

Township of Tay
Zoning By-law

Final Draft
May 2018

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ZONING BY-LAW NO. 2016-

DRAFT – MAY 2018

A By-law to restrict the *use* of land and the *erecting*, locating, or using of *buildings* or *structures*, and to regulate the *use* of land, *buildings*, and *structures*.

WHEREAS the *Township* of Tay adopted a new Official Plan on (insert date of OP adoption) and the new Official Plan was approved by the *County* of Simcoe on (insert date of OP approval); and,

WHEREAS the Council of the Corporation of the *Township* of Tay deems it appropriate to implement the new Official Plan with a new Zoning By-law; and,

WHEREAS authority is granted pursuant to Section 34 of the Planning Act, as amended;

NOW THEREFORE, Council enacts as follows:

PART 1. ADMINISTRATION

1.1 By-law Title

This By-law shall be cited as:

“THE ZONING BY-LAW OF THE TOWNSHIP OF TAY”

and may be referenced herein as “this By-law”.

1.2 Scope and Application

1.2.1 Administration and Enforcement

- a) This Bylaw shall be administered by the *municipal* staff as appointed by the Council of the *Township* of Tay.
- b) The Chief Building Official and any Inspector appointed under the Building Code Act are each assigned the responsibility of enforcing this By-law for the purposes of Section 49 of the Planning Act.

1.2.2 Area Subject to By-law

This By-law applies to all land within the boundaries of the *Township* of Tay as shown on the Zoning Maps forming Schedule “A” of this By-law.

1.2.3 Conformity and Compliance Requirements

- a) No land shall be *used* and no *building* or *structure* shall be *erected, altered* or *used* except in conformity with the permitted *uses* of this By-law and in compliance with the regulations of this By-law.
- b) No *municipal* permit, certificate or license shall be issued for the *use* of land or for the *erection, alteration* or *use* of any *building* or *structure* that is not in conformity and compliance with this By-law.
- c) No *person*, other than a *public authority*, shall create or *alter* the boundaries of any *lot* by conveyance or otherwise such that the *lot* does not comply with the regulations of this By-law, except:
 - i. For the *alteration* of the boundaries of an *existing lot* that is not in compliance with the requirements of this By-law on the effective date, in accordance with Section 3.4; and,
 - ii. To facilitate the acquisition of land by a *public authority*, in accordance with Section 3.4.
- d) To the extent of any conflict among the provisions of this By-law, the more restrictive provisions shall apply.

1.2.4 Compliance with Other Legislation

- a) Nothing in this By-law shall exempt any *person* from the requirement to comply with other By-laws of the *Township* of Tay and regulations of the *County* of Simcoe, Province of Ontario and Government of Canada, that may affect the *use* of land or the *erection, use* or *alteration* of *buildings* or *structures*.
- b) To the extent of any conflict or inconsistency between this By-law and any other By-law of the *Township* of Tay, the more restrictive By-law shall prevail.
- c) To the extent of any conflict with this By-law, the regulations of the *County* of Simcoe, Province of Ontario, or Government of Canada shall prevail.
- d) References to “the Zoning By-law”, “General Zoning By-law” or “By-law 2000-57” or similar references contained in other by-laws or documents of the *Township* of Tay shall be deemed to refer to this By-law.

1.2.5 Validity and Severability

A decision of a court of competent jurisdiction that one or more of the provisions of this By-law or any portion of the Schedules to this By-law are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions of parts of the provisions of this By-law.

1.2.6 Violations and Penalties

Every *person* who contravenes a provision of this By-law and, if the *person* is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction liable to fines under the Planning Act.

1.3 Interpretation

1.3.1 By-law Structure

- a) This By-law is divided into Parts, Sections, Subsections, Clauses and Sub-clauses as follows:
 - PART 1 – Part
 - 1.1 – Section
 - 1.1.1 – Subsection
 - 1.1.1 (a) – Clause
 - 1.1.1 (a) (i) – Sub-clause.
- b) Certain provisions of this By-law are organized into Tables which form part of this By-law.

- c) Schedules “A”, “B”, “C”, and “D” form part of this By-law.
- d) Examples and illustrations, where provided, are for clarification and convenience and do not form part of this By-law.

1.3.2 Definitions

- e) Terms that are defined in Part 2 of this By-law are italicized for convenience, except where defined terms are *used* within the titles of Parts, Sections and Subsections, and this does not *alter* the meaning of the term as defined in Part 2 or the usage of the term throughout the By-law.
- f) Certain terms that are defined in Part 2 are reversed (for example: *Dwelling*, *Single Detached*) and this is done solely for the convenience of locating and identifying the term and any like terms defined in Part 2 and does not *alter* the meaning of the term or its usage throughout the By-law.

1.3.3 Interpretation of Certain Words

- a) The words “must” and “shall” are mandatory.
- b) The word “may” is not mandatory and is *used* to indicate where certain circumstances may or may not be applicable.
- c) Words *used* in the present tense include the future.
- d) Words *used* in the singular include the plural.
- e) Words *used* in the plural include the singular.
- f) The words “*used*” and “occupied” shall include the words “intended or arranged and designed to be *used* or occupied.”

1.3.4 Legislative References

References in this By-law to legislation or regulations or sections thereof approved by another *public authority* shall include any amendments or successors thereto.

1.3.5 Measurements

- a) All measurements of area, coverage, distance, *height* or other dimension, percentage or ratio *used* to determine compliance with the regulations of this By-law shall be subject to the normal mathematical rules of rounding numbers and the level of accuracy expressed in the regulations of this By-law, as follows:
 - i. For regulations expressed as a whole number, measurements less than 0.5 shall be rounded downward to the nearest whole number, and measurements greater than 0.5 shall be rounded upward to the nearest whole number;

- ii. For regulations expressed as a number with one decimal place, measurements less than 0.05 shall be rounded downward to the nearest one-tenth unit, and measurements greater than 0.05 shall be rounded upward to the nearest one-tenth unit.
- b) Other units of measurement shall be converted to metric units in order to determine compliance with this By-law, prior to applying the rules for rounding measurements in accordance with this Subsection, and nothing in this By-law shall be interpreted to provide relief from the requirements of this By-law on the basis of the conversion of measurements to metric units.

1.3.6 Zoning Maps

- a) The Zoning Maps comprising Schedule “A” show the boundaries and extent of all *zones*. These maps, together with all notations, references, and other information form part of this By-law.
- b) The location of the boundary of any *zone* shall be determined as shown on the Zoning Maps in Schedule “A” and in accordance with the following:
 - i. For a *zone* boundary that is shown as following a street, lane, railway, right-of-way or transmission or other utility corridor, the boundary shall be the centre-line of the applicable feature;
 - ii. For a *zone* boundary that is shown as following a feature identified in subclause (i) of this Subsection and the feature is closed or diverted after the effective date of this By-law, the land formerly within said feature shall be included within the *zone* of the adjoining land on either side of the said closed or diverted feature, except where the land on either side of the feature is in different *zones* in which case the *zone* boundary shall be the former centre-line of the said closed or diverted feature;
 - iii. For a *zone* boundary that is shown as following a *watercourse*, the boundary shall be the centre-line of the *watercourse*, except that land that is within the area defined by the greatest extent of the erosion hazard limit and the flood hazard limit on either side of a *watercourse* shall be deemed to be within the Greenlands *Zone*;
 - iv. For a *zone* boundary that is shown as following the *lot frontage* on a future *lot* on a draft approved Plan of Subdivision or Condominium, the boundary shall be the centre-line of the future *public street*;
 - v. For a *zone* boundary that is shown as running substantially parallel to a *lot line* abutting any *street* and the distance from that *street* is not indicated, the boundary

shall be parallel to the applicable *lot line* and the distance shall be determined according to the scale shown on the Zoning Maps;

- vi. As following a *shoreline*, the boundary shall follow such *shoreline* and in the event of a natural change in the *shoreline*, the boundary shall be construed as moving with the actual *shoreline*;
- vii. As a Greenlands *Zone*, the boundary shall follow the limits of the natural features, natural hazards and any associated buffer areas, which shall be based on the most detailed mapping available and may be more precisely determined in consultation with the Severn Sound Environmental Association, the *County* or other public agencies having jurisdiction in the area;
- viii. Where more detailed mapping of natural features, natural hazards and any associated buffer areas becomes available after the effective date of this By-law, the limits of the Greenlands *Zone* may be refined without the requirement for an amendment to this By-law, and all requirements of this By-law shall be applied relative to the revised interpretation of the Greenlands *Zone* boundary, including any applicable setbacks and the *uses* and regulations of the adjacent *zone* on the same *lot* shall apply;
- ix. As following the limits of the *Township*, the boundary shall be the limits of the *Township*; and,
- x. Where none of the above provisions apply, the *zone* boundary shall be scaled from the Zoning Maps.

1.4 Technical Revisions

- a) The following revisions may be made to this By-law by the *Township* of Tay at any time without the need for an amendment:
- b) Corrections to grammar, punctuation or typographical errors or formatting revisions that do not change the intent of the provisions;
- c) Additions or revisions to technical information on maps or schedules that do not affect the zoning of land including, but not limited to, matters such as updating and correcting base map information (roads, assessment parcels and labels), keys, legends or title blocks; and,
- d) Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form part of the By-law and are editorially inserted for convenience of reference only.

1.5 Effective Date

This By-law is effective on the date it is passed by Council of the *Township* of Tay, subject to the appeal provisions of the Planning Act.

1.6 Repeal of Former By-laws

Township of Tay General Zoning By-law 2000-57, and all amendments thereto, are repealed on the effective date of this By-law.

1.7 Transition Matters

1.7.1 Building Permit Applications Filed Prior to Effective Date

- a) Notwithstanding Sections 1.2 and 1.6 of this By-law, nothing in this By-law shall prevent the *erection or alteration* of a *building or structure* on the basis of a *building* permit that is issued for an application that was filed on or prior to the effective date of this By-law, subject to the following:
- i. The *building* permit application complies with the provisions of General Zoning By-law 2000-57, as amended, as it read on the effective date of this By-law;
 - ii. All information required for a zoning review of the *building* permit application is submitted prior to the effective date of this By-law; and,
 - iii. All required approvals under the Planning Act, if any, have been obtained prior to the effective date of this By-law.

1.7.2 Lots Conditionally Approved Prior to Effective Date

- a) Notwithstanding Sections 1.2 and 1.6 of this By-law, where the Committee of Adjustment of the *Township* of Tay or the Ontario Municipal Board has conditionally authorized the creation of a *lot* or changes to the boundaries of a *lot* under the Planning Act prior to the effective date of this By-law, the *lot* shall be deemed to comply with the *lot frontage* and *lot area* regulations of this By-law provided:
- i. The *lot* complies with the *lot frontage* and *lot area* requirements of General Zoning By-law 2000-57, as amended, as it read on the effective date of this By-law; and,
 - ii. The final approval of the *lot* is granted before the conditional approval lapses.

1.7.3 Minor Variances Approved Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, where the Committee of Adjustment of the *Township* of Tay or the Ontario Municipal Board has authorized a minor variance from the provisions of General Zoning By-law 2000-57, as amended, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment or the Ontario Municipal Board has become final and binding prior to the effective date of this By-law, the

provisions of the By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.7.4 Site Plan Agreements Entered Into Prior to Effective Date

Notwithstanding Sections 1.2 and 1.6 of this By-law, where the *Township* of Tay has entered into a Site Plan Agreement in respect of any land, *building* or *structure* prior to the effective date of this By-law, the provisions of this By-law shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement, for the applicable *lot* that is subject to the Site Plan Agreement.

1.7.5 Expiry

- a) The exemptions provided by Section 1.7 of this By-law shall not continue beyond the earliest occurrence of the following:
 - i. The date of issuance of the *building* permit, approval or agreement upon which the exemption is founded, at which time the provisions of General Zoning By-law 2000-57 shall cease to be in effect; and,
 - ii. The date of the lapsing of the applicable approval.

PART 2. DEFINITIONS

ABATTOIR

means a *premises used* to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses as the *principal use* and may include the packing, treating, storing and sale of the product on the *premises*.

ACCESSORY BUILDING OR STRUCTURE

means a *building or structure*, the *use* of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a *principal use* or *building* on the same *lot*.

ACCESSORY USE

means a *use* naturally and normally incidental to, subordinate to or exclusively devoted to a *principal use* and located on the same *lot*.

ADULT ENTERTAINMENT ESTABLISHMENT

means *premises* or any part thereof in which is provided, in the pursuance of a business: (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations; or (b) nudity or partial nudity of any *person* as a principal feature or characteristic; or (c) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a *person's* body, performed, offered or solicited, but does not include *premises* or part thereof where body-rubs are performed, offered or solicited for the purpose of medical or therapeutic treatment and are performed or offered by *persons* otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

AGRICULTURAL SERVICE AND SUPPLY ESTABLISHMENT

means *premises used* for the supply of goods, materials, equipment and/or services that support *agricultural uses*.

AGRICULTURAL USE

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

AGRICULTURE-RELATED USE

means *premises used* for *commercial uses* and *industrial uses* as *principle uses* that are directly related to *agricultural uses* in the area, require a location that is in close proximity to *agricultural uses*, and directly provide products and/or services to *agricultural uses* as the primary business,

including *agricultural service and supply establishments, commercial kennels, veterinary clinics, and farm produce processing and storage facilities.*

AGRI-TOURISM / VALUE-ADDED USES

means the *use of land, buildings or structures for accessory uses to the principal agricultural use of the lot, conducted for gain or profit to support, promote and sustain the viability of the agricultural use, including but not limited to agricultural education and research facilities, bed and breakfast establishments, farm markets and the retail sale of farm produce and other products, pick your own facilities, farm mazes, special event facilities related to farming, and value-added assembly, fabrication, processing, packing or storage operations.*

ALTER

means:

- a) When *used* in reference to a *building* or part thereof, a change in the total *floor area* or an addition made to a *building* or a change made in the type of construction of the exterior walls or roof thereof; or,
- b) When *used* in reference to a *lot*, a decrease in the width, depth or area of any *required yard*, or a change in the location of any boundary of such *lot* with respect to a public road, whether such *alteration* is made by conveyance of any portion of the said *lot* or otherwise.

ANIMAL SHELTER

means *premises* where the care of lost, abandoned, neglected or rescued domestic animals is offered as the *principal use*, but shall not include a *kennel* or *veterinary clinic*.

ART GALLERY

means a *premises used* for any combination of the preservation, production, exhibition, or sale of paintings or other works of art as the *principal use*.

ATTIC

means the unfinished space between the roof and the ceiling of the top *storey* of a *building*.

AUTOMOBILE

means a car, motorcycle, motor-assisted bicycle, pick-up truck, sport utility *vehicle*, van and similar *vehicles* within the meaning of a motor *vehicle* under the Highway Traffic Act.

