metres of floor area for an eating establishment;
- (c) One parking space per 18.5 square metres for a retail store;
- (d) One parking space per 37 square metres for an office and other uses not specifically listed above.

**12.4.2 Commercial Exception Two (C1-2) Zone  
RESERVED**

**12.4.3 Commercial Exception Three (C1-3) Zone  
Reference By-Law 98-22**

On lands zoned (C1-3) on Schedule 'A1', identified as Roll No. 1501-010-002-00801, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.3.1 Permitted Uses:**

- Accessory single detached dwelling;
- Accessory buildings;
- A retail establishment;

An animal exhibit for reptiles;  
An agricultural use.

**12.4.3.2 Regulations for uses permitted in Section 12.4.3.1:**

- (a) Minimum Lot Area:..... 14.4 hectares
- (b) Minimum Lot Frontage:..... 90 metres
- (c) Maximum Number Of Buildings Per Lot:
  - i) Residential:.....one (1)
  - ii) Non-Residential:..... three (3)
- (d) Maximum Floor Area:
  - i) Retail establishment and animal exhibit:.....557 m<sup>2</sup>
  - ii) Agricultural buildings:.....278 m<sup>2</sup>
- (e) Minimum Front Yard: ..... 30 metres
- (f) Minimum Side Yard: ..... 30 metres
- (g) Minimum Exterior Side Yard: ..... 30 metres
- (h) Minimum Rear Yard:..... 15 metres
- (i) Minimum Building Separation: ..... 15 metres
- (j) Maximum Building Height: .....2 storey's
- (k) Planting Strip:

A planting strip shall be required along any portion of the rear lot line or side lot lines which abut a Residential Zone or which abut a lot having a Residential Use situated thereon. The planting strip shall be a minimum width of 1.0 metre.
- (l) Minimum Number Of Parking Spaces:
  - i) Non-Residential: .....1 per 18.5 m<sup>2</sup> of net floor area
  - ii) Residential:..... 1 per dwelling unit

**12.4.3.3 Special provisions for uses permitted in Section 12.4.3.1:**

The animal exhibit shall involve a building, or part thereof, used for the display of animals and the provision of care for animals on exhibit. Animals must not be directly accessible by the public.

**12.4.4 Commercial Exception Four (C1-4) Zone  
Reference By-Law 99-46**

On lands zoned (C1-4) on Schedule 'B1', identified as Roll No. 1501-010-003-18405, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.4.1 Permitted Uses:**

A single detached dwelling;  
An auto repair shop.

**12.4.4.2 Regulations for uses permitted in Section 12.4.4.1:**

- (a) Minimum Lot Frontage:..... 68 metres
- (b) Minimum Lot Area:.....0.25 hectares
- (c) Minimum Front Yard:
  - i) Residential Use:..... 14.5 metres
  - ii) Non-Residential Uses:..... 0 metres
- (d) Minimum Side Yard (east): ..... 0.9 metres
- (e) Minimum Side Yard (west):..... 7.5 metres
- (f) Minimum Rear Yard:..... 6 metres
- (g) Minimum Distance Between a Front Lot Line and Auto Repair Shop Parking Area: ..... 7.5 metres
- (h) Maximum Lot Coverage:..... 15%
- (i) Maximum Building Height (auto repair shop):... 4.6 metres
- (j) Maximum Floor Area (auto repair shop): ..... 120.5 m<sup>2</sup>
- (k) Minimum Number of Parking Spaces: 507 m<sup>2</sup> or 10 spaces

**12.4.4.3 Special Provisions for uses permitted in Section 12.4.4.1:**

- (a) An auto repair shop shall mean an establishment for the servicing, refinishing or rebuilding of automobiles within a building.

**12.4.5 Commercial Exception Five (C1-5) Zone  
Reference By-Law 2007-75**

On lands zoned (C1-5) on Schedule 'A2', identified as Roll No. 1501-010-002-09100, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.5.1 Permitted Uses:**

A septic system.

**12.4.5.2 Regulations for uses permitted in Section 12.4.5.1:**

- (a) Minimum Lot Area:.....0.17 hectares
- (b) Minimum Lot Frontage:..... 30.4 metres

**12.4.6 Commercial Exception Six (C1-6) Zone  
Reference By-Law 2000-10**

On lands zoned (C1-6) on Schedule 'B6', identified as Roll No. 1501-020-001-00500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.6.1 Regulations for uses permitted in Section 12.1.6:**

Notwithstanding subsections 12.2.2.1 and 12.2.2.2 above, on lands zoned Commercial Exception Six (C1-6), the minimum distance between a gasoline pump island, gasoline pumps or propane storage tank shall be in accordance with the following provisions:

- (a) Front or Exterior Side Lot Line:..... 3.6 metres
- (b) Side or Rear Lot Line:..... 3.9 metres
- (c) Side or Rear Lot Line abutting  
a Residential Zone:..... 2.7 metres
- (d) All other permitted uses, provisions and requirements of Sections 12.1, 12.2 and 12.3 shall apply and be complied with.

**12.4.7 Commercial Exception Seven (C1-7) Zone  
Reference By-Law 2006-35**

On lands zoned (C1-7) on Schedule 'B6', identified as Roll No. 1501-020-001-10700, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.8.1 Permitted Uses:**

All of the uses permitted in Section 12.1;  
An accessory single detached dwelling.

**12.4.8.2 Regulations for uses permitted in Section 12.4.7.1 (ii):**

- (a) Minimum Lot Area:.....0.13 hectares
- (b) Minimum Lot Frontage:..... 19 metres
- (c) Minimum Front Yard: ..... 31 metres
- (d) Minimum Side Yard (East):..... 2 metres
- (e) Minimum Side Yard (West):..... 2 metres
- (f) Minimum Rear Yard:..... 18.5 metres
- (g) Minimum Setback from Street Centreline: ..... 16 metres
- (h) Minimum Gross Floor Area per dwelling unit: ..... 93 m<sup>2</sup>
- (i) Maximum Building Height: ..... 11 metres
- (j) Maximum Lot Coverage of all buildings and structures:40 %
- (k) Minimum Landscaped Open Space:..... 30 %

**12.4.8 Commercial Exception Eight (C1-8) Zone  
Reference By-Law 2009-45**

On lands zoned (C1-8) on Schedule 'B16', identified as Roll No. 1501-020-001-03600, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.8.1 Permitted Uses:**

All uses permitted in Section 12.1.

**12.4.8.2 Regulations for uses permitted in Section 12.4.8.1:**

The applicable regulations of Section 12.2 shall apply. However, notwithstanding the provisions of Section 12.2.4, an accessory dwelling unit may be permitted in a portion of a non-residential building permitted within the Commercial (C1) zone below the second storey and in the rear of the existing non-residential building.