AUTOMOTIVE BODY SHOP

means a *building and lot used* for the painting or repairing of the interior, exterior or undercarriage of *automobile bodies* as the *principal use*.

AUTOMOTIVE DEALERSHIP

means a *building* and *lot* used for the sale and/or rental of *automobiles* and other *vehicles* or *trailers* as the *principle use*, and may include, as *accessory uses*, any other *automotive uses* separately defined in this By-law where permitted in the same *zone*.

AUTOMOTIVE MAINTENANCE OR REPAIR ESTABLISHMENT

means a *building* and *lot* where the service, maintenance and repair of *automobiles* and other *vehicles* or *trailers* is provided as the *principal use*, and may include, as *accessory uses*, the retail sale of automotive parts and accessories and any other *automotive uses* separately defined in this By-law where permitted in the same *zone*.

AUTOMOTIVE SERVICE STATION

means a *building* and *lot* where facilities are provided for re-fueling and/or re-charging of *automobiles* as the *principal use* and may include an accessory *retail store*, but shall not include any other *automotive use* separately defined in this By-law.

AUTOMOTIVE WASHING ESTABLISHMENT

means a *building* and *lot* where automated or self-service facilities are provided for washing *automobiles* and other *vehicles* as the *principal use*, but shall not include any other *automotive uses* separately defined in this By-law.

AUTOMOTIVE USE

means any *use* that includes one or more of the following: *automotive body shop*, *automotive dealership*, *automotive maintenance or repair establishment*, *automotive service station* and *automotive washing establishment*.

AVERAGE FINISHED GRADE

means the grade elevation of the *lot* calculated as:

- a) The average of all grades measured adjacent to the front exterior wall of the *building* on *interior lots*; and,
- b) The average of all grades measured adjacent to each exterior wall of the *building* on *corner lots* and *through lots*.

BALCONY

means a partially enclosed platform attached to or extending horizontally from one or more *main walls* of a *dwelling* and used as an outdoor *porch* or *deck*.

BASEMENT

means that portion of a *building* located below the first *storey*.

BED AND BREAKFAST ESTABLISHMENT

means a *dwelling* in which one or more *guest rooms* is provided, with or without meals, for hire or pay, for the traveling or vacationing public.

BOAT LAUNCH

means an area of land adjacent to a navigable water body or *watercourse* that is *used* for the purpose of transferring boats or other marine craft from a *trailer* to water and for removing boats and other marine craft from the water.

BOATHOUSE

means a *building* or *structure* or part thereof *used* primarily for the storage of boats or other marine craft and equipment accessory to their *use*, but shall not include any *habitable rooms*.

BOAT SLIP

means a mooring space on a navigable water body or *watercourse* that is *used* to secure a boat or other marine craft to an adjacent *shoreline structure* such as a *dock*, a pier or a wharf.

BUILDING

means any *structure* whether temporary or permanent with a combination of walls, roofs and floors comprising a structural system serving the function thereof.

BUILDING, MAIN

means a *building* for a *principle use* of the *lot*, and in a Residential *Zone* the *dwelling* is the *main building*.

CABIN

means a stand-alone *building* containing a *guest room* for *use* as recreational accommodations within a *cabin rental establishment* or a *camping establishment*.

CABIN RENTAL ESTABLISHMENT

means a *lot* where one or more *cabins* are provided and maintained for *use* as temporary recreational accommodations, and includes related facilities.

CAMPING ESTABLISHMENT

means a *lot* where one or more *camp sites* are maintained as grounds for temporary recreational camping in *tents* and/or *recreational vehicles* and/or *cabins*, and includes related facilities.

CAMP SITE

means a defined area within a *camping establishment* used for camping in *tents* and/or for the parking of one *recreational vehicle* for camping purposes and/or for one *cabin* for temporary recreational accommodation on the basis of a concession, lease, license, permit, rental agreement or similar commercial arrangement.

CASINO

means a *premises used* for gambling activities, including games of chance such as card games, dice games, wagering, and game machines or devices, for money or other items of value, but does not include bingo halls or any other *place of entertainment*.

CEMETERY

means land that has been established or recognized as a *cemetery* under the laws of the Province of Ontario that is *used* for the interment of human remains and may include a mausoleum or columbarium, but does not include a *funeral home establishment*.

CLUB

means a *premises used* as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, cultural, recreational or social purposes, but does not as a commercial business.

COLUMBARIUM

means a building or structure used for the interment of cremated human remains in sealed compartments.

COMMERCIAL SELF-STORAGE FACILITY

means a *premises used* for the temporary indoor storage of household items and seasonal, recreational or *commercial vehicles* boats and *trailers* within a *building* in secured storage units or lockers which are independently accessible from the exterior of the *building*.

COMMERCIAL USE

means the *use* of land, *buildings* or *structures* for the supply for sale of goods and services.

COMMUNITY CENTRE

means land or *buildings* or part thereof *used* for community, cultural, recreational or social purposes as a *public use*, including a community recreation centre as defined in the Community Recreation Centres Act.

CONSERVATION USE

means the *use* of land dedicated towards the preservation, protection and/or improvement of components of the natural environment through management and maintenance.

CONSTRUCTION CAMP

means a temporary land *use* required during the construction of *infrastructure* commissioned by a *public authority*, to house workers and/or store equipment necessary for the cost effective and timely completion of construction.

CONTRACTORS ESTABLISHMENT

means a *premises* where construction, maintenance, repair and service equipment, *vehicles* and materials of a contractor are stored and where a contractor performs work in preparation for providing construction, maintenance or repair services elsewhere, and may include an accessory *office* for the administration of the business.

COTTAGE

means a recreational residence that is designed to be occupied for a seasonal or temporary period in accordance with exemptions set out in the Residential Tenancies Act and/or *municipal licensing requirements for a short-term accommodation use*.

COUNTY

means the Corporation of the *County* of Simcoe.

DAYCARE

means a *premises* that is licensed in accordance with the Day Nurseries Act where more than five children are provided with temporary care and/or guidance for a continuous period not exceeding twenty-four hours.

DAYCARE, PRIVATE HOME

means a *dwelling used* for the temporary care of five or fewer children, other than children residing in the *dwelling* as a principal residence, for a continuous period not exceeding 24 hours.

DECK

means a *structure* with no roof or walls except for visual partitions and railings, which is constructed on piers or a foundation above grade, and that is accessory to a *principle use* or *main building* on the *lot*.

DOCK

means an uncovered *structure* for the mooring of boats or to facilitate access to the water's edge, attached to or forming part of the land and *used* in conjunction with a *use* of the land.

DRIVE-THROUGH FACILITY

means the *use* of a *lot*, *building* or *structure*, to provide or dispense products or services through an attendant, a window, or an automated machine including an order box with or without voice communication, or parts thereof, to *persons* remaining in *automobiles* in a designated *stacking lane*.

DRIVEWAY

means an unobstructed driving route located within a *parking area* and designed to provide access between a *public* street or condominium road and a *parking space*, *aisle*, or *loading space*, or between two *parking areas*, by *automobiles* and other *vehicles*.

DRY CLEANING/LAUNDRY DEPOT

means *premises used* for the purpose of collection and distribution of clothing or fabric goods to be subjected to laundering or dry-cleaning elsewhere, and includes a self-service laundromat with one or more washers and drying, ironing, finishing and incidental equipment, but does not include a *dry cleaning/laundry establishment*.

DRY CLEANING/LAUNDRY ESTABLISHMENT

means *premises used* for laundering or dry-cleaning clothing or fabric goods.

DWELLING

means a separate *building* containing one or more *dwelling units*.

DWELLING, APARTMENT

means a *dwelling* containing five or more *dwelling units* which have a common entrance from the street level and are connected by a common corridor.

DWELLING, BOARDING OR LODGING HOUSE

means a *dwelling* in which three (3) or more *lodging units* are provided for the accommodation of *persons* other than the lessee, tenant or owner of said *dwelling*.

DWELLING, DUPLEX

means a *dwelling* containing not more than two (2) *dwelling units*, each of which is completely on a separate *storey*.

DWELLING, FOURPLEX

means a *dwelling* containing four (4) *dwelling units*.

DWELLING, SEMI-DETACHED

means a *dwelling* divided by a common wall into two (2) attached *dwelling units*, each having a separate entrance from the exterior of the *dwelling*.

DWELLING, SINGLE DETACHED

means a *dwelling* containing one *dwelling unit*.

DWELLING, STACKED TOWNHOUSE

means a *townhouse dwelling* wherein some of the attached *dwelling units* are located entirely above the first *storey* and have a separate entrance from the exterior of the *dwelling* or from a common vestibule.

DWELLING, STREET TOWNHOUSE

means a *townhouse dwelling* wherein each *dwelling unit* is located on a separate *lot*.

DWELLING, TOWNHOUSE

means a *dwelling* divided by common walls into three (3) or more attached *dwelling units*, each having a separate entrance from the exterior of the *dwelling*.

DWELLING, TRIPLEX

means a *dwelling* containing three (3) *dwelling units*.

DWELLING UNIT

means a place of residence containing one or more *habitable rooms* with separate kitchen and bathroom facilities for the private *residential use* of a single housekeeping unit, designed for permanent year-round occupancy, and shall not include a *cabin, cottage, guest room, hotel/motel, lodging unit* in a *boarding or lodging house dwelling, mobile home, recreational vehicle, tent or trailer*.

DWELLING UNIT, ACCESSORY

means a *dwelling unit* which is accessory to a permitted *principal use*.

ERECT

means to *alter, build, construct, reconstruct, move or enlarge a building or structure*, including any physical operation and preparatory work such as excavating, filling, grading, or draining land for a

building or *structure*, and any work which requires a *building* permit under the Ontario Building Code.

ESTABLISHED BUILDING LINE

means the average setback of at least three *existing buildings* on each side of a vacant *lot* on the same side of the street as indicated by a survey prepared by an Ontario Land Surveyor.

EXISTING

means *existing* on the effective date of this By-law.

FINANCIAL INSTITUTION

means a *premises used* to provide financial services to the public.

FLOOR AREA

means the total area of all floors in a *building*, measured between the exterior faces of the exterior walls or from the centre line of the common walls of the *building* at each floor level, excluding *attics*, *basements*, *private garages* and any *floor area* with a ceiling *height* less than 2.2 metres unless otherwise specified in this By-law.

FLOOR AREA, GROSS

means the aggregate of the *floor areas* of all the *storeys* of all *buildings* and *structures* on a *lot*.

FLOOR AREA, GROUND

means the *floor area* of the lowest *storey* of a *building* at or first above the *average finished grade* excluding any *basement*.

FUNERAL HOME ESTABLISHMENT

means a *premises used* for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for internment or cremation off site.

GARAGE WIDTH

means the width of a *private garage* measured between the inside faces of the interior walls at the narrowest point of the *private garage*, or the width of the garage door, whichever is greater.

GARAGE, PRIVATE

means a portion of a *dwelling* or a detached *accessory building* or *structure* accessory to a *dwelling* designed or primarily *used* for the parking of private *automobiles*, permitted *commercial vehicles*, and/or *recreational vehicles*, and includes carports. For the purposes of this term, a *private garage* that shares a common wall and/or common roof structure with the *dwelling* and that has at least

forty percent (40%) of the length of the garage wall in common with the *dwelling* shall be considered an attached *private garage*.

GARDEN CENTRE

means a *premises used* for the display and retail sale of goods related to gardening and *landscaping*.

GARDEN SUITE

means a detached *accessory building* that contains one *dwelling unit*, is designed to be portable and is located on the same *lot* as an *existing single detached dwelling*.

GREENHOUSE

means a *building* for the growing of flowers, plants, shrubs, trees and similar vegetation but shall not include a *garden centre* or *landscaping* business.

GROUP HOME

means a *premises used* to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for three to six *persons*, exclusive of staff, living together in a single housekeeping unit because they require a group living arrangement.

GUEST ROOM

means a room or suite of rooms to be provided for rent or hire and *used* for sleeping accommodation for a seasonal or temporary period on the basis of a concession, lease, license, permit, rental agreement or similar commercial arrangement and in accordance with exemptions set out in the Residential Tenancies Act and/or *municipal licensing requirements*, and shall not include a *dwelling unit* or any *residential use*.

HABITABLE ROOM

means any floor space within a building or structure designed and intended to be used for living, sleeping, eating or food preparation and defined as a suite or *dwelling unit* pursuant to the Building Code Act, as amended.

HEIGHT

means with reference to a *building* or *structure*, the vertical distance measured from the *average finished grade* of such *building* or *structure* to:

- the highest point of the roof surface or the parapet, whichever is greater, of a flat roof;
- the declivity of a mansard roof;

- the mean level between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof; and,
- in the case of a *structure* with no roof, the highest point of said *structure*.

HOME OCCUPATION

means the *accessory use* of a *dwelling* or of a *building* or *structure* accessory to a permitted *residential use* or *agricultural use*, where permitted, for an occupation or business which results in a product or service.

HOSPITAL

means any public or private health care facility established and approved under the laws of the Province of Ontario for the treatment and care of human health, and may include laboratories, research and educational facilities, pharmacies and accessory retail and food services.

HOTEL/MOTEL

means a *premises* that contains *guest rooms* with or without private cooking facilities that are rented on a temporary basis to the public, equipped to be occupied as temporary accommodation for the public, and may contain accessory meeting rooms, a *restaurant*, banquet facilities and recreational amenities.

INDUSTRIAL USE

means the *use* of land, *buildings* or *structures* for manufacturing, processing, fabricating, assembling, warehousing or storing of raw materials or goods and related *accessory uses*.

INFRASTRUCTURE

means drainage and stormwater management facilities, electricity generation facilities and transmission and distribution systems, flood control *structures*, natural gas distribution systems, oil and gas pipelines, public transit systems, railways, roads, sewers, telecommunications lines and other cabled services, watermains and related *buildings* or *structures* located within a public right of way or easement controlled by a *public authority*, and related service laterals for individual *lots*, excluding *renewable energy systems*.

INSTITUTIONAL USE

means the *use* of land, *buildings* or *structures* for social, educational, health care or religious purposes and related *accessory uses*.

KENNEL, COMMERCIAL

means a *premises* primarily for the boarding and/or breeding and/or training of dogs for hire or gain.

KENNEL, PRIVATE

means the *accessory use* of land, *buildings* or *structures* for the keeping and/or training of more than two (2) but less than nine (9) dogs as pets.

LANDSCAPED OPEN SPACE

means the calculation of the horizontal area of a *lot* covered by *landscaping*, expressed as a percentage of the *lot area*.

LANDSCAPING

means an outdoor area of a *lot* not covered by *buildings* or *structures* and comprised exclusively of vegetation such as grass, shrubs, flowers and trees, and/or other permeable surfaces *used* for walks, patios, *decks*, fences and decorative surface treatments, but does not include *parking areas* or *driveways*.

LOADING SPACE

means an unobstructed area of land that is *used* for the temporary parking of one or more *commercial motor vehicles* while merchandise or materials are being loaded to or unloaded from such *vehicle*.

LODGING UNIT

means a room or suite of rooms provided for rent or hire and *used* for sleeping accommodation within a *boarding or lodging house dwelling*, designed for permanent year-round occupancy, and shall not include a *cabin, cottage, guest room, hotel/motel, mobile home, recreational vehicle, short-term accommodation use, tent* or *trailer*.

LONG TERM CARE FACILITY

means a *premises* licensed pursuant to the laws of the Province of Ontario, where a broad range of personal care, support and health services are provided for residents in a supervised setting, and may include one or more *accessory uses*, such as common dining, lounging, kitchen and recreational areas, administrative *office*, and a *medical clinic*.

LOT

means one parcel of land that is registered as a legally conveyable parcel of land in the Land Registry Office and in accordance with the Planning Act.

LOT, CORNER

means a *lot* at the intersection of two or more *public streets* or upon two parts of the same *public street* with such street or streets containing an angle of not more than 135 degrees. In the case of a curved corner, the angle of intersection shall be the angle formed by the intersection of the

continued straight projections of the *front lot line* and *exterior side lot line*, and the corner of the *lot* shall be deemed to be the point on the *street line* that is nearest to the point of intersection.

LOT, INTERIOR

means a *lot* other than a *corner lot*, *through lot* or *through corner lot*.

LOT, THROUGH

means a *lot* bounded by a *public street* on two opposite *lot lines*, but does not include a *corner lot* or *through corner lot*.

LOT, THROUGH CORNER

means a *lot* bounded by *public streets* on three or more *lot lines*.

LOT, WATERFRONT

means a *lot* which abuts Georgian Bay.

LOT AREA

means the total horizontal land area within the *lot lines* of a *lot*, excluding the horizontal area of such *lot* that is seasonally or permanently covered by water which, in the case of a *watercourse*, shall include the horizontal area between the top-of-bank on each side of the *watercourse*.

LOT COVERAGE

means the horizontal area of that part of the *lot* covered by all roofed *structures* and *buildings* above ground level, excluding permitted eave projections and *balconies*, expressed as a percentage of the *lot area*.

LOT FRONTAGE

means the horizontal distance between the *side lot lines* measured along the *front lot line*. Where the *front lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* shall be measured by a line that is parallel to the chord of the *lot frontage* and offset from the chord of the *lot frontage* by a distance equal to the minimum required *front yard* depth of the *zone* in which the *lot* is located. The chord of the *lot frontage* is a straight line joining the two (2) points where the *side lot lines* intersect the *front lot line*. In the case of a *corner lot* with a *sight triangle*, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

LOT LINE

means any boundary of a *lot*.

LOT LINE, EXTERIOR SIDE

means the *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*. For a *through corner lot*, the *exterior side lot line* is the *lot line* which divides the *lot* from a *public street* and meets the *front lot line*.

LOT LINE, FRONT

means the *lot line* that divides the *lot* from the *public street*. For a *corner lot*, *through lot*, or *through corner lot*, the shortest of the *lot lines* that divides the *lot* from the *public street* shall be deemed to be the *front lot line*. On a *corner lot*, *through lot* or *through corner lot* where such *lot lines* are of equal length and where one *lot line* abuts a *County Road* or *Provincial highway*, the *front lot line* shall be deemed to be that *lot line* which abuts the *County Road* or *Provincial highway*. On a *corner lot*, *through lot* or *through corner lot* where such *lot lines* are of equal length and where both *lot lines* abut *public streets* under the same jurisdiction, the *lot line* where the principal access to the *lot* is provided shall be deemed to be the *front lot line*. On a *waterfront lot*, the *lot line* abutting the *public* or *private street* shall be the *front lot line*.

LOT LINE, INTERIOR SIDE

means a *lot line* other than a *front*, *rear* or *exterior side lot line*.

LOT LINE, REAR

means the *lot line* opposite to, and most distant from, the *front lot line*, but where the *side lot lines* intersect, the *rear lot line* shall be the point of intersection of the *side lot lines*.

LOT LINE, SIDE

means *interior side lot lines* and *exterior side lot lines*.

MAIN WALL

means the exterior front, side or rear wall of a *building* and all structural members essential to the support of a fully enclosed space or roof.

MARINA

means a *premises* that provides facilities for the docking, launching, mooring, repair, sale, servicing and/or storage of boats and other marine craft and may include accessory retailing.

MEDICAL CLINIC

means a *premises* designed and *used* for the diagnosis, examination, and treatment of human patients by a medical professional licensed by the Province of Ontario, including pharmacies and dispensaries, waiting rooms, treatment rooms and laboratories, but shall not include overnight accommodation for in-patient care.

MEDICAL MARIHUANA PRODUCTION FACILITY

means a wholly enclosed *building, structure* or part thereof, *used* to possess, produce, sell, provide, ship, deliver, transport or destroy marihuana or cannibus by a Licensed Producer authorized by Health Canada according to the Marihuana for Medical Purposes Regulations SOR/2013-119 and any successor thereto.

MINERAL AGGREGATE OPERATION

means lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the Aggregate Resources Act, or successors thereto, and includes land not designated under the Aggregate Resources Act, that is *used* for established pits and quarries *existing* on the effective date of this By-law, and including adjacent land under agreement with or owned by the operator for the continuation of the operation; and includes associated facilities *used* in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

MINIMUM DISTANCE SEPERATION (MDS)

means the mathematical tool to determine a recommended distance between livestock and manure storage facilities and *non-agricultural uses*.

MOBILE HOME

means any *dwelling* that is designed to be mobile, and constructed or manufactured to provide a permanent year-round residence in accordance with the applicable Canadian Standards Association standard, but does not include a *modular home*, park model home, travel *trailer* or *tent trailer* or *trailer* otherwise designed.

MOBILE HOME PARK

means a *lot* or part thereof designed and *used* for the location of two or more occupied *mobile homes* for non-transient *use* and shall include *accessory buildings or structures* for *offices*, laundry facilities, recreational amenities, maintenance and storage facilities and similar *uses* integral to the park operation.

MOBILE HOME SITE

means that part of a *lot* designed and reserved for one *mobile home* within a permitted *mobile home park*.

MODEL HOME

means a *building* that is temporarily *used* as a sales *office* or as an example of the type of *dwelling* offered for sale in a related development and which is not occupied or *used* as a *dwelling*.

MODULAR HOME

means any *dwelling* that is factory built and transported on its own chassis or frame so that it can be placed on a permanent foundation, and constructed or manufactured to provide a permanent year-round residence in accordance with the applicable Canadian Standards Association standard, but does not include a *mobile home*, park model home, travel *trailer*, *tent trailer* or *trailer* otherwise designed.

MUNICIPAL OR MUNICIPALITY

means the Corporation of the *Township* of Tay.

MUNICIPAL DRAIN

means a *municipal drain* pursuant to the Drainage Act.

MUSEUM

means a *premises used* for the preservation of a collection of paintings and/or other works of art and/or objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which may also include libraries, reading rooms, laboratories and *offices* as *accessory uses*.

NON-AGRICULTURAL USE

means the *use* of land, *buildings* or *structures* for a purpose other than an *agricultural use*, including, but not limited to a *commercial use*, *industrial use*, *institutional use* and *residential use*, but not including *agriculture-related uses* and *on-farm diversified uses*.

NON-COMPLYING

means a *building*, *structure* or *lot* that does not comply with the regulation(s) of this By-law.

NON-CONFORMING

means a *use* that is not a permitted *use* in the *zone* in which the said *use* is located.

OBNOXIOUS USE

means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, light, or objectionable odour, or by reason of the matter, waste or other material generated by the user, and without limiting the generality of the foregoing shall include any *uses* which may be declared to be a health hazard under the Health Protection and Promotion Act, as amended. Permitted *uses* which are operating in accordance with all applicable Federal, Provincial and *Municipal* rules and regulations are deemed not to be *obnoxious*.

OCCASIONAL OR SPECIAL EVENT

Means any *use* which occurs occasionally and for a short period of time under a special event permit issued by the Township such as a fair, midway, sale or auction, festival and social, cultural or sporting event.

OFFICE

means a *premises* where the affairs of businesses, professions, services, industries, governments, non-profit organizations or like activities are conducted, in which the chief product of labour is information services.

ON-FARM DIVERSIFIED USES

means the *use* of land, *buildings* or *structures* for *accessory uses* to the principal *agricultural use* of the *lot*, conducted for gain or profit to support, promote and sustain the viability of the *agricultural use*, including *agricultural service and supply establishments, agri-tourism/value added uses, bed and breakfast establishments, home occupations, pet care establishments, private kennels, service shops* and *veterinary clinics*.

OUTDOOR RECREATION

means the *use* of land for golf courses, parks, picnic areas, playgrounds, playing courts, skating rinks, snow skiing, splash pads, sports fields, *swimming pools* and similar *outdoor recreation facilities*.

OUTSIDE DISPLAY AND SALES AREA

means an area of land *used* for the display of goods and materials accessory to a *principal use* for a business located within a *building* or *structure* on the same *lot*.

OUTSIDE STORAGE

means an area of land *used* for the storage of goods and materials accessory to a *principal use* for a business located within a *building* or *structure* on the same *lot*.

PARK, PRIVATE

means an area of land not owned or managed by a *public authority* that is designed or maintained for *outdoor recreational* purposes.

PARK, PUBLIC

means an area of land owned or managed by a *public authority* that is designed or maintained for *outdoor recreational* purposes.

PARKING AISLE

means an unobstructed driving route located within a *parking area* and designed to provide access to *parking spaces* by *motor vehicles*, and that is connected to a *driveway* but does not include a *driveway*.

PARKING AREA

means an area of a *lot* consisting of one or more *driveways*, *parking aisles* and *parking spaces* located outdoors or in a *structure*.

PARKING FACILITY, BICYCLE

means an unobstructed area for the parking of one or more bicycles:

- a) with an adjacent pole, rack or other fixture anchored to the ground or to a permitted *building* or *structure* to which one or more bicycles can be secured; or
- b) an enclosed storage space within which one or more bicycles can be secured.

PARKING SPACE

means an unobstructed area for the parking of a *vehicle*.

PERSON

means any individual human being, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, the heirs, executors, or other legal representatives of a *person* to whom the same can apply according to law.

PERSONAL SERVICE SHOP

means a *premises* for providing services involving the care of *persons* or their apparel, and without limiting the generality of the foregoing, includes a barber shop, a beauty salon, a day spa, a nutrition centre, a *dry cleaning depot*, a photographer's *studio*, a shoe repair establishment, a tailor, a tanning salon, a travel agent or similar service establishments.

PET CARE ESTABLISHMENT

means a *premises* for the grooming, training and/or day-care of pets, but where no pets are kept overnight, and does not include the sale of pets.

PET CEMETERY

mean any land *used* for the burial and/or internment of dead companion animals or pets and may include ornamental *buildings* or *structures* as part of the *pet cemetery*.

PLACE OF ENTERTAINMENT

means *premises used* for facilities for the entertainment of the public including a cinema, live theatre, concert hall, planetarium, or other similar *use*, as well as facilities for the playing of games for the amusement of the public including billiard rooms, bowling alleys, laser games, electronic games, indoor miniature golf courses and bingo halls but does not include *casinos* or any other establishment accommodating gambling or gaming services, an *adult entertainment establishment*, nightclub, or a sports facility.

PLACE OF WORSHIP

means a *lot, building or structure*, or part thereof, *used* for the practice of religion and faith-based spiritual and educational purposes where people assemble for religious worship, faith-based teaching, fellowship and community social outreach.

PLANTING STRIP

means an area of *landscaped open space* located immediately adjacent to a *lot line* or portion thereof and on which is situated one or more of the following screening devices: a continuous row of trees, a continuous hedgerow of evergreens or shrubs, a berm, a wall or an opaque fence.

PORCH

means a roofed *structure* abutting a *building* and that is unenclosed on at least one of its sides except for posts, railings, removable screens, storm sashes or awnings.

PRE-FABRICATED SHIPPING CONTAINER

means a pre-fabricated metal container that is conventionally *used* for the purpose of shipping goods, but does not include a truck body, *trailer* or transport *trailer*, and does not have wheels and cannot be capable of human habitation.

PREMISES

means the area of a *lot* or *building* occupied or *used* by a business or enterprise. In a multiple tenancy *building* occupied by more than one (1) business, each business area shall be considered separate *premises*. Each individual unit proposed and/or registered in a draft Plan of Condominium and occupied or *used* by a business or enterprise shall also be considered an individual *premises*.

PRINCIPAL USE

means the main or primary purpose for which a *lot, building or structure* is *used*.

PUBLIC AUTHORITY

means any Federal, Provincial, *County* or *Municipal* government commission, board, or authority and includes utilities which provide *infrastructure* for *public use*.

PUBLIC USE

means any *use* of land, *buildings* or *structures* by or on behalf of a *public authority*.

RECREATION FACILITY

means *premises* in which indoor facilities are provided for the purpose of instruction, conduct, practice, and training for sports, physical exercise and/or the arts, and without limiting the generality of the foregoing, includes arenas, bowling alleys, community centers, dance *studios*, gymnasias, indoor sports fields and sport courts, fitness centers, martial arts schools, music *studios*, *swimming pools* and similar facilities, but shall not include a *place of entertainment*.

RECREATIONAL VEHICLE

means a *vehicle* requiring a license and designed to be *used* primarily for travel, recreation or vacationing and includes such *vehicles* commonly known as *travel trailers*, *camper trailers*, truck campers, motor homes, boats, snowmobiles or other similar *vehicles* but does not include a *mobile home*.

RENEWABLE ENERGY SYSTEM

means a *structure* or facility that generates electricity from an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy, tidal forces and other renewable energy sources.

RESIDENTIAL USE

means the *use* of land, *buildings* or *structures* for human habitation and designed for permanent year-round residential occupancy, excluding seasonal or temporary occupancy *uses* and any *short-term accommodation use* conducted as a commercial business or that is subject to *municipal licensing requirements*.

RESTAURANT

means a *premises* where meals or refreshments are provided to order, and may include table service on an accessory patio.

RETAIL STORE

means a *premises* in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public.

RETIREMENT HOME

means a *building* or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor *amenity areas*, consisting of either *dwelling units* or assisted living units or both.

RETIREMENT HOME, INDEPENDENT

means a residential *building(s)* containing *dwelling units* including an *apartment dwelling*, designed to provide residence primarily for senior citizens and others with special needs such as barrier-free accessibility and assisted mobility requirements, who do not require assistance with daily living, and which may provide ancillary health, personal service, and/or recreational services to serve the residents of the home.

SALVAGE YARD

means *premises used* for a *vehicle* wrecking *yard*, the keeping and/or storing of *used building* products, bicycles, *automobile* tires, old metal, other scrap material or salvage and where such materials are bought, exchanged, baled, packed, disassembled, handled or otherwise processed for further *use*.