**12.4.9 Commercial Exception Nine (C1-9) Zone  
No Reference By-Law**

On lands zoned (C1-9) on Schedule 'B16', identified as Roll No. 1501-020-002-05500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 12 hereof, and subject to the following special provisions:

**12.4.9.1 Permitted Uses:**

All uses permitted in Section 12.1.

**12.4.9.2 Regulations for uses permitted in Section 12.4.9.1:**

The applicable regulations of Section 12.2 shall apply. However, notwithstanding the provisions of Section 12.2.1 (e) and 12.2.1(g), the Minimum North Side Yard shall be 0 metres, the Minimum South Side Yard shall be 3 metres, and the Minimum Rear Yard shall be 0 metres.

## Section 13

### Recreational Commercial (C2) Zone

No person shall within a Recreational Commercial (C2) zone use any land or erect, alter or use any building or structure except as specified hereunder:

#### 13.1 Permitted Uses

- 13.1.1 a marina; or
- 13.1.2 a miniature golf course; or
- 13.1.3 a recreational vehicle sales and service establishment; or
- 13.1.4 a tourist camp; or
- 13.1.5 a tourist establishment; or
- 13.1.6 an accessory retail establishment; or
- 13.1.7 an accessory restaurant to a tourist camp or tourist establishment; and
- 13.1.8 an accessory dwelling unit;

#### 13.2 Regulations For Permitted Uses

##### 13.2.1 Regulations for permitted uses *exclusive* of Sections 13.1.4, 13.1.5 and 13.1.8

- (a) Minimum Lot Area: .....0.3 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Maximum Lot Coverage: ..... 40%
- (d) Minimum Landscaped Open Space:..... 30%
- (e) Minimum Front Yard: ..... 12 metres
- (f) Minimum Side Yard: ..... 6 metres  
except where the side lot line abuts any Residential  
Zone, in which case the minimum side yard shall be:..... 12 metres
- (g) Minimum Exterior Side Yard:..... 12 metres
- (h) Minimum Rear Yard:..... 12 metres
- (i) Maximum Building Height:..... 12 metres

##### 13.2.2 Regulations for uses permitted in Sections 13.1.4 and 13.1.5

- (a) Minimum Lot Area: ..... 1 hectare
- (b) Minimum Lot Frontage:..... 60 metres
- (c) Maximum Lot Coverage: ..... 20%
- (d) Minimum Landscaped Open Space Requirement: ..... 30%
- (e) Minimum Front Yard: ..... 15 metres
- (f) Minimum Side Yard: ..... 6 metres  
except where the side lot line abuts any Residential Zone  
or Institutional Zone, in which case the minimum side  
yard shall be ..... 12 metres
- (g) Minimum Exterior Side Yard:..... 15 metres
- (h) Minimum Rear Yard:..... 15 metres

- (i) Maximum Building Height:..... 12 metres
- (j) Minimum Floor Area: .....37 square metres
- (k) Minimum Distance Between Cottages on the Same Lot:..... 4 metres

**13.2.3 Regulations for uses permitted in Section 13.1.8**

Notwithstanding the provisions of this by-law to the contrary, for the purposes of Section 13.1.8, an accessory dwelling unit may be defined as an accessory single detached dwelling or an accessory dwelling unit as defined herein and shall only be permitted as an accessory use to a permitted tourist camp, tourist establishment or a marina and shall comply with the following provisions:

**13.2.3.1 Single Detached Dwelling:**

- (a) Maximum Number of Dwelling Units per Lot: ..... one (1)
- (b) Minimum Front Yard:..... 15 metres
- (c) Minimum Side Yard:..... 4.5 metres
- (d) Minimum Exterior Side Yard: ..... 15 metres
- (e) Minimum Rear Yard: ..... 6 metres
- (f) Maximum Building Height: ..... 12 metres
- (g) Minimum Floor Area:.....111.5 square metres
- (h) Separation Distance from Primary Use: ..... 10 metres

**13.2.3.2 Dwelling Unit in a Portion of a Non-Residential Building:**

- (a) Maximum Number of Dwelling Units per Lot:..... one (1)
- (b) Minimum Dwelling Unit Area Requirements:
  - Bachelor Dwelling Unit .....42 square metres
  - One Bedroom Dwelling Unit: .....56 square metres
  - Two Bedroom Dwelling Unit: .....70 square metres
  - Three Bedroom Dwelling Unit: .....84 square metres
  - Greater Than Three Bedroom Dwelling Unit: .....84 square metres
  - Plus 9 square metres for each additional bedroom

**13.3 General Zone Provisions**

Notwithstanding any other provision of this Zone to the contrary, the water yard setback shall be 30 metres.

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.



## **13.4 Recreational Commercial (C2) Exceptions**

### **13.4.1 Recreational Commercial Exception One (C2-1) Zone Reference By-Law 31-97**

On lands zoned (C2-1) on Schedule 'B12', identified as Roll Nos. 1501-010-004-02302, 1501-010-004-02301 and 1501-010-004-02321 no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 13 hereof, and subject to the following special provisions:

#### **13.4.1.1 Permitted Uses:**

A tourist camp;  
Accessory buildings, structures and uses to a tourist camp including playgrounds, service buildings, recreation buildings and one single detached dwelling for the use of the owner caretaker, watchman or other similar person.

#### **13.4.1.2 Prohibited Uses:**

A mobile home.

#### **13.4.1.3 Regulations for uses permitted in Section 13.4.1.1:**

- (a) No habitable buildings or structures shall be located on lands below 187.56 metres geodetic elevation without authorization from the Otonabee Region Conservation Authority.
- (b) No habitable buildings or trailers shall be located within the Minimum Distance Separation for agricultural facilities. For the purposes of this zone, a minimum distance separation of 326 metres from a manure storage facility and 300 metres from a livestock barn shall be maintained.
- (c) Minimum Lot Frontage:..... 125 metres
- (d) Minimum Lot Area:.....7.0 hectares
- (e) No travel trailer shall be permitted except upon a trailer site.
- (f) Minimum Yard Requirements for travel trailers, buildings or structures including accessory buildings:
  - i) 15 metres for front yard (public street line)
  - ii) 30 metres for west side yard
  - iii) 15 metres for east side yard
  - iv) 5 metres for a railway right-of-way
  - v) 30 metres for Rice Lake
- (g) A 15 metre wide natural vegetation buffer strip adjacent to the flood line shall be maintained. No buildings, trailers or structures are permitted within this area.

**13.4.1.4 Regulations for trailer sites:**

- (a) Maximum Number of Trailer Sites: ..... 90 sites
- (b) Minimum Trailer Site Area: .....210 square metres
- (c) Maximum Number of Trailers per Site: ..... one (1)

**13.4.1.5 Building and structure separation distances (minimum):**

- (a) Between recreational trailer and buildings/structures:..... 25 metres
- (b) Between permanent buildings (office, residence, Recreational hall, service building): ..... 20 metres
- (c) Between permanent buildings and all other structures: ..... 2 metres
- (d) Between recreational trailers: ..... 3 metres

**13.4.1.6 Building height (maximum):**

- (a) Permanent main buildings (office, residence, recreational hall, service building):..... 7.5 metres
- (b) All other buildings: ..... 4.5 metres

**13.4.1.7 Parking area requirements (minimum):**

- (a) Trailer site: ..... one (1)
- (b) Recreation building: .....six (6)
- (c) Management office: ..... twelve (12)
- (d) Accessory residence:..... two (2)
- (e) Trailer camp overflow/visitors: .....twenty (20)

**13.4.1.8 Delivery spaces (minimum):**

- (a) Management office: ..... one (1)
- (b) Recreation building: ..... one (1)

**13.4.1.9 Lots divided into more than one zone:**

For the purpose of the (C2-1) Zone, where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-Law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

**13.4.2 Recreational Commercial Exception Two (C2-2) Zone  
Reference By-Law 11-1987**

On lands zoned (C2-2) on Schedule 'A12', identified as Roll No. 1501-010-004-23500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 13

hereof, and subject to the following special provisions:

**13.4.2.1 Permitted Uses:**

A tourist camp;  
A tourist establishment;  
A single detached dwelling for the use of the owner caretaker, watchman or other similar person.

**13.4.2.2 Regulations for uses permitted in Section 13.4.2.1.1 and 13.4.2.1.2:**

- (a) Minimum Lot Area:.....4.04 hectares
- (b) Minimum Lot Frontage:..... 121.92 metres
- (c) Minimum Front Yard: ..... 30.48 metres
- (d) Minimum Side Yard: ..... 15.24 metres
- (e) Minimum Rear Yard..... 15.24 metres

**13.4.2.3 Regulations for uses permitted in Section 13.4.2.1.3:**

- (a) Minimum Front Yard: ..... 15.24 metres
- (b) Minimum Side Yard: ..... 4.57 metres
- (c) Minimum Rear Yard:..... 15.24 metres
- (d) Minimum Floor Area: .....97.54 square metres

**13.4.2.4 Regulations for all uses permitted in Section 13.4.2.1:**

- (a) Maximum Lot Coverage:..... 25%
- (b) Notwithstanding any provision of this By-Law to the contrary, the minimum yard requirements for that portion of a lot abutting a navigable waterway shall be waived in respect of a marina.
- (c) For the purposes of this section a tourist establishment shall include the rental of sites by the owner on which cabins or cottages may be erected by tenants.

**13.4.3 Recreational Commercial Exception Three (C2-3) Zone  
Reference By-Law 9-85**

On lands zoned (C2-3) on Schedule 'B7', identified as Roll No. 1501-010-003-10500, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 13 hereof, and subject to the following special provisions:

**13.4.3.1 Permitted Uses:**

A shopping plaza.

**13.4.3.2 Regulations for uses permitted in Section 13.4.3.1:**

- (a) The use permitted in Section 13.4.3.1 shall be fully serviced with piped water and sewer service or with the approval of the Ministry of the Environment and the Peterborough County-City Health Unit on private water supply and piped sewer service;
- (b) Minimum Lot Area:.....0.6 hectares
- (c) Minimum Lot Frontage:..... 60 metres
- (d) No building may be erected within 32.0 metres of the centreline of County Road 45;
- (e) Minimum Rear Yard:..... 6 metres
- (f) Minimum Side Yard: ..... 6 metres
- (g) Minimum Exterior Side Yard: ..... 12 metres
- (h) Minimum Landscaped Open Space:..... 20%
- (i) Maximum Lot Coverage:..... 40%
- (j) There shall be no open storage of merchandise;
- (k) Maximum Building Height: ..... 9.2 metres
- (l) Where the side lot line abuts an (R3-1) zone, the applicable side yard requirement shall be increased to 12.0 metres;
- (m) Where a lot is divided into more than one Special Exception Zone under the provisions of this Section, each such portion of said lot shall be used in accordance with the applicable special exception provisions;
- (n) A minimum of 5.5 parking spaces shall be required per 100 square metres of floor space;
- (o) A fence and a planting strip shall be required along the north boundary of the (C2-3) zone;
- (p) For the purposes of this section, a shopping plaza shall mean a group of more than two commercial uses designed, developed and managed as a unit by a single owner or tenant, or group of tenants, as opposed to a business comprising

unrelated individual uses, and has an off-street parking area provided on the site. The uses that may be permitted shall include a food store, a beauty or barber shop, a dry cleaning establishment, an office, a repair shop, a coffee shop, a bank and similar uses. Similar uses shall not include a restaurant or a drug store.

**13.4.4 Recreational Commercial Exception Four (C2-4) Zone  
Reference By-Law 2004-57**

On lands zoned (C2-4) on Schedule 'B14', identified as Roll Nos. 1501-010-004-14701, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 13 hereof, and subject to the following special provisions:

**13.4.4.1 Permitted Uses:**

A recreational vehicle sales and service establishment;  
Accessory buildings, structures and uses.

**13.4.4.2 Regulations for uses permitted in Section 13.4.4.1:**

- (a) Minimum Lot Area:..... 1.45 hectares
- (b) Minimum Lot Frontage:..... 33.5 metres
- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard (east): ..... 3 metres
- (e) Minimum Side Yard (south): ..... 7.5 metres
- (f) Minimum Rear Yard (abutting County Rd 45):... 18 metres
- (g) Maximum Lot Coverage:..... 30%

**13.4.4.3 Planting strip requirements:**

- (a) Where any Recreational Commercial Exception Four (C2-4) Zone abuts any type of Residential or Open Space Zone, a planting strip shall be provided and maintained along that lot line so abutting.
- (b) A planting strip shall consist of an unpierced and unbroken hedgerow of suitable evergreen or perennial shrubs and shall conform to the following regulations:
  - i) Minimum Width of Planting Strip:..... 1.5 metres
  - ii) Minimum Planted Height of Hedgerow: .... 2.0 metres
  - iii) A planting strip may form part of any minimum front, side or rear yard;
  - iv) Where a driveway or walkway crosses, a planting strip may be interrupted:
    - a) a maximum of 3 metres from a driveway; and
    - b) a maximum of 1.5 metres from a walkway.