SCHOOL, COMMERCIAL

means a *premises used* as a school conducted for gain, including a *studio* of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics or fitness, business or trade school and any other such specialized school.

SCHOOL, PRIVATE

means a *lot, building, structure*, or part thereof where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided.

SCHOOL, PUBLIC

means a *lot, building, structure*, or part thereof, where academic instruction in a full range of the subjects of the elementary or secondary school courses of study is provided under the jurisdiction of a school board established by the Province of Ontario.

SERVICE SHOP

means a *premises* for the servicing or repair of household articles, or from which the services of a construction trade or contractor are offered, but does not include an *automotive use*.

SETTLEMENT AREA

means all land within the area delineated by a *settlement area* boundary shown on Schedule "A" to this By-law.

SEWAGE TREATMENT PLANT

means any facility either publicly or privately owned and/or operated for the purpose of collection, treatment and disposal of sewage.

SHOPPING CENTER

means a *premises* of multiple *commercial uses* that is designed and functions as a unit either in a single *building* or in multiple *buildings* on the same *lot* or on abutting *lots*.

SHORELINE

means any *lot line* or portion thereof which abuts a navigable waterway, or which abuts a twenty (20) metre road or *shoreline* allowance adjacent to a navigable waterway.

SHORT-TERM ACCOMMODATION USE

means any *use* that offers or operates a *cottage* or *dwelling* as a place of temporary residence, lodging or occupancy on the basis of a concession, lease, license, permit, rental agreement or similar commercial arrangement to facilitate occupancies for any period less than 30 consecutive days throughout all or any part of a calendar year, which is subject to *municipal* licensing requirements, but shall not include a *bed and breakfast establishment*, *cabin rental establishment*, *camping establishment*, *group home*, *hospital* or *hotel/motel*.

SIGHT TRIANGLE

means a triangular area on a *lot* determined by measuring a specified distance along each *street line* and joining such points with a straight line. At the intersection of a *public street* and railway, the triangular area shall be determined by measuring a specified distance along the centre line of the *public street* and the centre line of the railway.

SIGN

means any board, plate, panel, object, surface or device upon, within, against, through or by which there is inscribed, painted, affixed, borne, or projected any declaration, demonstration, insignia or illustration *used* for the purpose of direction, information, advertisement, promotion or identification including any related *sign structure*, structural trim, and advertising device.

SIGNIFICANT DRINKING WATER THREAT

means a drinking water threat, as defined in the Clean Water Act, that, according to a risk assessment as defined in the Clean Water Act, poses or has the potential to pose a significant risk to the safety of drinking water.

STACKING LANE

means a continuous on-site queuing lane that includes *stacking spaces* for *motor vehicles* which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or *signs*.

STACKING SPACE

means a rectangular space designed to be *used* for temporary queuing of a *motor vehicle* in a *stacking lane*.

STOREY

means that portion of a *building* having a clear *height* of 2.2 metres or greater between the top surface of a floor and the bottom surface of the floor, ceiling or roof immediately above, but does not include an *attic* or *basement*.

STREET LINE

means any *lot line* that divides a *lot* from a *public street*.

STREET, PUBLIC

means a roadway owned and maintained on a year-round basis by a *public authority*. For the purposes of identifying a *lot* as a *corner lot*, *through lot* or *through corner lot*, determining *street lines*, *front lot lines* and *exterior side lot lines*, and applying the *yard* and setback requirements of this By-law, an unopened road allowance owned by a *public authority* is deemed to be a *public street*.

STREET, PRIVATE

means a private right-of-way that is used by *automobiles* but is not owned by the *Township* or any other *public authority*.

STRUCTURE

means anything that is *erected*, built or constructed of parts joined together and attached or fixed permanently to the ground or any other *structure*, including manure storage facilities.

STUDIO

means a *premises used* primarily for the instruction and performance of art, dancing, language, music, photography or similar *uses*, and includes the retail sale of artifacts produced on the *premises* as an *accessory use*.

SWIMMING POOL

means any outdoor body of water contained by artificial means, in which the depth of water of any point exceeds 0.5 meters and which is *used* or capable of being *used* for swimming, wading, diving or bathing.

TENT

means a portable and temporary shelter composed of a fabric or material supported by a pole, or poles, and stretched by cords secured to the ground, or some object on or in the ground.

TOWNSHIP

means the Corporation of The *Township* of Tay.

TRAILER

means any *vehicle* so constructed that it is suitable for being attached to another *vehicle* for the purpose of being drawn or propelled by the other *vehicle*, notwithstanding that such *vehicle* is jacked up or that its running gear is removed, and any *vehicle* within the meaning of a *trailer* under the Highway Traffic Act, but not including any *vehicle* that is self-propelled or driven.

TRAILER, CAMPER

means any vehicle so constructed as to be suited for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.

TRAILER, TRAVEL

means any vehicle so constructed as to be suited for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, and is currently licensed under the Highway Traffic Act and has its running gear and towing equipment are permanently attached and is capable of being towed and is not permanently affixed to the ground.

TRAILER PARK

means a *lot* where one or more *trailer sites* are maintained as grounds for temporary or seasonal recreational accommodation in *trailers* that are constructed or manufactured for temporary or seasonal occupancy, and have been mounted on blocks or otherwise secured in place and/or had their wheels or other running gear removed, and includes related facilities.

TRAILER SITE

means a defined area within a *trailer park* used for one *trailer* for temporary or seasonal recreational accommodation on the basis of a concession, lease, license, permit, rental agreement or similar commercial arrangement.

TRANSPORTATION TERMINAL

mean the *use* of land, *buildings* or *structures* for the purpose of loading, parking, repairing or servicing of large or heavy *vehicles* such as trucks, transport *trailers* and/or busses, but does not include a *salvage yard* or *waste management facility*.

USE

means the purpose for which any *lot*, *building*, *structure* or *premises* is arranged, designed, intended, occupied or maintained.

VEHICLE

means an *automobile*, bus, *commercial vehicle*, farm tractor or implement, heavy equipment, snow *vehicles*, tractor *trailer*, transit *vehicle* and any other *vehicle* propelled or driven by any means, within the meaning of a *vehicle* under the Highway Traffic Act.

VEHICLE, COMMERCIAL

means a *vehicle* having permanently attached thereto a truck or delivery body and includes an ambulance, hearse, casket wagon, fire apparatus, police patrol, motor bus and tractor *used* for hauling purposes on the highways and any *vehicle* bearing commercial license plates, and any *vehicle* within the meaning of a commercial motor *vehicle* under the Highway Traffic Act.

VETERINARY CLINIC

means a *premises used* for the diagnosis, examination, treatment and overnight care of animals supervised by a licensed veterinarian, all within enclosed *buildings*, but shall not include a *kenel*.

WASTE MANAGEMENT FACILITY

means a *lot*, *building* or *structure* approved under the Environmental Assessment Act and/or the Canadian Environmental Assessment Act for the deposit, disposal, handling, storage, transfer, treatment or processing of waste.

WASTE STORAGE ENCLOSURE

means a fully enclosed area or building including a solid, opaque wall or fence with a gate that screens an area of a *lot* and containers *used* for waste storage accessory to the primary *use* of the *lot*.

WATERCOURSE

means an identifiable depression in the ground in which a flow of water regularly or continuously occurs, and, for the purposes of this By-law, includes all *watercourses* shown on the schedules of this By-law.

WATER SETBACK

means the straight line horizontal distance from the high water mark of a *watercourse* or lake, to the nearest part of any excavation, *building*, or *structure* or *open storage use* on the *lot*.

WAYSIDE PITS AND QUARRIES

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

YARD

means an open, uncovered, unoccupied space appurtenant to and located on the same *lot* as a *building*, and in determining *yard* measurements the minimum horizontal distance between the applicable *lot line* and the nearest *main wall* of a *building* or *structure* on the *lot* shall be *used* unless otherwise specified by this By-law.

YARD, EXTERIOR SIDE

means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest *main wall* of a *building* or *structure* on the *lot*.

YARD, FRONT

means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main wall* of a *building* or *structure* on the *lot*.

YARD, INTERIOR SIDE

means a *yard* other than an *exterior side yard* that extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest *main wall* of a *building* or *structure* on the *lot*.

YARD, REAR

means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest *main wall* of a *building* or *structure* on the *lot*.

YARD, REQUIRED

means a *yard* required by this By-law.

YARD, SIDE

means a *yard* extending from the *front yard* to the *rear yard* between a *side lot line* and the nearest *main wall* of a *building* or *structure* on the *lot*.

ZONE

means a designated area of land *use(s)* shown on the Zoning Maps of this By-law.

PART 3. GENERAL PROVISIONS

3.1 Accessory Buildings or Structures and Accessory Uses

3.1.1 General Provisions for All Accessory Buildings or Structures and Accessory Uses

- a) Where this By-law permits a *lot* to be *used* or a *building* or *structure* to be *erected* or *used* for a permitted *use*, that *use* shall include any *accessory building* or *structure* and any *accessory use*.
- b) An *accessory building* or *structure* shall not be *used* for human habitation or an occupation for gain or profit, except if specifically permitted by this By-law. A *accessory building* or *structure* is permitted to contain sanitary facilities, limited to a sink and/or toilet, however kitchen facilities including food preparation facilities or facilities for the installation of kitchen equipment are prohibited.
- c) An *accessory building* or *structure* and *accessory use* shall be located on the same *lot* as the *principal use* to which it is associated.
- d) An *accessory building* or *structure* shall not be *erected* on a *lot* prior to the *erection* of the *main building* on the *lot* or prior to the establishment of the *principal use* to which it is associated, except if specifically permitted by this By-law.
- e) An *accessory building* or *structure* or part thereof shall not be located within an easement that is in favour of a *public authority*.
- f) An *accessory building* or *structure* shall not include any storage or shipment container, portable storage unit, quonset or nissen hut or other *building* or *structure* having a cylindrical or semi-circular roof shape or of similar type of construction, or a repurposed *vehicle* or *trailer*, in whole or in part, in a Residential *Zone*.
- g) Certain *accessory buildings* or *structures* and *accessory uses* are subject to additional regulations contained in other Sections or Subsections of this By-law as follows:
 - i. *Accessory buildings* or *structures* in Agricultural *Zones*: refer to Subsection 3.1.2;
 - ii. *Accessory buildings* or *structures* in Non-Agricultural *Zones*: refer to Subsection 3.1.3;
 - iii. *Accessory buildings* or *structures* on waterfront *lots*: refer to Subsection 3.1.4;
 - iv. *Accessory dwellings units*: refer to Subsection 3.1.5;
 - v. *Agri-tourism* / *value-added uses*: refer to Section 3.1.6;
 - vi. Allowable projections: refer to Section 3.2;
 - vii. *Bed and breakfast establishments*: refer to Subsection 3.1.7;

- viii. *Bicycle parking facilities*: refer to Subsection 3.9.4;
- ix. *Drive-through facilities*: refer to Subsection 3.9.3;
- x. *Garden suites*: refer to Subsection 3.1.9;
- xi. *Home occupations*: refer to Subsection 3.1.10;
- xii. *Landscaping and planting strips*: refer to Section 3.7;
- xiii. *On-farm diversified uses*: refer to Section 3.1.11;
- xiv. *Parking and loading facilities*: refer to Section 3.9;
- xv. *Private garages*: refer to Subsection 3.1.12;
- xvi. *Renewable energy systems*: refer to Section 3.12;
- xvii. *Signs*: refer to Section 3.18;
- xviii. *Swimming pools*: refer to Subsection 3.1.13;
- xix. *Waste storage enclosures*: refer to Section 3.20.

3.1.2 Regulations for Accessory Buildings or Structures in Agricultural Zones

- a) In *Agricultural Zones*, three types of *accessory buildings or structures* are permitted and shall be in accordance with the regulations in Table 1:

Table 1:

Regulations for Accessory Buildings or Structures in Agricultural Zones

Regulations	Type of Accessory Building or Structure		
	Type 1	Type 2	Type 3
<i>Yards where permitted</i>	All yards	All yards except the <i>required yard</i> in a <i>front yard</i> or <i>exterior side yard</i>	
<i>Minimum setback to front lot line</i>	6 metres	See Note (1)	
<i>Minimum setback to exterior side lot line</i>		See Note (1)	
<i>Minimum setback to interior side lot line</i>	1 metre	3 metres	See Note (1)
<i>Minimum setback to rear lot line</i>			
<i>Maximum height</i>	3 metres	4.5 metres	11 metres
<i>Maximum lot coverage</i>	10% for all <i>accessory buildings or structures</i> , see Note (2)		
<i>Maximum ground floor area per building</i>	10 m ²	54 m ²	100m ² See Note (2)
	<i>Accessory buildings</i>	2	

Regulations		Type of Accessory Building or Structure		
		Type 1	Type 2	Type 3
Maximum number of <i>accessory buildings</i> per <i>lot</i>	<i>Accessory structures</i>	No maximum, see Note (2)		
Minimum setback from <i>main building</i>		1.5 metres, see Note (3)	3 metres, see Note (3)	

Notes to Table 1:

- (1) In accordance with the minimum *yard* requirements of the applicable *zone*.
- (2) The *lot coverage* of all *accessory buildings or structures* and the *main building(s)* on the *lot* shall not exceed the maximum *lot coverage* requirement for all *buildings and structures* in the respective *zone*.
- (3) No setback from the *main building* is required for a *balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antennae, steps, sunroom, walkway* or other *accessory structure* that is normally appurtenant to a *main building*.

3.1.3 Regulations for Accessory Buildings or Structures in Non-Agricultural Zones

Accessory buildings or structures located in any Commercial, Institutional, Open Space or Employment *Zone* shall comply with the regulations in Table 2:

Unless otherwise specified in this By-law, detached *accessory buildings and structures, except boathouses, in residential zones* shall:

- a) Not be located in the *front yard*. Notwithstanding this provision, a detached *private garage* is permitted in *the front yard* of a *lot* that is considered a waterfront lot provided it is set back a minimum distance equal to the required *front yard* for the *main building* from the *front lot line*.
- b) Be set back a minimum distance of 2.0 metres from the *rear lot line*.
- c) Be set back a minimum distance equal to the required *exterior side yard* for the *main building* from the *exterior side lot line*.
- d) Be set back a minimum distance of 2.0 metres from the *interior side lot line*.
 - e) Be set back a minimum distance of 1.0 metre from the main building on the lot and be set back a minimum distance of 1.0 metres from any detached accessory building on the same lot.

Maximum height

The maximum *height* of any detached *accessory building* or *structure*, except *boathouses*, is 4.5 metres.

Maximum lot coverage

- (1) The maximum *lot coverage* of all detached *accessory buildings* and *structures* including the *main building* on a *lot*, shall not exceed that of the maximum *lot coverage* requirement for all *buildings* and *structures* in the respective *zone*. Decks which are attached or abutting a dwelling shall be considered part of the lot coverage for the main building.