## Section 14

### General Industrial (M1) Zone

No person shall within a General Industrial (M1) zone use any land or erect, alter or use any building or structure except as specified hereunder:

#### 14.1 Permitted Uses

- 14.1.1 a farm implement sales establishment;
- 14.1.2 a feed mill;
- 14.1.3 a fire-fighting academy;
- 14.1.4 a laboratory;
- 14.1.5 a lumber yard;
- 14.1.6 a manufacturing industry;
- 14.1.7 a motor vehicle body shop;
- 14.1.8 a printing or publishing establishment;
- 14.1.9 a rental storage facility;
- 14.1.10 a sawmill;
- 14.1.11 a storage yard;
- 14.1.12 a trucking terminal;
- 14.1.13 a veterinary clinic;
- 14.1.14 a warehouse;
- 14.1.15 a workshop;
- 14.1.16 an abattoir;
- 14.1.17 an accessory single detached dwelling;
- 14.1.18 an accessory retail establishment, wholesale outlet or business office relating to the primary use;
- 14.1.19 the outside storage of goods and materials where such use is accessory and incidental to a permitted use;

#### 14.2 Regulations For Permitted Uses

##### 14.2.1 Regulations for all permitted uses *exclusive* of Sections 14.1.16 and 14.1.17

- (a) Minimum Lot Area: .....0.3 hectares
- (b) Minimum Lot Frontage:..... 45 metres
- (c) Maximum Lot Coverage: ..... 50%
- (d) Minimum Landscaped Open Space:..... 10%
- (e) Minimum Front Yard: ..... 20 metres
- (f) Minimum Side Yard: ..... 15 metres
- (g) Minimum Exterior Side Yard:..... 20 metres
- (h) Minimum Rear Yard:..... 15 metres
- (i) Maximum Building Height:..... 12 metres

**14.2.1.1 Special Yard Provisions:**

- (a) Notwithstanding the yard requirements set forth under Section 14.2.1 hereof to the contrary, where the side lot line or rear lot line abuts any Residential Zone or an Institutional Zone, the minimum yard requirements shall be 20 metres.
- (b) Bulk Fuel Storage Tank Location: Bulk fuel storage tanks shall not be installed except in accordance with the provisions of the Provincial Gasoline Handling Act or the Ontario Propane Storage Handling and Utilization Code as may be applicable.

**14.2.2 Regulations for uses permitted in Section 14.1.16**

- (a) Minimum Lot Area: .....2 hectares
- (b) Minimum Lot Frontage:..... 91 metres
- (c) Maximum Lot Coverage: ..... 20%
- (d) Minimum Landscaped Open Space:..... 30%
- (e) Minimum Front Yard: ..... 61 metres
- (f) Minimum Side Yard: ..... 15 metres
- (g) Minimum Exterior Side Yard:..... 61 metres
- (h) Minimum Rear Yard:..... 15 metres
- (i) Maximum Building Height:..... 9 metres

**14.2.2.1 Special Yard Provisions:**

Notwithstanding the yard requirements set forth under Section 14.2.2 hereof to the contrary, where the side lot line or rear lot line abuts any Residential Zone, an Institutional Zone or an Open Space Zone the minimum yard requirements shall be 23 metres and a planting strip shall be provided and maintained along that lot line so abutting.

**14.2.2.2 Restrictions on Use of Front and Exterior Side Yards**

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles, except that such yards may be used for the purposes of visitor parking in accordance with the provisions of Section 3.24 as set forth in the By-law.

### **14.2.3 Regulations for uses permitted in Section 14.1.17**

- (a) Maximum Number of Dwellings per Lot:..... one (1)
- (b) Minimum Front Yard: ..... 45 metres
- (c) Minimum Side Yard: ..... 4.5 metres
- (d) Minimum Exterior Side Yard: ..... 45 metres
- (e) Minimum Rear Yard: ..... 15 metres
- (f) Maximum Building Height: ..... 12 metres
- (g) Minimum Dwelling Unit Area: .....92.9 square metres
- (h) Separation Distance from Primary Use: ..... 15 metres

### **14.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, as they apply to the use of land, buildings or structures permitted within this zone shall apply and be complied with.

### **14.4 General Industrial (M1) Exceptions**

#### **14.4.1 General Industrial Exception One (M1-1) Zone Reference By-Law 2004-57**

On lands zoned (M1-1) on Schedule 'B8', identified as Roll No. 1501-010-001-18000, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

##### **14.4.1.1 Permitted Uses:**

- A sawmill;
- An open storage use of goods or materials accessory to the sawmill;
- Accessory buildings, structures and uses.

#### **14.4.2 General Industrial Exception Two (M1-2) Zone Reference By-Law 2003-28**

On lands zoned (M1-2) on Schedule 'A6', identified as Roll No. 1501-010-002-08716, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

##### **14.4.2.1 Permitted Uses:**

- All uses permitted in Section 14.1 except 14.1.17;
- A machine shop for the manufacturing and repair of large equipment parts and accessory retail uses for the sale of parts and products and supplies.



**14.4.3 General Industrial Exception Three (M1-3) Zone  
Reference By-Law 9-83, 2013-67**

On lands zoned (M1-3) on Schedule 'A6', identified as Roll No. 1501-010-003-00100, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.3.1 Permitted Uses:**

A butcher shop and animal holding area in a wholly enclosed building;  
A poultry processing facility;  
A farm including a farm house.

**14.4.3.2 Regulations for uses permitted in Section 14.4.3.1:**

- (a) Minimum Lot Area:.....2 hectares
- (b) Minimum Lot Frontage:..... 95 metres
- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard: ..... 9 metres
- (e) Minimum Rear Yard:..... 15 metres
- (f) Maximum Lot Coverage for butcher shop and animal holding area per zone area: ..... 5%
- (g) Where the (M1-3) zone abuts any Residential zone, the (RU) zone or the (OS) zone, a planting strip or berm shall be provided and maintained along that lot line so abutting
- (h) All waste produced by the butcher shop operation shall be held in holding tanks and/or disposed of by way of a septic tank waste disposal system.

**14.4.4 General Industrial Exception Four (M1-4) Zone  
Reference By-Law 13-86**

On lands zoned (M1-4) on Schedule 'A14', identified as Roll No. 1501-010-004-04810, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.4.1 Permitted Uses:**

A combined warehouse and office building on one lot.

**14.4.4.2 Regulations for uses permitted in Section 14.4.4.1:**

- (a) Minimum Lot Area:.....0.45 hectares
- (b) Minimum Lot Frontage:..... 45.5 metres

- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard: ..... 6 metres
- (e) Minimum Rear Yard: ..... 15 metres
- (f) Maximum Lot Coverage: ..... 30%

**14.4.5 General Industrial Exception Five (M1-5) Zone  
Reference By-Law 8-89**

On lands zoned (M1-5) on Schedule 'A4', identified as Roll Nos. 1501-010-003-24105 and 1501-010-003-24401, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.5.1 Permitted Uses:**

- A wood processing plant;
- An office;
- An accessory single detached dwelling for the owner or caretaker.

**14.4.5.2 Regulations for uses permitted in Section 14.4.5.1:**

- (a) Minimum Lot Area: ..... 14 hectares
- (b) Minimum Lot Frontage: ..... 360 metres
- (c) Minimum Front Yard: ..... 30 metres
- (d) Minimum Side Yard: ..... 15 metres
- (e) Minimum Rear Yard: ..... 15 metres

**14.4.6 General Industrial Exception Six (M1-6) Zone  
Reference By-Law 99-2**

On lands zoned (M1-6) on Schedule 'B1', identified as Roll No. 1501-010-003-18300, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.6.1 Permitted Uses:**

- A truck transport terminal/yard and associated repair facility;
- Accessory buildings, structures and uses.

**14.4.6.2 Regulations for uses permitted in Section 14.4.6.1:**

- (a) Minimum Lot Area: ..... 2.8 hectares
- (b) Minimum Lot Frontage: ..... 30 metres
- (c) Minimum Front Yard: ..... 91 metres
- (d) Minimum Side Yard: ..... 6 metres
- (e) Minimum Rear Yard: ..... 6 metres

- (f) Maximum Lot Coverage:..... 4%
- (g) Minimum Landscaped Area: ..... 25%

**14.4.7 General Industrial Exception Seven (M1-7) Zone  
Reference By-Laws 99-26 amended by 2002-39**

On lands zoned (M1-7) on Schedule 'A7', identified as Roll No. 1501-010-003-10420, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.7.1 Permitted Uses:**

A truck and heavy equipment repair shop;  
Used truck/heavy equipment sales establishment for such vehicles which have been repaired or refurbished on site;  
An establishment for the construction and sale of trucks which have been assembled on site.

**14.4.7.2 Regulations for uses permitted in Section 14.4.7.1:**

- (a) Minimum Lot Area:.....0.75 hectares
- (b) Minimum Lot Frontage:..... 30 metres
- (c) Minimum Front Yard: ..... 60.5 metres
- (d) Minimum Side Yard: ..... 4.5 metres
- (e) Minimum Rear Yard:..... 1.2 metres
- (f) Maximum Lot Coverage:..... 30%
- (g) Minimum Landscaped Area: ..... 25%

**14.4.8 General Industrial Exception Eight (M1-8) Zone  
Reference By-Law 2002-23**

On lands zoned (M1-8) on Schedule 'B1', identified as Roll Nos. 1501-010-003-15910, 1501-010-003-15901 and 1501-010-003-15902, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.8.1 Permitted Uses:**

Rental storage units.

**14.4.8.2 Regulations for uses permitted in Section 14.4.8.1:**

- (a) Minimum Lot Area:.....0.8 hectares
- (b) Minimum Lot Frontage:..... 106.5 metres
- (c) Minimum Front Yard: ..... 14 metres
- (d) Minimum Side Yard: ..... 7.5 metres

- (e) Minimum Rear Yard:..... 6 metres
- (f) Maximum Lot Coverage:..... 40%
- (g) Maximum Building Height: ..... 9 metres
- (h) Maximum Parking Area: ..... 1 space per storage unit

**14.4.9 General Industrial Exception Nine (M1-9) Zone  
Reference By-Law 99-28**

On lands zoned (M1-9) on Schedule 'A10', identified as Roll No. 1501-010-004-05920, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.9.1 Permitted Uses:**

Manufacturing, repair and sale of products associated with custom and production fabrication.

**14.4.9.2 Regulations for uses permitted in Section 14.4.9.1:**

- (a) Minimum Lot Area:.....5.12 hectares
- (b) Minimum Lot Frontage:..... 200 metres
- (c) Minimum Front Yard: ..... 50 metres
- (d) Minimum Side Yard: ..... 4 metres
- (e) Minimum Rear Yard:..... 10 metres
- (f) Maximum Lot Coverage:..... 30%
- (g) Minimum Landscaped Area: ..... 25%

**14.4.10 General Industrial Exception Ten (M1-10) Zone  
Reference By-Law 2006-65**

On lands zoned (M1-10) on Schedule 'B4', identified as Roll Nos. 1501-010-003-17700 and 1501-010-003-17800, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 14 hereof, and subject to the following special provisions:

**14.4.10.1 Permitted Uses:**

Manufacturing and storage of wood products;  
A garden centre retail facility for sale of landscaping products (including shavings, cedar mulch, greenhouse products, decking and dock materials) and pet food.

**14.4.10.2 Regulations for uses permitted in Section 14.4.10.1:**

- (a) Minimum Lot Area:.....0.45 hectares
- (b) Minimum Lot Frontage:..... 38 metres
- (c) Minimum Front Yard: ..... 15 metres
- (d) Minimum Side Yard: ..... 6 metres
- (e) Minimum Rear Yard:..... 15 metres
- (f) Maximum Lot Coverage:..... 10%

# Section 15

## Extractive Industrial (M2) Zone

No person shall within an Extractive Industrial (M2) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 15.1 Permitted Uses

- 15.1.1 a conservation, forestry or other similar use;
- 15.1.2 a pit;
- 15.1.3 a quarry;
- 15.1.4 a portable processing plant;
- 15.1.5 agricultural uses and buildings or structures accessory thereto but excluding dwellings.

### 15.2 Regulations For Permitted Uses

#### 15.2.1 Regulations for uses permitted in Sections 15.1.2 and 15.1.3

- (a) Minimum Lot Area ..... 10 hectares
- (b) Minimum Lot Frontage..... 45.7 metres
- (c) Maximum Lot Coverage(all buildings): ..... 50%
- (d) Minimum Landscaped Open Space:..... 10%
- (e) Maximum Building Height:..... 12 metres
- (f) Minimum Yard between any excavation or processing equipment and any lot line:
  - Minimum Front Yard ..... 30 metres
  - Minimum Side Yard ..... 15 metres
  - Minimum Exterior Side Yard ..... 30 metres
  - Minimum Rear Yard..... 15 metres

#### 15.2.1.1 **Special Yard Provisions:**

- (a) Notwithstanding the yard requirements set forth under Section 15.2.1 hereof to the contrary, where the interior side lot line or rear lot line abuts any Residential Zone, Institutional Zone or Open Space Zone the minimum yard requirements shall be increased by 15 metres.
- (b) Where any Extractive Industrial Zone abuts any Residential Zone, Agricultural Zone, Rural Zone, Institutional Zone or Open Space Zone, a planting strip or berm shall be provided along that portion of the lot so abutting.