Maximum floor area

The maximum *floor area* of any one detached *accessory building* or *structure*, excluding *boathouses*, is 75 square metres. However, on lots in the Agricultural Zone, the maximum *floor area* of any one detached *accessory building* or *structure* is 100 square metres as per Table 1 as per Section 3.2.1.

Detached Accessory Buildings Less than 10 Square Metres in all Zones

Detached accessory building or structures which are less than 10 square metres in *floor area* shall:

- (a) not be located in the required *front yard* or required *exterior side yard* of the *principal use of the property*;
- (b) shall not be located in the front yard in all residential zones;
- (b) shall be *setback* a minimum of 1.0 metres from the *rear lot line*
- (c) shall be *setback* a minimum of 1.0 metres from the exterior and *interior side lot lines*
- (d) shall have a *maximum height* of 2.5 metres

**Table 2:
Regulations for Accessory Buildings and Structures in Non-Agricultural Zones**

Regulation	Zones where Accessory Buildings or Structures are Located		
	Commercial, Institutional or Open Space Zone	Employment Zone	
Yards where permitted	All yards		
Minimum setback to <i>front lot line</i>	See Note (1)		
Minimum setback to <i>exterior side lot line</i>			
Minimum setback to <i>interior side lot line</i>	1.5 metres	See Note (1)	
Minimum setback to <i>rear lot line</i>			
Maximum height	11 metres		
Maximum <i>lot coverage</i>	See Note (2)		
Maximum <i>ground floor area</i> per building	No maximum, see Note (2)		
Maximum number per <i>lot</i>			<i>Accessory buildings</i>
			<i>Accessory structures</i>
Minimum setback from <i>main building</i>	3 metres, see Note (3)		

Notes to Table 2:

- (1) In accordance with the minimum *yard* requirements of the applicable *zone*.
- (2) The *lot coverage* of all *accessory buildings or structures* and the *main building(s)* on the *lot* shall not exceed the maximum *lot coverage* requirement for all *buildings and structures* in the respective *zone*.
- (3) No setback from the *main building* is required for a *balcony, deck, fence, patio, porch, roof-mounted solar panels, satellite dish/antennae, steps, sunroom, walkway* or other *accessory structure* that is normally appurtenant to a *main building*.

3.1.4 Regulations for Accessory Buildings or Structures on Waterfront Lots

- a) On *waterfront lots, accessory buildings or structures* shall be in accordance with the regulations of Subsection 3.2.2, with the following exceptions:
 - i. *Accessory buildings or structures* are permitted to be located in the *front yard* on a *waterfront lot*, provided it is no closer than the **required *front yard setback*** for the ***main building to the front lot line***. In the case of a corner lot the required exterior side yard setback of the main building shall apply.

- ii. *Boat launches, boathouses, pump houses, and docks* are permitted in any *yard* of a *waterfront lot* except the *front yard*, provided they are setback a minimum of 2.0 metre from the *interior side lot line* and 3.0 metres from an *exterior side lot line*.
- b) Boathouses
- i. The width of the boathouse, which is measured from the interior faces of the walls of the boathouse, does not exceed 30 percent of the width of the lot at the waters edge or 12 metres, whichever is less.
 - ii. Shall not to be used for human habitation
 - iii. The highest point of the roof surface or the parapet, whichever is the greater, of a boathouse with a flat roof is no more than 4.5 metres above the elevation of the average finished grade.
 - iv. The declivity of a boathouse with a mansard roof is no more than 4.5 metres above the elevation of the average finished grade.
 - v. The mean level between eaves and ridge of boathouse with a gabled, hip or gambrel roof or other type of pitched roof is no more than 4.5 metres above the elevation of the average finished grade.
 - vi. Decks which are either attached to a boathouse or are stand alone are permitted to be located at the water's edge provided the total area of the deck and the boathouse does not exceed 70 square metres.
 - vii. Decks are permitted to encroach into the required interior side yard a distance of no more than 1.0 metre for one interior side yard only.
- iii.

3.1.5 Regulations for Accessory Dwelling Units

- a) An *accessory dwelling unit* shall be located within a *main building* containing an *existing principal use* on a *lot* where both the *principal use* and an *accessory dwelling unit* are permitted by the applicable *zone*.
- b) An *accessory dwelling unit* shall comply with the regulations of the applicable *zone*.
- c) An *accessory dwelling unit* shall not be permitted within an *accessory building or structure*, except where permitted otherwise by the applicable *zone*.
- d) An *accessory dwelling unit* shall not be permitted within a *cabin, cottage, mobile home, modular home or trailer*.
- e) A maximum of one (1) *accessory dwelling unit* is permitted on a *lot*, except where permitted otherwise by the applicable *zone*.
- f) Parking for an *accessory dwelling unit* shall be provided in accordance with Subsection 3.9.

- g) Where permitted in a Residential Zone, or as an *accessory use* to a primary *dwelling* in a non-residential zone, an *accessory dwelling unit* shall be in accordance with the following additional provisions:
 - i. The *accessory dwelling unit* shall be located *within a single detached dwelling, semi-detached dwelling or street townhouse dwelling* and only where permitted by the applicable zone;
 - ii. The *accessory dwelling unit* shall be limited to a maximum of 50% of the *floor area* of the primary *dwelling*. For the purposes of this Subsection, the *floor area* shall include all area within a *basement* but shall not include a *private garage, attic* and any *accessory building or structure*.
 - iii. Any separate entrance and exit for the *accessory dwelling unit* shall be oriented toward the *exterior side lot line, interior side lot line, or rear lot line*, so as not to alter the front façade of the *dwelling*. In the case of the street townhouse, access to the accessory dwelling unit may be provided by common entrance with the principal dwelling unit.
 - iv. An *accessory dwelling unit* shall not be permitted on a *lot* that is *used for a bed and breakfast establishment, boarding or lodging house dwelling, garden suite or group home*.
 - v. Tandem parking is permitted in a permitted *parking area* on the *lot*.
 - vi. A *home occupation* shall not be permitted within the *accessory dwelling unit*.
- h) Where permitted in a non-residential zone, an *accessory dwelling unit* is only permitted within the same *building* as a permitted *art gallery, club, commercial school, dry cleaning/laundry depot, financial institution, medical clinic, office, personal service shop, restaurant, retail store, service shop or studio*, and shall be located above the first storey of the commercial *building*.

3.1.6 Regulations for Agri-Tourism / Value-Added Uses

- a) An *agri-tourism/value-added use* shall be located on a *lot* having a minimum *lot area* of 10 hectares and containing a permitted *agricultural use* and associated *single detached dwelling*, where permitted by the applicable zone.
- b) The residential appearance and character of the *dwelling* and the rural/agricultural character of the *lot* shall be maintained.
- c) An *agri-tourism/value added use* shall not exceed the following maximum size limits:
 - i. The area of the *lot* permanently, temporarily or seasonally devoted to an *agri-tourism/value-added use* shall not exceed the lesser of 2% of the *lot area* or one (1) hectare, including the area of *existing and new buildings and structures*,

- required parking and loading areas, *outside display and sales areas*, *outside storage areas*, and any other areas of the *lot used* for the *agri-tourism/value-added use*, excluding *existing driveways* shared with a permitted *principal use* on the *lot* and any areas that produce a harvestable crop;
- ii. The total *gross floor area* that is permanently, temporarily or seasonally devoted to an *agri-tourism/value-added use* shall not exceed the lesser of 1% of the *lot area* or 2,000 square metres including the *gross floor areas used* within the *main buildings* or *structures* and *accessory buildings* or *structures*;
 - iii. For the purposes of determining the maximum *gross floor area* permitted in accordance with subclause (ii), the *gross floor area* that is *used* for an *agri-tourism/value-added use* within *existing main buildings* on the *lot* shall be discounted by 50%;
 - iv. *Accessory buildings* or *structures* that are *used* for an *agri-tourism/value-added use* shall comply with the regulations of Subsection 3.1.2;
 - v. *Main buildings* or *structures* that are *used* for an *agri-tourism/value-added use* shall comply with the regulations of the applicable *zone*;
 - vi. The total *lot coverage* of all *main buildings* or *structures* and *accessory buildings* or *structures* shall not exceed the maximum *lot coverage* of the applicable *zone*.
- d) A maximum of one (1) *agri-tourism/value-added use* shall be permitted on a *lot*, except where specifically permitted otherwise by this By-law.
 - e) An *agri-tourism/value added use* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* on the *lot*, and a maximum of two (2) *persons* other than the residents of the *dwelling* on the *lot* are permitted to be employed in the business of the *agri-tourism/value-added use*, except where specifically permitted otherwise by this By-law.
 - f) Parking for an *agri-tourism/value-added use* shall be provided in accordance with Subsection 3.9.
 - g) Where a *retail store* is included as part of an *agri-tourism/value-added use*, the *retail store* shall be in accordance with the following:
 - i. A *retail store* that is devoted to the sale of agricultural or other products produced on the *lot* shall not exceed 50% of the *gross floor area* of all *buildings* or *structures used* in conjunction with the *agri-tourism/value-added use*, to a maximum of 200 square metres of *gross floor area* for retail use.
 - ii. A *retail store* that includes products that are not produced on the *lot* shall not exceed 25% of the *gross floor area* of all *buildings* or *structures used* in conjunction

with the *agri-tourism/value-added use*, to a maximum of 100 square metres of *gross floor area* for retail use.

- iii. A maximum of one (1) *retail store* shall be permitted on a *lot*, except where specifically permitted otherwise by this By-law.
- h) *Outside display and sales areas* shall be in accordance with the following:
 - i. The maximum area of the *lot* permitted to be *used for outside display and sales areas* shall be 25 square metres; and,
 - ii. The *outside display and sales areas* shall be setback a minimum of 3 metres to all *lot lines*;
 - iii. The *outside display and sales areas* and any related *structures* located in the *outside display and sales areas* shall not exceed a maximum *height* of 3 metres; and,
 - iv. The *outside display and sales areas* shall not be counted towards the total *maximum gross floor area* permitted for a *retail store* pursuant to clause (d) of this Subsection.
- i) *Outside storage* for purposes other than the display of products offered for sale on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots* by *planting strips* in accordance with Subsection 3.7.2, and shall comply with the regulations of the applicable *zone*.
- j) *Agri-tourism/value-added uses* that include overnight accommodations shall be limited to a permitted *bed and breakfast establishment* in accordance with Subsection 3.1.7.
- k) A *sign* is permitted to be displayed on the *lot* for the *agri-tourism/value-added use*, provided:
 - i. A maximum of one (1) *sign* is permitted on a *lot* for a permitted *agri-tourism/value-added use*; and,
 - ii. The *sign* shall not be illuminated; and,
 - iii. The *sign* shall have a maximum area of 0.2 square metres per side; and,
 - iv. The *sign* shall be setback a minimum of 1 metre to all *lot lines* and shall not be located within a *sight triangle*; and
 - v. The maximum *height* of the *sign* shall be 3 metres measured from the *average finished grade* to the highest point at the top of the *sign*; and,
 - vi. The *sign* shall comply with the *Township's Sign By-law*.
- l) The following *uses* shall not be permitted as an *agri-tourism/value-added use*:

- i. *Abattoir*;
- ii. *Adult entertainment establishment*;
- iii. *Automotive use or drive-through facility*;
- iv. *Cabin rental establishment, camping establishment, hotel/motel, mobile home park or trailer park*;
- v. *Cemetery, funeral home establishment or pet cemetery*;
- vi. *Commercial self-storage facility*;
- vii. *Construction camp*;
- viii. *Dry cleaning/laundry establishment*;
- ix. *Financial institution*;
- x. *Hospital, long term care facility, medical clinic, place of worship, public or private school, retirement home or any institutional use*;
- xi. *Mineral aggregate operation or wayside pits and quarries*;
- xii. *Obnoxious use*;
- xiii. *Place of entertainment, public or private park, recreation facility or outdoor recreation facilities except for a farm maze, special event facilities related to farming, a picnic area, playground, skating rink or trails*;
- xiv. *Salvage yard or waste management facility*.
- xv. *Shopping center*.

3.1.7 Regulations for Bed and Breakfast Establishments

- a) *A bed and breakfast establishment shall be located within a single detached dwelling and only where permitted by the applicable zone.*
- b) *A maximum of one (1) bed and breakfast establishment shall be permitted on a lot.*
- c) *A bed and breakfast establishment shall have a maximum of three (3) guest rooms which shall in total not exceed 50% of the gross floor area of the dwelling.*
- d) *A bed and breakfast establishment shall be operated by the person or persons whose principal residence is the dwelling in which the bed and breakfast establishment is located.*
- e) *Parking for a bed and breakfast establishment shall be provided in accordance with Subsection 3.9.*
- f) *A sign is permitted to be displayed on the lot for the bed and breakfast establishment, provided:*

- i. A maximum of one (1) *sign* is permitted on a *lot* for a permitted *bed and breakfast establishment*; and,
- ii. The *sign* shall not be illuminated; and,
- iii. The *sign* shall be attached and parallel to a *main wall* of the *main building*; and,
- iv. The *sign* shall have a maximum area of 0.2 square metres per side; and,
- v. The *sign* shall be setback a minimum of 1 metre to all *lot lines* and shall not be located within a *sight triangle*; and
- vi. The maximum *height* of the *sign* shall be 3 metres measured from the *average finished grade* to the highest point at the top of the *sign*; and,
- vii. The *sign* shall comply with the *Township's Sign By-law*.

3.1.8 Regulations for Fences

- a) In Residential *Zones*, fences shall not exceed 1.2 metres in *height* in the *front yard*, *except that this provision shall not apply to any facility, works or uses of a public authority and a maximum height of 2.0 metres in any other location*.
- b) Any fence over 2.0 metres in height should be considered an *accessory building or structure* and shall be subject to those provisions as defined.
- a) For the purpose of this By-law, fences are deemed not to be *structures*.

3.1.9 Regulations for Garden Suites

- a) A *garden suite* shall be subject to a Temporary *Use By-law* and, as a condition to passing a by-law authorizing a *garden suite*, the owner of the *lot* shall enter into an agreement pursuant to the Planning Act with and satisfactory to the *Municipality* dealing with such matters related to the temporary *use* of the *garden suite* as the Council considers necessary, including:
 - i. The installation, maintenance and removal of the *garden suite*;
 - ii. The period of occupancy of the *garden suite* by any of the *persons* named in the agreement; and
 - iii. 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*.
- b) A *garden suite* shall be accessory to and located on the same *lot used* for a *single detached dwelling* where permitted by the applicable *zone*.
- c) A maximum of one (1) *garden suite* shall be permitted on a *lot*.
- d) A *garden suite* shall not exceed a maximum *floor area* of 100 square metres.

- e) Parking for a *garden suite* shall be provided in accordance with Subsection 3.9. Access to the required parking for the *garden suite* shall be provided from the same *driveway* that provides access to the *single detached dwelling* on the *lot*.

3.1.10 Regulations for Home Occupations

- a) A *home occupation* shall be located entirely within a detached accessory building and/or the main building on the lot.
- b) Shall clearly be secondary use of the lot;
- c) The residential appearance and character of the *dwelling* shall be maintained.
- d) A maximum of one (1) *home occupation* shall be permitted per *dwelling unit*.
- e) A *home occupation* shall only be permitted where the *ground floor area* of the *dwelling unit* is not less than 55 square metres and shall occupy a maximum of 35% of the *gross floor area* of the *dwelling*.
- f) shall not occupy more than 50 percent of the *gross floor area* of a detached *accessory building* in a Residential Zone and 100 percent of a detached accessory building in the Agricultural Zone
 - i.
- g) A *home occupation* shall be operated by the *person* or *persons* whose principal residence is the *dwelling* in which the *home occupation* is located, and a maximum of one *person* who does not reside in the *dwelling* as a principal residence shall be employed by the *home occupation*, in addition to the residents of the *dwelling*.
- h) Parking for a *home occupation* shall be provided in accordance with Subsection 3.9.
- i) A *sign* is permitted to be displayed on the *lot* for the *home occupation*, provided:
 - i. A maximum of one (1) *sign* is permitted on a *lot* for each permitted *home occupation*; and,
 - ii. The *sign* shall not be illuminated; and,
 - iii. The *sign* shall be attached and parallel to a *main wall* of the *main building*; and,
 - iv. The *sign* shall have a maximum area of 0.2 square metres per side; and,
 - v. The *sign* shall be setback a minimum of 1 metre to all *lot lines* and shall not be located within a *sight triangle*; and,
 - vi. The maximum *height* of the *sign* shall be 3 metres measured from the *average finished grade* to the highest point at the top of the *sign*; and,
 - vii. The *sign* shall comply with the *Township's Sign By-law*.

- j) For any *home occupation* that includes a *retail store*, there shall be no goods, wares or merchandise offered for sale or rent on the *lot* other than those produced on the *lot* as part of the *home occupation*.
- k) *Outside storage* is not permitted as part of a *home occupation*.
- l) *Outside display and sales areas* are not permitted as part of a *home occupation*.
- m) In the conduct of a *home occupation*, no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio or television interference beyond the *lot* containing the *home occupation* are permitted.
- n) shall not involve the repair or maintenance of *motor vehicles*;
- o) shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods is permitted; and,
- p) shall not require deliveries or shipping by any other than an *automobile* or parcel carrier employed in residential deliveries,
- q) Where a *home occupation* is permitted to be located in an *accessory building or structure* on a *lot* in the *Agricultural Zone*, the following additional *uses* are permitted as a *home occupation* and shall be subject to the requirements of this Subsection:
 - i. *Agricultural service and supply establishment*, subject to Subsection 3.1.6;
 - ii. *Agri-tourism/value-added uses*, subject to Subsection 3.1.6;
 - iii. *On-farm diversified uses*, subject to Subsection 3.1.11;
 - iv. *Pet care establishment*, subject to Subsection 3.6.2;
 - v. *Private kennel*, subject to Subsection 3.6.1;
 - vi. *Retail store* limited to the sale of items produced on the *lot*, including agricultural products;
 - vii. *Service shop*;
 - viii. *Veterinary clinic*.

3.1.11 Regulations for On-Farm Diversified Uses

- a) An *on-farm diversified use* shall be located on a *lot* containing a permitted *agricultural use* and associated *single detached dwelling*, where permitted by the applicable *zone*.
- b) A maximum of one (1) *on-farm diversified use* shall be permitted on a *lot*, except where specifically permitted otherwise by this By-law.

- c) The following *uses* are permitted as *on-farm diversified uses* and shall comply with the associated regulations of this By-law:
 - i. *Agri-tourism/value-added uses*, in accordance with Subsection 3.1.6;
 - ii. *Bed and breakfast establishments*, in accordance with Subsection 3.1.7;
 - iii. *Home occupations*, in accordance with Subsection 3.1.10; and,
 - iv. *Private kennels and pet care establishments*, in accordance with Section 3.6.

3.1.12 Regulations for Private Garages

- a) A *private garage* shall be located on a *lot* containing a permitted *residential use*.
- b) A maximum of one (1) *private garage*, attached or detached, shall be permitted on a *lot* in a *Residential Zone*, except where specifically permitted otherwise by this By-law.
- c) Detached *private garages* shall comply with the applicable regulations of Subsection 3.1.2 and 3.1.3 applicable to *accessory buildings or structures*, and this Subsection.
- d) Attached *private garages* shall be located in accordance with the requirements of the applicable *zone*.
- e) For the purposes of meeting the parking requirements of this By-law, a *private garage* shall have a minimum *garage width* of 3 metres and a minimum depth of 5.5 metres with a maximum of one step having an allowable projection of 0.2 metre into this space.
- f) Except where specifically permitted otherwise in this By-law, the front of a *private garage* shall be located as follows:
 - i. No closer than 6 metres to a *public street*;
- g) The *height* of the garage door for an attached *private garage* shall not exceed 2.6 metres.
- h) The maximum *garage width* for an attached *private garage* shall be 50% of the total width of the *dwelling* on the *lot*, or 9.2 metres, whichever is less, except where specifically permitted otherwise in this By-law. The width of the *dwelling* shall be measured in a straight line along the main front wall of the *dwelling* between the outside edges of the side walls of the *dwelling*.
- i) A setback to the *interior side lot line* shall not be required along the common wall of an attached *private garage* for a *semi-detached dwelling* or *street townhouse dwelling* or along the common wall of a mutual detached *private garage* for two abutting *lots* in a *Residential Zone*.

3.1.13 Regulations for Swimming Pools

- a) Except where specifically permitted otherwise, a *swimming pool* shall be located on a *lot* containing a permitted *residential use* and in accordance with the following:
 - i. Within an *interior side yard* or *rear yard*;
 - ii. No closer to a *front lot line* than the *main building* on the *lot*;
 - iii. No closer to an *exterior side lot line* than the minimum distance required for the *main building* on the *lot*, in accordance with the regulations of the applicable *zone*;
 - iv. No closer than 1 metre to an *interior side lot line* or *rear lot line*;
 - v. For the purposes of this Subsection, the required setbacks shall be measured to the water's edge.
- b) *Swimming pools* that are permitted as part of, or accessory to, any *use* other than a *residential use* shall be located in accordance with the minimum *yard* requirements of the applicable *zone*, measured to the water's edge.
- c) The maximum *height* of a *swimming pool* shall be 1.4 metres measured from the *average finished grade* to the top of the pool *deck* or to the top edge of the pool tank, whichever is higher. For the purposes of this Subsection, the *average finished grade* shall be calculated as the average of all grades measured on the area of the *lot* surrounding the pool within a distance of 9 metres of the water's edge.
- d) *Swimming pools* shall not be included in determining the *lot coverage*.
- e) *Accessory buildings or structures* associated with a *swimming pool*, including *decks*, *patios*, *filters*, *heaters*, and *water pumping*, *treatment* and *circulating equipment* or other related *building* or *structure* shall comply with the regulations of Subsections 3.1.2 and 3.1.3 and the allowable projections in Section 3.2.

3.2 Allowable Projections and Exceptions

3.2.1 Allowable Projections into Required Yards

- a) The following projections of *buildings* and *structures* into *required yards* are permitted in accordance with Table 3:

Table 3:

Allowable Building and Structure Projections into Required Yards (see Note 1)

<i>Building or Structure and related appurtenances</i>	<i>Applicable Yards</i>	<i>Maximum Projection into Required Yard</i>
Air conditioners, heat pumps, <i>swimming pool</i> pumps, filters, heaters and any appurtenances thereto	<i>Interior side, rear</i>	Up to 0.6 metre from the applicable <i>lot line</i>
Awnings, canopies, cornices, coves, belt courses, eaves, gutters, overhangs, pilasters, sills, or other weather shield	All	0.8 metre for <i>main building</i>
		0.3 metre for <i>accessory building or structure</i>
<i>Balconies</i> and <i>decks</i> , uncovered and unenclosed	<i>Front, exterior side</i>	1.8 metres
	<i>Rear</i>	3 metres
Barrier-free accessibility ramps and lifts, uncovered and unenclosed	All	Up to the <i>lot line</i>
Bay, box or bow windows, without foundations, 3.7 metres or less in width and <i>height</i> , and cantilevered <i>main walls</i>		0.6 metre
Chimneys and gas fireplaces and chases		
Fences, freestanding walls and retaining walls, in accordance with the <i>Township's</i> by-laws regulating fences, that are:	See below	See below
0.8 metre or less in <i>height</i>	All	Up to the <i>lot line</i>
greater than 0.8 metre and less than 1.8 metres in <i>height</i>		Up to 3 metres from <i>street lines</i>
Fire escapes having a maximum width of 3 metres	<i>Interior side, rear</i>	1 metre
Fuel pumps, fuel pump islands and charging stations for <i>vehicles</i>	All	Up to 5 metres from <i>street lines</i>
<i>Landscaping</i> and related <i>structures</i> including garden trellises, pergolas, play <i>structures</i> , swings and similar <i>accessory structures</i> , and plantings such as hedges, shrubs, trees and other vegetation that are:		See below
0.8 metre or less in <i>height</i>		Up to the <i>lot line</i>
greater than 0.8 metre and less than 1.8 metres in <i>height</i>		Up to 3 metres from <i>street lines</i>
Poles, antennae, clothes lines, flagpoles, light standards, and similar <i>accessory structures</i> and appurtenances		Up to 3 metres from <i>street lines</i>
<i>Porches</i> , 4.5 metres or less in <i>height</i> , including eaves and cornices (see Note 2)	<i>Front, exterior side, rear</i>	1.8 metres
Stairs above grade, uncovered and unenclosed, for access to a <i>main building</i> , and having a maximum width of 3 metres	<i>Front, exterior side</i>	Up to 1.5 metres from the applicable <i>lot line</i>
	<i>Interior side</i>	0.9 metre
Stairs below grade, uncovered, for access to a <i>main building</i> , and having a maximum width of 3 metres	<i>Rear</i>	

Notes to Table 3:

- (1) No projection shall be permitted within a *sight triangle* required in accordance with Section 3.17.
- (2) Enclosures to any *porch* shall be limited to 1.1 metres in *height* exclusive of roof supports, except where any form of latticing or screening is *used* for such enclosure.

3.2.3 Exceptions to Front Yard Requirements – Established Building Line

The following exceptions apply to the minimum *front yard* requirements of this By-law:

- a) For any *lot* within a Residential *Zone* that is *used* for an existing *single detached dwelling*, or upon which a new *single detached dwelling* is to be *erected*, where there is an *established building line*, the minimum required *front yard* shall be the *established building line*, provided there is no increase of *floor area* in a *required yard*.
- b) In no case shall the minimum *front yard* required be reduced to less than 50% of the minimum *front yard* required in the applicable *zone*.

3.2.4 Exceptions to Lot Coverage Requirements

The following exceptions apply to the *lot coverage* requirements of this By-law:

- a) Balconies, canopies and eaves that are a minimum of 2.5 metres above finished grade to the bottom of lowest surface shall not count as *lot coverage*.
- b) *Swimming pools* shall not be included in determining the *lot coverage*.

3.2.5 Exceptions to Height Requirements

The following exceptions apply to the *height* requirements of this By-law:

- a) Architectural *building* features and appurtenances such as, but not limited to, belfries, chimneys, clock towers, cupolas, finials, spires, and weather vanes, are permitted to exceed the maximum *height* requirements of the applicable *zone*, where associated with and normally incidental to a *main building* and a *principal use* on the *lot* which are permitted in the applicable *zone* and provided that all other requirements of the *zone* are complied with.
- b) Non-*habitable* rooftop *structures*, equipment and appurtenances and related screens or enclosures are permitted to exceed the maximum *height* requirements of the applicable *zone* to a maximum of 6 metres in additional *height* above the top of the roof of the *building*, where associated with and normally incidental to a *main building* and a *principal use* on the *lot* which are permitted in the applicable *zone*, and provided that all other requirements of the *zone* are complied with. Where not enclosed in a penthouse or otherwise screened from view, such equipment shall be setback a minimum of 5 metres from all edges of the roof of the associated *main building*.

- c) *Non-habitable buildings and structures* associated with a permitted *agricultural use* or *agriculture-related use*, including but not limited to a barn, feed mill, grain elevator or silo, are permitted to exceed the maximum *height* requirements of the applicable *zone*, provided that all other requirements of the *zone* are complied with.
- d) Towers designed to be occupied for access and maintenance only and associated with approved communications services or other approved *infrastructure*, water towers and standpipes owned or operated by a *public authority*, are permitted to exceed the maximum *height* requirements of the applicable *zone*, provided that all other requirements of the *zone* are complied with, where applicable. Towers associated with a wind turbine or other *renewable energy system* that is subject to the requirements of this By-law shall be in accordance with the requirements of Section 3.12.

3.3 Dwelling Units

All *dwelling units* shall comply with the following regulations:

- a) A maximum of one (1) *dwelling unit* is permitted on a *lot*, except where specifically permitted otherwise in this By-law.
- b) No *person* shall *erect, use* or occupy any *building* or *structure* as a *dwelling unit* unless a *building* permit has been issued for the *building* intended to be *erected* or *used* for residential purposes, such *building* has been completed and finished in all respects in accordance with the plans and specification approved for the *building* permit, and such *building* is serviced with a *municipal* sewage services and *municipal* water services or, where permitted by the applicable *zone*, private sewage services and private water services approved for the *lot* upon which the *building* is located.
- c) No truck, bus, coach, street car body, shipping container or *structure* of any kind, other than a *dwelling unit* *erected* and *used* in accordance with this and all other By-laws of the *Municipality*, shall be *used* for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.
- d) No *dwelling unit* shall in its entirety be located in a *basement* unless the finished floor level of such *basement* is above the level of the sanitary or storm sewer serving the *building* or *structure* in which such *basement* is located and provided further that the floor level of such *basement* is not more than 1.2 metres below the *average finished grade*.
- e) A *short-term accommodation use* shall not be permitted within any *dwelling unit*, except where specifically permitted otherwise by this By-law.