### **15.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Industrial (M2) Zone shall apply and be complied with.

### **15.4 Extractive Industrial (M2) Exceptions**

#### **15.4.1 Extractive Industrial Exception One (M2-1) Zone Reference By-Law 2002-05**

On lands zoned (M2-1) on Schedule 'A6', identified as Roll No. 1501-010-001-26904, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 15 hereof, and subject to the following special provisions:

##### **15.4.1.1 Permitted Uses:**

In addition to the uses permitted in Section 15.1, aggregate materials produced off-site may be stored and/or stockpiled on the subject site.

# Section 16

## Waste Management (M3) Zone

No person shall within a Waste Management Industrial (M3) zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 16.1 Permitted Uses

- 16.1.1 a composting facility;
- 16.1.2 a material recovery facility;
- 16.1.3 a salvage yard;
- 16.1.4 a sewage storage lagoon;
- 16.1.5 a sewage treatment facility;
- 16.1.6 a trucking terminal;
- 16.1.7 a waste disposal area;
- 16.1.8 a waste transfer station;
- 16.1.9 an abattoir.

### 16.2 Regulations For Permitted Uses

#### 16.2.1 Regulations for uses permitted in Sections 16.1.1, 16.1.2, 16.1.4 – 16.1.7

- (a) Minimum Front Yard: ..... 100 metres
- (b) Minimum Side Yard: ..... 100 metres
- (c) Minimum Exterior Side Yard: ..... 100 metres
- (d) Minimum Rear Yard: ..... 100 metres

##### 16.2.1.1 **Areas of Influence**

- (a) Notwithstanding any other provisions of this By-law to the contrary, no residential, institutional or commercial use shall be located within the applicable setback limits for the above noted permitted uses, unless the provisions of Section 3.32 are complied with.
- (b) Notwithstanding any other provisions of this By-law to the contrary, no solid waste disposal area shall be located within 500 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.
- (c) Notwithstanding any other provisions of this By-law to the contrary, no waste transfer station shall be located within 100 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.
- (d) Notwithstanding any other provisions of this By-law to the contrary, no composting facility or material recovery facility



shall be located within 250 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.

- (e) Notwithstanding any other provisions of this By-law to the contrary, no sewage treatment facility shall be located within 150 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.
- (f) Notwithstanding any other provisions of this By-law to the contrary, no sewage storage lagoon shall be located within 400 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.
- (g) Notwithstanding any other provisions of this By-law to the contrary, no salvage yard shall be located within 120 metres of any Residential Zone, an Institutional Zone or a Commercial Zone.

**16.2.2 Regulations for uses permitted in Section 16.1.3**

- (a) Minimum Lot Area: .....2 hectares
- (b) Minimum Lot Frontage:..... 10 metres
- (c) Maximum Lot Coverage: ..... 10 %
- (d) Minimum Landscaped Open Space:..... 25%
- (e) Minimum Front Yard: ..... 18 metres
- (f) Minimum Side Yard: ..... 3 metres
- (g) Minimum Rear Yard:..... 3 metres
- (h) Maximum Building Height:..... 12 metres
- (i) Minimum Building Separation ..... 3 metres

**16.2.2.1 Special Yard Provisions:**

Notwithstanding the yard requirements set forth under Section 16.2.2 hereof to the contrary, where the side lot line or rear lot line abuts a zone other than an Extractive Industrial (M2) Zone or a Waste Management (M3) Zone the minimum yard requirements shall be 15 metres and a planting strip shall be provided and maintained along that lot line so abutting.

### **16.2.2.2 Restrictions on use of Front and Exterior Side Yards**

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles, except that such yards may be used for the purposes of visitor parking in accordance with the provisions of Section 3.24 as set forth in the By-law.

### **16.2.2.3 Restrictions on Salvage Storage Location**

No land on any lot used as a salvage yard shall be used for the outside storage of any salvage, scrap or similar goods or materials within:

- (a) 30 metres of any street line; or
- (b) 60 metres of any lot line which abuts a zone other than Extractive Industrial (M2) Zone or Waste Management (M3) Zone.

### **16.2.2.4 Tire Storage and Recycling**

Notwithstanding any other provision of this By-Law, the storage and/or recycling of used vehicle tires as a main use of a lot shall not be permitted on any property zoned Waste Management (M3). The storage of used vehicle tires shall be permitted only as an ancillary component of a permitted salvage yard establishment on the same lot. Under no circumstances shall the bulk volume of used vehicle tires or shredded tires stored at a permitted salvage yard exceed 300 cubic metres.

## **16.2.3 Regulations for uses permitted in Section 16.1.9**

- (a) Minimum Lot Area: .....2 hectares
- (b) Minimum Lot Frontage:..... 91 metres
- (c) Maximum Lot Coverage: ..... 20 %
- (d) Minimum Landscaped Open Space:..... 30%
- (e) Minimum Front Yard: ..... 61 metres
- (f) Minimum Side Yard: ..... 15 metres
- (g) Minimum Exterior Side Yard:..... 61 metres
- (h) Minimum Rear Yard:..... 15 metres
- (i) Maximum Building Height:..... 9 metres

### **16.2.3.1 Special Yard Provisions:**

Notwithstanding the yard requirements set forth under Section 16.2.3 hereof to the contrary, where the side lot line or rear lot line abuts any Residential Zone, an Institutional Zone or an Open Space Zone the minimum yard requirements shall be 23 metres

and a planting strip shall be provided and maintained along that lot line so abutting.

#### **16.2.3.2 Restrictions on use of Front and Exterior Side Yards**

Required front and exterior side yards shall be open and unobstructed by any structure or parking or loading area for motor vehicles, except that such yards may be used for the purposes of visitor parking in accordance with the provisions of Section 3.24 as set forth in the By-law.

### **16.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Waste Management Industrial (M3) Zone shall apply and be complied with.