3.4 Existing Uses, Lots, Buildings and Structures

The following regulations apply to *existing non-conforming uses* and *existing non-complying lots, buildings and structures*:

- a) This By-law shall not apply to prevent the *use* of any *existing lot, building or structure* for any purpose prohibited by this By-law, provided:
 - i. The *existing lot, building or structure* was lawfully *used* for such purpose prior to the effective date of this By-law and continues to be *used* for that purpose; and,
 - ii. If the *use* has been discontinued for a period of twelve months or longer, the *lot, building or structure* shall be *used* in accordance with this By-law.
- b) This By-law shall not apply to prevent the *use* of a *lot* that does not meet the minimum *lot area or lot frontage* requirements of the applicable *zone*, provided:
 - i. The *lot* was lawfully in existence prior to the effective date of this By-law; and,
 - ii. The *use* is permitted in accordance with this By-law; and,
 - iii. The required *municipal* sewage services and *municipal* water services or private sewage services and private water services are approved for the *lot*; and,
 - iv. The boundaries of the *lot* shall not be *altered* except in accordance with the requirements of this By-law.
- c) This By-law shall not apply to prevent *buildings and structures* to be *erected*, enlarged, repaired, renovated or replaced on a *lot* that does not meet the minimum *lot area or lot frontage* requirements of the applicable *zone*, provided:
 - i. The *lot* was lawfully in existence prior to the effective date of this By-law; and,
 - ii. The *use* is permitted in accordance with this By-law; and,
 - iii. The *buildings and structures* comply with this Bylaw; and,
 - iv. The required *municipal* sewage services and *municipal* water services or private sewage services and private water services are approved for the *lot*; and,
 - v. The boundaries of the *lot* shall not be *altered* except in accordance with the regulations of this By-law.
- d) This By-law shall not apply to prevent the enlargement, repair, renovation or replacement of a *building or structure* that does not comply with the provisions of this By-law, provided:
 - i. The *building or structure* was legally *erected or altered* in accordance with the By-laws in force at the time of construction; and,

- ii. The enlargement, repair, renovation or replacement does not further increase the extent or degree of non-compliance with this By-law; and,
 - iii. The *building* or *structure* complies with all other applicable provisions of this By-law.
- e) For any *lot* that is not in compliance with the requirements of this By-law on the effective date, no *person*, other than a *public authority*, shall *alter* the boundaries of the *lot* in a manner that would increase the extent of the non-compliance.
- f) Where the acquisition of land by a *public authority* *alters* the boundaries or area of a *lot* in a manner that results in non-compliance with any regulation of this By-law, this By-law shall not apply to prevent the continued *use* of the *lot* and of any *buildings* and *structures* in existence on the *lot* on the date of the acquisition, provided:
- i. The extent of the non-compliance shall not be increased on or after the date of the acquisition, except by further acquisition of land by a *public authority*; and,
 - ii. The *use* conforms with the permitted *uses* of this By-law or is permitted to continue as a lawfully *existing non-conforming use* in accordance with this By-law; and,
 - iii. This provision shall not apply where the conveyance of any part or parts of the *lot* to any *public authority* is required as a condition of an approval required for the creation of a *lot*, or where the construction of a new *building* or *structure* or addition to a *building* or *structure* subsequent to the conveyance would further increase the extent or degree of non-compliance; and,
 - iv. Where this provision applies and a new *building* or *structure* is proposed, the *lot area*, *lot frontage* and *lot coverage* shall be calculated based on the original *lot* including the part(s) conveyed to or acquired by the *public authority*, and all other regulations shall be calculated using the remainder of the *lot* not conveyed to or acquired by the *public authority*.

3.5 Group Homes

All *group homes* shall comply with the following regulations:

- a) A *group home* shall be located within a *single detached dwelling* and only where permitted by the applicable *zone*.
- b) A maximum of one (1) *group home* is permitted on a *lot*, except where specifically permitted otherwise by this By-law.
- c) A *group home* shall comply with the regulations of the applicable *zone*.
- d) The residential appearance and character of the *dwelling* shall be maintained.
- e) Parking for a *group home* shall be provided in accordance with Section 3.9.

3.6 Kennels and Pet Care Establishments

3.6.1 Commercial Kennels and Private Kennels

All *commercial kennels* and *private kennels* shall comply with the following regulations:

- a) A *commercial kennel* and a *private kennel* shall be located only where permitted by the applicable *zone*, except that a *private kennel* is also permitted as a *home occupation* or *on-farm diversified use* in the *Agricultural Zone* subject to the requirements of Subsections 3.1.10, 3.1.11 and this Subsection.
- b) A *commercial kennel* and a *private kennel* shall comply with the regulations of the applicable *zone* and the following:
 - i. The *lot* shall have a minimum *lot area* of 4 hectares;
 - ii. All *buildings* and *structures* and outdoor areas *used* in conjunction with the *kennel* shall have a minimum setback of 60 metres to all *lot lines* adjoining any *lot* and/or *zone boundary* that is *used* or permitted to be *used* for a residential *dwelling*, and 8 metres in all other cases; this shall not apply to a residential dwelling on the same lot as the kennel;
 - iii. In the cases where the kennel is located on a corner lot, all buildings and structures and outdoor areas used in conjunction with the kennel shall have a setback of 60 metres from the exterior side lot line;
 - iv. All building and structures and outdoor areas used in conjunction with the kennel shall have a front yard setback of 60 metres;
 - v. A *private kennel* shall have a maximum *gross floor area* of 100 square metres and/or a maximum *lot coverage* of 10%;
 - vi. Dog runs, pens, enclosures, exercise yards and all related structures and enclosures including fencing shall be permitted in the front yard;
 - vii. That all commercial and private kennels shall be subject to obtaining a licence from the Township to operate as a kennel;
 - viii. May be subject to Site Plan Control

3.6.2 Pet Care Establishments

All *pet care establishments* shall comply with the following regulations:

- a) A *pet care establishment* shall be located only where permitted by the applicable *zone*, except that a *pet care establishment* is also permitted as a *home occupation* or *on-farm diversified use* in the *Agricultural Zone* subject to the requirements of Subsections 3.1.10, 3.1.11 and this Subsection.
- b) A *pet care establishment* shall be wholly enclosed within a permitted *building*.

- c) A *pet care establishment* that is located within any non-commercial *zone* shall comply with the regulations of the applicable *zone* and the following:
 - i. All *buildings* and *structures* used for the *pet care establishment* shall have a minimum setback shall have a minimum setback of 75 metres to all *lot lines* adjoining any *lot* that is *used* or permitted to be *used* for a *dwelling*, and 8 metres in all other cases;
 - ii. A *pet care establishment* shall have a maximum *gross floor area* of 100 square metres and maximum *lot coverage* of 10%.

3.7 Landscaping and Planting Strips

3.7.1 Landscaped Open Space

- a) A minimum of ten percent (10%) of the area of every *lot* on which a *building* or *structure* is *erected* shall be *used* and maintained as *landscaped open space*, unless otherwise provided in this By-law.
- b) In order to qualify as part of the area of a *lot* for the purposes of meeting the minimum *landscaped open space* requirements of this By-law, an individual *landscaped open space* shall have a minimum continuous area of 10 square metres and shall not be less than 1 metre in dimension at its narrowest point.
- c) *Landscaping* provided on the roof of a *building* shall be included in the calculation of required *landscaped open space*, provided it meets the minimum size requirements of Clause (b) of this Subsection.
- d) Where there is a conflict among two different *landscaped open space* requirements of this By-law, the provision requiring the greater amount of *landscaped open space* shall apply.

3.7.2 Planting Strips

- a) *Plantings strips* shall be provided as follows:
 - i. Along the *interior side lot line* and the *rear lot line* of a *lot* that is *used* for a non-residential purpose, where the applicable *lot line* adjoins a *lot* within a Residential *Zone*; and,
 - ii. Along the *interior side lot line* and the *rear lot line* of a *lot* that is *used* for a *dwelling* with 5 or more *dwelling units*; and,
 - iii. Along the *street line* where a *parking area* is located adjacent to a *public street*; and,

- iv. Along the *lot lines* of a *lot* where a *parking area* or *loading space(s)* is located in the *yard* adjacent to an *interior side lot line* or *rear lot line* of a *lot* in a Residential zone; and,
 - v. Along the boundaries of *outside storage areas*, where required in order to screen the *outside storage area* from view from adjoining *lots* and *public streets*; and,
 - vi. Along the *interior side lot line* or *rear lot line* of a *lot* containing an *outside display and sales area* and abutting a Residential Zone, along such abutting *lot line* or portion thereof; and,
 - vii. In accordance with the requirements of the applicable zone.
- b) The area of a *lot* required as *planting strips* may form part of the minimum *landscaped open space* required by this By-law.
 - c) Where an area of a *lot* is required to be *used* for no other purpose than a *planting strip*, it shall have a minimum width of 2.5 metres measured perpendicular to the adjoining *lot line* unless otherwise specified in this By-law.
 - d) Required *planting strips* shall be entirely located on the *lot* or within the zone.
 - e) Required *planting strips* shall be uninterrupted along their entire length except for required *driveways* and walkways which shall be permitted to interrupt the *planting strip* within 3 metres of the edge of a required *driveway* or within 1.5 metres of the edge of a walkway. For the purposes of this Subsection, a walkway that interrupts a required *planting strip* shall have a maximum width of 2 metres.
 - f) *Planting strips* shall be planted with vegetation except for any required fence or wall that forms part of the *planting strip* to achieve the required screening.
 - g) Where a fence, wall, row of trees or hedgerow forms part of a *planting strip* required by this By-law, it shall have a minimum ultimate *height* of 2.0 metres measured from the *average finished grade*, and plantings shall have a minimum *height* of 1.0 metre when planted. For the purposes of this Section, the *average finished grade* shall be measured along the nearest *lot line*.
 - h) Where a *planting strip* is required for a *parking area*, it shall be protected by *vehicle curb stops* or barriers.
 - i) Required *planting strips* shall be installed and maintained by the owner of the *lot*.
 - j) *Planting strips* shall not be located within a required *sight triangle*.

3.8 Minimum Distance Separation

3.8.1 Compliance with Minimum Distance Separation I (MDS I) Guidelines

The following regulations apply to *non-agricultural uses, buildings and structures*:

- a) Notwithstanding the *yard* or setback requirements of this By-law to the contrary, all *lots*, *buildings* and *structures* to be *used* for a *non-agricultural use* outside of a *settlement area* shall comply with the *Minimum Distance Separation I (MDS I) Guidelines* in Schedule “B” to this By-law.
- b) The requirements of this Subsection shall not apply to prevent the continuation of an *existing non-agricultural use*, the *alteration* of the boundaries of an *existing lot*, or the enlargement, repair, renovation or replacement of *existing buildings* and *structures* outside of a *settlement area*:
 - i. In accordance with Section 3.4; and,
 - ii. Provided that, for any *existing non-agricultural use*, *lot*, *building* or *structure* that does not comply with MDS I, the extent of the non-compliance shall not be further increased.
- c) Nothing in this Subsection shall provide relief from the requirement for all *buildings* and *structures* to comply with the minimum *yard* and setback requirements of the applicable *zone* and the General Provisions of this By-law.

3.8.2 Compliance with Minimum Distance Separation II (MDS II) Guidelines

The following regulations apply to *agricultural uses*, *buildings* and *structures*:

- a) Notwithstanding the *yard* or setback requirements of this By-law to the contrary, all *buildings* and *structures* to be *used* for housing livestock or manure storage or anaerobic digesters, including any *alterations*, enlargements, renovations or replacements thereof, shall comply with the *Minimum Distance Separation II (MDS II) Guidelines* in Schedule “B” to this By-law.
- b) *Buildings* and *structures* to be *used* for housing livestock or manure storage or anaerobic digesters shall not be permitted on any *lot* or part thereof that is located within a *settlement area*. This Subsection shall not apply to prevent the continued *use* of *existing lots*, *buildings* and *structures* within a *settlement area* that were lawfully *used* for one or more of these purposes on the effective date of this By-law:
 - i. In accordance with Section 3.4; and,
 - ii. Provided that, for any *existing building* or *structure* that is subject to MDS II, the *building* or *structure* shall not be *altered*, renovated, repaired or replaced in a manner that would increase the required separation distance calculated in accordance with the *Minimum Distance Separation II (MDS II) Guidelines* in Schedule “B” to this By-law”.
- c) Notwithstanding this Subsection, an *existing* manure storage system which does not meet the MDS II requirements may be replaced by a more compatible system which results in a reduction in the required separation distance calculated in accordance with

the *Minimum Distance Separation II* (MDS II) Guidelines in Schedule “B” to this By-law, provided the livestock housing capacity is not increased.

- d) Nothing in this Subsection shall provide relief from the requirement for all *buildings* and *structures used* for housing livestock or manure storage or anaerobic digesters to comply with the minimum *yard* and setback requirements of the applicable *zone* and the General Provisions of this By-law.

3.9 Parking and Loading Facilities

3.9.1 Applicability and General Requirements

The following regulations apply to parking and loading facilities:

- a) Parking and loading facilities shall be provided and maintained for the identified *uses of lots, buildings* and *structures* in accordance with the requirements of this Section.
- b) Notwithstanding Clause (a) of this Subsection to the contrary, the requirements of this By-law for providing and maintaining parking and loading facilities shall not apply to prevent the continuation of *existing uses of existing lots, buildings* and *structures* provided:
 - i. The *existing use, lot, building* or *structure* was lawfully in existence prior to the effective date of this By-law; and,
 - ii. Where an *existing use, lot, building* or *structure* does not comply with the minimum number of *parking spaces* or *loading spaces* on the effective date of this By-law, this By-law shall not apply to require that such deficiency be made up prior to the construction of any addition, provided that parking and *loading spaces* for the addition shall be provided in accordance with this Section and the *existing* deficiency will not be increased; and,
 - iii. Where there is a change in *use* of a *lot, building* or *structure*, parking and loading facilities shall be provided and maintained for such new *use* in accordance with the requirements of this Section, except that no additional parking or loading facilities shall be required for a change in *use* of an *existing building* located in the Core Commercial (C1) *Zone*; and,
 - iv. If the number of *dwelling units*, the *floor area* or the seating capacity within a *building* or *structure* or on a *lot* is increased, parking and loading facilities shall be provided for such increased *dwelling units, floor areas* and seating capacity in accordance with the requirements of this Section.
- c) Parking and loading facilities shall be provided and maintained on the same *lot* as the *uses, buildings* and *structures* for which the facilities are required, unless specifically required otherwise in this By-law.