### **16.4 Waste Management (M3) Exceptions**

## Section 17 Institutional (I) Zone

No person shall within an Institutional (I) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

### 17.1 Permitted Uses

- 17.1.1 a cemetery;
- 17.1.2 a community centre;
- 17.1.3 a day care centre or nursery school;
- 17.1.4 a fire hall;
- 17.1.5 a hospital, medical centre or wellness centre;
- 17.1.6 a jail;
- 17.1.7 a library or museum;
- 17.1.8 a municipal office;
- 17.1.9 a nursing home;
- 17.1.10 a place of worship;
- 17.1.11 a public park;
- 17.1.12 a public use or utility;
- 17.1.13 a public works yard;
- 17.1.14 a police station;
- 17.1.15 a post office;
- 17.1.16 a retirement home;
- 17.1.17 a school;
- 17.1.18 an assembly hall.

### 17.2 Regulations For Permitted Uses

#### 17.2.1 Regulations for uses permitted *exclusive* of Section 17.1.17

- (a) Minimum Lot Area: .....3,035 square metres
- (b) Minimum Lot Frontage:..... 45.5 metres
- (c) Maximum Lot Coverage: ..... 50 %
- (d) Minimum Front Yard:..... 15 metres
- (e) Minimum Side Yard: ..... 6 metres
- (f) Minimum Exterior Side Yard:..... 15 metres
- (g) Minimum Rear Yard:..... 7.5 metres
- (h) Maximum Building Height:..... 12 metres

#### 17.2.2 Regulations for uses permitted in Section 17.1.17

- (a) Minimum Lot Area: ..... 1.5 hectares
- (b) Minimum Lot Frontage:..... 91.5 metres
- (c) Maximum Lot Coverage: ..... 25 %
- (d) Minimum Front Yard:..... 15 metres
- (e) Minimum Side Yard: ..... 6 metres
- (f) Minimum Exterior Side Yard:..... 15 metres
- (g) Minimum Rear Yard:..... 7.5 metres

(h) Maximum Building Height:..... 12 metres

### **17.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Institutional (I) Zone shall apply and be complied with.

### **17.4 Institutional (I) Exceptions**

#### **17.4.1 Institutional Exception One (I-1) Zone Reference By-Law 16-1985**

On lands zoned (I-1) on Schedule 'B7', identified as Roll No. 1501-010-003-13700, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 17 hereof, and subject to the following special provisions:

##### **17.4.1.1 Permitted Uses:**

- (a) All uses permitted in Section 17.1;
- (b) A residential care facility.

##### **17.4.1.2 Regulations for Uses Permitted in Section 17.4.1.1:**

- (a) Definition:

For the purposes of Section 17.4.1.1(b), a "residential care facility" means the use of a building for residential units designed to accommodate seniors as they age including separate common areas for dining and socializing, and the provision of meals, housekeeping and personal care, but does not include, but does not include any premises falling under the jurisdiction of:

- i) The Charitable Institutions Act;
- ii) The Children's Mental Health Services Act;
- iii) The Children's Residential Services Act;
- iv) The Homes for the Aged and Rest Homes Act;
- v) The Mental Hospitals Act;
- vi) The Nursing Homes Act;
- vii) The Private Hospitals Act;
- viii) The Public Hospitals Act.

- (b) Minimum Yard Requirements:

No new buildings, structures or extensions thereto shall be erected within 12 metres of the boundary of any Residential Zone;

- (c) **Minimum Parking Requirements:**  
One parking space per 37.16 square metres of floor area, and no parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 1.5 metres of any lot line which does not abut a public street, or within 3 metres of any street line or boundary of any type of Residential Zone;
- (d) **Minimum Landscaping Requirements:**  
A landscaping area in the form of a planting strip having a minimum width of 0.91 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts the boundary of any type of Residential Zone;
- (e) All other regulations as contained in Section 17.2 and 17.3 shall apply and be complied with.

**17.4.2 Institutional Exception Two (I-2) Zone**  
**Reference By-Law 90-12**

On lands zoned (I-2) on Schedule 'B7', identified as Roll No. 1501-020-002-20110, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 17 hereof, and subject to the following special provisions:

**17.4.2.1 Permitted Uses:**

A medical clinic and business/professional offices.

**17.4.2.2 Regulations for Uses Permitted in Section 17.4.2.1:**

- (a) Minimum Side Yard:..... 3 metres
- (b) Minimum Lot Frontage: ..... 26 metres
- (c) Minimum Number of Parking Spaces:..... 14 spaces  
Maximum Number of Buildings per Lot: ..... 1 (one)
- (d) Minimum of 50% of gross floor area must be for medical clinic purposes.
- (e) All other regulations as contained in section 17.2 and 17.3 shall apply and be complied with.

**17.4.3 Institutional Exception Three (I-3) Zone**  
**Reference By-Law 94-5**

On lands zoned (I-3) on Schedule 'B7', identified as Roll No. 1501-020-002-21700, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 17 hereof, and subject to the following special provisions:

**17.4.3.1 Permitted Uses:**

A daycare centre.

**17.4.3.2 Regulations for Uses Permitted in Section 17.4.3.1:**

- (a) Minimum Lot Area:..... 0.20 hectares
- (b) Minimum Lot Frontage:..... 25 metres
- (c) Minimum Front Yard: ..... 7.5 metres
- (d) Minimum Interior Side Yard: ..... 3 metres
- (e) Minimum Rear Yard: ..... 9 metres
- (f) Minimum Setback From  
Street Centreline (arterial):..... 17.5 metres
- (g) Minimum Lot Depth:..... 80 metres
- (h) Maximum Building Height (main):..... 11 metres
- (i) Maximum Lot Coverage of all  
buildings and structures: ..... 40 %
- (j) Minimum Number of Parking Spaces:..... 15 spaces
- (k) Minimum Landscaped Open Space: ..... 30 %
- (l) Minimum Planting Strip Width:..... 1 metre
- (m) Off-street parking for the facility may be located within the front yard of the property. The parking area shall be separated from any adjacent street line by a strip of land not less than 1.0 metres in width. This 1 metre strip shall be used for landscaping and road authority requirements such as curbs.

**17.4.4 Institutional Exception Four (I-4) Zone  
Reference By-Law 2015-84**

On lands zoned (I-4) on Schedule 'B7' identified as Roll No. 1501-020-002-14300, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 9 hereof, and subject to the following special provisions:

**17.4.4.1 Permitted Uses:**

All uses permitted in the Section 17.1

**17.4.4.2 Regulations for uses permitted in Section 17.1:**

- (a) Minimum Lot Area for a place of worship.....1,254 m<sup>2</sup>
- (b) Minimum Lot Frontage for a place of worship.....24 m.
- (c) Minimum Side Yard Setback on the north side for a place of worship as it existed on the day of the passing of this by-law.....1.8 m.
- (d) All other provisions of Section 17.2.1 shall apply and be complied with.

# **Section 18**

## **Environmental Protection (EP) Zone**

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

### **18.1 Permitted Uses**

- 18.1.1** a conservation, forestry or other similar use;
- 18.1.2** an agricultural use exclusive of any permanent buildings or structures;
- 18.1.3** a public park exclusive of any permanent buildings or structures;
- 18.1.4** a marine facility;
- 18.1.5** structures required for flood, erosion and siltation control works.

### **18.2 Regulations For Permitted Uses**

#### **18.2.1 Regulations for uses permitted in Section 18.1.4**

- (a) Maximum Building Area:.....30 square metres
- (b) Minimum Building Separation:..... 1.5 metres
- (c) Maximum Building Height:..... 10 metres

### **18.3 General Zone Provisions**

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Environmental Protection (EP) Zone shall apply and be complied with.

### **18.4 Environmental Protection (EP) Exceptions**

#### **18.4.1 Environmental Protection Exception One (EP-1) Zone**

On lands zoned (EP-1) on Schedule 'B16', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 18 hereof, and subject to the following special provisions:

##### **18.4.1.1 Permitted Uses:**

The following uses permitted in Section 12.1:  
a business, professional or administrative office;  
a funeral home;  
a liquor control board outlet;  
a liquor licensed premises;  
a parking lot;  
a personal service shop;  
a place of entertainment;



a post office;  
a printing or publishing establishment;  
a restaurant;  
a retail establishment;  
a veterinary clinic;  
an equipment rental establishment.

**18.4.1.2 Regulations for Uses Permitted in Section 18.4.1.1:**

- (a) Notwithstanding any other provisions of this By-Law to the contrary, there shall be no exterior alteration or expansion to the existing structure or structures;
- (b) No new buildings or structures shall be permitted other than those identified in Section 18.1 or uses permitted under Section 3.22 (c) and/or Section 3.23(d).

# Section 19

## Open Space (OS) Zone

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

### 19.1 Permitted Uses

- 19.1.1 a conservation, forestry or other similar use;
- 19.1.2 an agricultural use exclusive of any permanent buildings or structures;
- 19.1.3 a marine facility;
- 19.1.4 a private park;
- 19.1.5 a public park;

### 19.2 Regulations For Permitted Uses

#### 19.2.1 Regulations for uses permitted in Section 19.1.3

The provisions of the By-law shall not prevent the construction of a marine facility provided that the requirements of Section 3.19 are complied with.

#### 19.2.2 Regulations for uses permitted in Section 19.1.4

- (a) Minimum Lot Area .....0.8 hectares
- (b) Minimum Lot Frontage..... 30 metres
- (c) Minimum Front Yard ..... 15 metres
- (d) Minimum Side Yard ..... 9 metres
- (e) Minimum Exterior Side Yard..... 15 metres
- (f) Minimum Rear Yard..... 15 metres

### 19.3 General Zone Provisions

Notwithstanding any other provision of this Zone to the contrary, the water yard setback shall be 30 metres.

All provisions of Section 3, General Zone Provisions, where applicable to the use of any land, building or structure permitted within the Open Space (OS) Zone shall apply and be complied with.

## **19.4 Open Space (OS) Exceptions**

### **19.4.1 Open Space Exception One (OS-1) Zone Reference By-Law 2005-47**

On lands zoned (OS-1) on Schedule 'B3', identified as Roll No. 1501-020-001-23200, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 19 hereof, and subject to the following special provisions:

#### **19.4.1.1 Permitted Uses:**

Recreational uses such as playing fields, public parks, playgrounds and similar uses;  
A stormwater management facility;  
Accessory buildings and structures.

#### **19.4.1.2 Regulations for Uses Permitted in Section 19.4.1.1:**

- (a) Minimum Lot Frontage: ..... N/A
- (b) Minimum Lot Area: ..... N/A
- (c) Minimum Yard Setback (all sides): ..... 3 metres
- (d) Maximum Lot Coverage for stormwater management facility: ..... 5 %
- (e) Maximum Building Height: ..... 11 metres

### **19.4.2 Open space Exception Two (OS-2) Zone Reference By-Law 2013-23**

On lands zoned (OS-2) on Schedule 'B3', Lot 18, Con 8 in the former Township of Asphodel, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 19 hereof, and subject to the following special provisions:

#### **19.4.2.1 Permitted Uses:**

A stormwater management facility;  
Accessory buildings and structures

#### **19.4.2.2 Regulations for uses permitted in Section 19.4.2.1**

- (a) Minimum Lot Area: ..... 0.8 hectares
- (b) Minimum Lot Frontage: ..... 15 metres
- (c) Minimum Yard Setback (all sides): ..... 2 metres

**19.4.3 Open Space Exception Three (OS-3) Zone  
Reference By-Law 2013-80**

On lands zoned (OS-3) on Schedule 'B6', Lot 16, Con. 8 in the Village of Norwood, no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 19 hereof, and subject to the following special provisions:

**19.4.3.1 Permitted Uses:**

A stormwater management facility;  
Accessory buildings and structures

**19.4.3.2 Regulations for uses permitted in Section 19.4.3.1**

- (a) Minimum Lot Area: ..... 0.15 hectares
- (b) Minimum Lot Frontage: ..... 40 metres
- (c) Minimum Yard Setback (all sides): ..... 2 metres

**19.4.4 Open Space Exception Four (OS-4) Zone  
Reference By-Law 2016-47**

On lands zoned (OS-4) on Schedule 'B13', no person shall use any land or erect, alter or use any building or structure except in accordance with the provisions of Section 3 and Section 19 hereof, and subject to the following special provisions:

**19.4.4.1 Permitted Uses:**

Accessory uses, buildings and structures

**19.4.4.2 Regulations for uses permitted in Section 19.4.4.1**

- (a) Minimum Exterior Side Yard Setback ..... 6 metres

## Section 20

### Effective Date and Signing

If no objection is filed with the Clerk of the Township of Asphodel-Norwood within 20 days of the date of passing of this By-law, this By-law shall become effective on the date of passing. If an appeal is filed with the Clerk within the 20 day period following the passing of the By-law, this By-law shall become effective on the date of passing hereof subject to receiving an Order from the Ontario Municipal Board, resolving any appeals so filed.

Read a first time this 2<sup>nd</sup> day of March, 2009;

Read a second time this 2<sup>nd</sup> day of March, 2009;

Read a third time and finally passed this 2<sup>nd</sup> day of March, 2009.

Original signed by:

\_\_\_\_\_  
Doug Percy  
Reeve

Original signed by:

\_\_\_\_\_  
Valerie Przybilla  
CAO/Clerk