- d) Where a *lot, building or structure* accommodates more than one *use*, the required parking and loading facilities shall be calculated as the sum of the required facilities for each *use*, unless specifically required otherwise in this By-law.
- e) Where the calculation of required *bicycle parking facilities, loading spaces, parking spaces or stacking spaces* results in a fraction, the calculation shall be rounded up to the next whole number to determine the total requirement.
- f) Any area of a *lot, building or structure* that is *used*, designed or otherwise intended to be *used* primarily for storage, including winter snow storage and stormwater management areas, *outside storage* areas and *outside display and sales areas* shall not be included as required parking or loading facilities.
- g) Where *parking space* requirements are to be calculated based upon the seating or other capacity of a *lot, building or structure*, such capacity shall be deemed to be the same as the maximum capacity for such *lot, building or structure* permitted by The Ontario Building Code, or where applicable, The Liquor Licensing Board of Ontario, whichever capacity is the lesser, except that where seating is provided in the form of fixed benches or pews, every 0.6 metre of each such bench or pew shall be considered as one (1) seat.
- h) Parking and loading facilities for *commercial uses, industrial uses, institutional uses, and residential uses* with five (5) or more *dwelling units* on a *lot*, shall be provided with suitable lighting facilities. Where parking and loading facilities are illuminated, lighting fixtures shall be arranged, designed and installed so that the light is directed downward and deflected away from adjacent *lots* and travelled *public streets*, and no part of any light fixture shall be higher than 9 metres above the *average finished grade* of the *parking or loading area*.
- i) Parking and loading facilities required to be provided by this By-law for a *non-agricultural use* in a *settlement area* shall be provided and maintained with an asphalt, concrete, interlocking brick or stone, bituminous gravel, crushed stone or similar hardscaped surface, and with provisions for drainage facilities. For *agricultural uses* and for other *uses* that are located outside of a *settlement area*, a gravel or similar surface shall also be permitted. All parking and loading facilities shall be surfaced to provide stability, prevent erosion and the raising of dust or loose particles, be usable in all seasons, facilitate the drainage and infiltration of surface water, and have clearly visible boundaries defining the limits of the *parking area*.

3.9.2 Driveways and Parking Aisles

Driveways and parking aisles shall be provided in accordance with the following regulations:

- a) Access to and from parking and loading facilities shall be provided and maintained by permitted *driveways*, and by *parking aisles* where required for access to and from *parking spaces*.
- b) No *driveway* shall exceed 50% of the area of a *required yard*.
- c) The minimum angle of intersection between a *driveway* and a *street line* shall be 60 degrees.
- d) For a *driveway* that provides access to and from a *public street*, the minimum length of the *driveway* shall be 6 metres measured from the *street line*.
- e) *Driveways* and *parking aisles* shall have minimum and maximum widths in accordance with Table 4.

**Table 4:
Minimum and Maximum Widths for Driveways and Parking Aisles**

Type of <i>Driveway</i> or <i>Parking Aisle</i>	Minimum Width see Note (1)	Maximum Width See Note (1)
<i>Driveways for residential uses with less than five (5) dwelling units:</i>		
<i>Driveway for a dwelling with a private garage</i>	3 metres	<i>Garage width plus 0.5 metre or 30% of the lot frontage, whichever is greater, to a maximum of 5 metres</i>
<i>Driveway for a dwelling with no private garage</i>		<i>30% of the lot frontage, to a maximum of 5 metres</i>
<i>Driveways for residential uses with five (5) or more dwelling units and non-residential uses:</i>		
Single traffic lane for travel in one direction	5.5 metres	7.5 metres
Double traffic lane for travel in one or two directions	7.5 metres	11 metres
Double traffic lane for travel in one or two directions plus one or more dedicated turning lanes where required in accordance with an approved site plan	9 metres	16 metres
<i>Parking aisles:</i>		
<i>Parking aisles for parking spaces angled greater than or equal to 70 degrees and up to 90 degrees to a line parallel to the aisle</i>	7 metres	7.5 metres
<i>Parking aisles for parking spaces angled greater than or equal to 50 degrees and</i>	5.5 metres	

Type of Driveway or Parking Aisle	Minimum Width see Note (1)	Maximum Width See Note (1)
less than 70 degrees to a line parallel to the <i>aisle</i>		
<i>Parking aisles</i> for <i>parking spaces</i> angled greater than 30 degrees and less than 50 degrees to a line parallel to the <i>aisle</i>	5 metres	
<i>Parking aisles</i> for <i>parking spaces</i> angled 30 degrees or less to a line parallel to the <i>aisle</i>	4 metres	

Notes to Table 4:

- (1) The *driveway* width shall be measured along the *street line*, and the minimum and maximum *driveway* widths shall apply along the entire length of the *driveway* on the *lot*.
- f) *Driveways* shall be located as follows:
- i. A *driveway* for a *residential use* with less than five (5) *dwelling units* shall be located no closer to the *interior side lot line* than the minimum *interior side yard* required for the *private garage* on a *lot* where the *dwelling* includes a *private garage*, or the minimum *interior side yard* required for the *dwelling* on a *lot* with no *private garage*;
 - ii. A *driveway* for a *residential use* with five (5) or more *dwelling units* or for a *non-residential use* shall be located no closer than 3 metres to a *lot line* that adjoins a *lot* within a *Residential zone*;
 - iii. All other *driveways* shall not be located closer than 1.5 metres to an *interior side lot line* or a *rear lot line*, except for a permitted *driveway* located in the *rear yard* of a *through lot* and a permitted shared *driveway* for two adjoining *lots* that are in the same *zone*;
- g) The *minimum* distance between a *driveway* and an intersection of *street lines* measured along the *street line* intersected by such *driveway* shall be 7.5 metres, except where specifically permitted otherwise by this By-law.
- h) Notwithstanding clause (g) of this Subsection, *driveways* for *residential uses* on a *corner lot* may be located closer than 7.5 metres to an intersection of *street lines* provided:
- i. There are less than five (5) *dwelling units* on the *lot*; and,
 - ii. The *lot* cannot accommodate a permitted *driveway* of the required minimum and maximum width prescribed by Table 3 in a required location on the *lot* that is a minimum distance of 7.5 metres from the nearest intersection of *street lines*; and,

- iii. The *driveway* is located nearest to the *side lot line* that is furthest from the intersection of *street lines* and in accordance with all other requirements of this By-law.
- i) The maximum number of *driveways* permitted on a *lot* shall be:
 - i. One (1) *driveway* for *lots* having a *front lot line* or *exterior side lot line* that is 15 metres or less in length measured along the *street line*;
 - ii. Two (2) *driveways* for *lots* having a *front lot line* or *exterior side lot line* of more than 15 metres and less than 30 metres in length measured along the *street line*, provided that the total combined width of the *driveways* shall not exceed 30 percent of the total length of the *front lot line* and *exterior side lot line*;
 - iii. For each additional 30 metres of total length along the *front lot line* or *exterior side lot line* measured along the *street line(s)*, not more than one (1) additional *driveway*.
- j) Notwithstanding the requirements of this Subsection, the *driveway* requirements of the Ministry of Transportation Ontario shall apply along all Provincial Highways, and the *driveway* requirements of the *County* shall apply along all *County Roads*.

3.9.3 Drive-through Facilities

All *drive-through facilities* shall be in accordance with the following regulations:

- a) A *drive-through facility* shall be located on a *lot* containing a permitted *commercial use* and only where permitted by the applicable *zone*.
- b) A *drive-through facility* shall include a minimum of eight (8) designated *stacking spaces* for a *restaurant* or *automotive washing establishment* and a minimum of two (2) *stacking spaces* for any other *commercial use*.
- c) A *stacking space* shall be a minimum of 5.5 metres in length and 3.0 metres in width.
- d) A *stacking lane* shall not be permitted within 20.0 metres of a *lot line* of a *lot* in a Residential *Zone*.
- e) Notwithstanding Clause (d) of this Subsection, the required setback may be reduced to a minimum of 7.5 metres where:
 - i. An acoustic wall, berm or other noise controls certified by a professional engineer, is installed prior to operation of the *drive-through facility* to mitigate the noise impacts; and;
 - ii. The noise levels shall not exceed the maximum levels specified by the Ministry of Environment's NPC-300 – Environmental Noise Guideline, as amended, for stationary sources of noise.
- f) *Stacking spaces* shall not be included in the calculation of required *parking spaces*.

g) *Stacking spaces* shall not be located within any *parking aisle* or *driveway*.

3.9.4 Off-Street Bicycle Parking Facility Requirements

Bicycle parking facilities shall be provided in accordance with the following regulations:

a) *Bicycle parking facilities* shall be provided and maintained for the identified *uses* of *lots*, *buildings* and *structures* in accordance with Table 5.

**Table 5:
Required Bicycle Parking Facilities**

<i>Use</i>	Minimum <i>Bicycle Parking Facilities</i> to be Provided (number of bicycles to be accommodated)	
Any use located outside of a <i>settlement area</i> and any use not specifically listed below	No minimum requirement	
<i>Art gallery, club, commercial school, daycare, financial institution, medical clinic, office, personal service shop, place of entertainment, recreation facility, restaurant, retail store, service shop, shopping center, studio</i>	The greater of 2 or 1 per 1,000 m ² of <i>gross floor area</i>	
<i>Apartment dwelling</i>	1 per <i>dwelling unit</i>	
<i>Industrial use</i>	2 plus 0.25 per 1,000 m ² of <i>gross floor area</i>	
<i>Long-term care facility, retirement home</i>	The lesser of 5 or 0.25 per <i>lodging unit</i>	
<i>School, private or public</i>	<i>Elementary school</i>	0.25 per classroom, excluding portables
	<i>Secondary school</i>	0.5 per classroom, excluding portables

b) Notwithstanding clause (a) of this Subsection, in no case shall the number of bicycles required to be accommodated exceed 30 for any *use*.

3.9.5 Off-Street Loading Facility Requirements

Loading facilities shall be provided in accordance with the following regulations:

a) *Loading spaces* shall be provided and maintained for the identified *uses* of *lots*, *buildings* and *structures* in accordance with Table 6.

**Table 6:
Required Loading Facilities**

<i>Use</i>		Minimum Number of <i>Loading Spaces</i> to be Provided
Any <i>use</i> located outside of a <i>settlement area</i> and any <i>use</i> not included below		No minimum requirement
Any <i>commercial, industrial</i> or <i>institutional use</i> that includes receiving and/or shipping and/or transport of goods, supplies or other materials to or from the <i>lot</i>	<i>Gross floor area:</i>	
	300 m ² or less	1 <i>loading space</i>
	301 m ² to 2,300 m ²	2 <i>loading spaces</i>
	2,300 m ² to 7,400 m ²	3 <i>loading spaces</i>
	Each additional 9,300 m ²	1 <i>loading space</i>
<i>Apartment dwelling</i> containing 50 or more <i>dwelling units</i>		1 <i>loading space</i>
<i>Automotive dealership</i>		1 <i>loading space</i>

- b) *Loading spaces* shall be a minimum of 9 metres in length and 3.5 metres in width, and shall have a minimum vertical clearance of 4.2 metres.
- c) *Loading spaces* shall be located in accordance with the following:
 - i. Abutting or within the *building* for which the *loading space* is provided; and,
 - ii. No closer than 7.5 metres to any *lot line* of a *lot* in a Residential Zone, except if the *loading spaces* is located entirely within a permitted *building* or *structure* or is required on a *lot* in a Residential Zone; and,
 - iii. Not within any required *yard, front yard* or *exterior side yard*.

3.9.6 Off-Street Vehicle Parking Facility Requirements

Parking facilities for *vehicles* shall be provided in accordance with the following regulations:

- a) *Parking spaces* for *vehicles* shall be provided and maintained for the identified *uses* of *lots, buildings* and *structures* in accordance with Table 7.

**Table 7:
Required Parking Facilities**

Use		Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Residential uses</i>		
<i>Apartment dwelling</i>		1.25 <i>parking spaces</i> per <i>dwelling unit</i> , plus one <i>visitor parking space</i> per 4 <i>dwelling units</i>
<i>Boarding or rooming house</i>		1 <i>parking space</i> per <i>lodging unit</i>
<i>Cottage</i>		1 <i>parking space</i> per <i>cottage</i>
<i>Group home</i>		Greater of 1 <i>parking space</i> per 28 m ² of <i>gross floor area</i> and 2 <i>parking spaces</i>
<i>Mobile home park</i>		1 <i>parking space</i> per <i>mobile home park site</i>
<i>Residential uses not specifically listed above</i>		1 <i>parking space</i> per <i>dwelling unit</i>
<i>Accessory residential uses</i>		
<i>Accessory dwelling unit</i>		1 <i>parking space</i>
<i>Bed and breakfast establishment</i>		1 <i>parking space</i> per <i>guest room</i>
<i>Garden suite</i>		1 <i>parking space</i> per <i>bedroom</i> , to a maximum of 2 <i>parking spaces</i>
<i>Home occupation</i>	<i>Any use not separately defined</i>	1 <i>parking space</i>
	<i>Office of a healthcare practitioner</i>	4 <i>parking spaces</i>
	<i>Other defined use</i>	See below
	Where up to two (2) outside employees are permitted	2 <i>parking spaces</i>
<i>Agriculture-related uses</i>		
<i>Agricultural service and supply establishment</i>		1 <i>parking space</i> per 40 m ² of <i>gross floor area</i> , plus 1 <i>parking space</i> per 100 m ² of <i>gross floor area</i> used for <i>warehousing / wholesaling</i>
<i>Agriculture-related use not separately defined</i>		1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Agri-tourism / value-added uses</i>		
<i>On-farm diversified uses</i>		
<i>Commercial uses</i>		
<i>Adult entertainment establishment</i>		1 <i>parking space</i> per 20 m ² of <i>gross floor area</i>
<i>Animal shelter</i>		1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Art gallery</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Automotive use</i>		1 <i>parking space</i> per 50 m ² of <i>gross floor area</i>
<i>Cabin rental establishment</i>		1 <i>parking space</i> per <i>cabin</i>
<i>Camping establishment</i>		1 <i>parking space</i> per <i>camp site</i>

Use	Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Casino</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Club</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Commercial self-storage facility</i>	5 <i>parking spaces</i> plus 1 <i>parking space</i> per 5 storage units or lockers
<i>Commercial uses not separately defined</i>	Greater of 1 <i>parking space</i> per 20 m ² of <i>gross floor area</i> and 2 <i>parking spaces</i>
<i>Contractors establishment</i>	Greater of 1 <i>parking space</i> per 28 m ² of <i>gross floor area</i> and 2 <i>parking spaces</i>
<i>Daycare</i>	Greater of 1 <i>parking space</i> per 20 m ² of <i>gross floor area</i> and 2 <i>parking spaces</i>
<i>Dry cleaning/laundry depot</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Dry cleaning/laundry establishment</i>	
<i>Financial institution</i>	Greater of 5 <i>parking spaces</i> or 1 <i>parking space</i> per 28 m ² of <i>gross floor area</i>
<i>Funeral home establishment</i>	1 <i>parking space</i> per 20 m ² of <i>gross floor area</i>
<i>Garden centre</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Hotel/Motel</i>	1 <i>parking space</i> per <i>guest room</i> , plus required <i>parking spaces</i> for any <i>floor areas</i> used for other <i>commercial uses</i>
<i>Kennel, commercial or private</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Marina</i>	1.5 <i>parking spaces</i> per <i>boat slip</i>
<i>Office</i>	Greater of 1 <i>parking space</i> per 18 m ² of <i>gross floor area</i> or 2 <i>parking spaces</i>
<i>Personal service shop</i>	1 <i>parking space</i> per 20 m ² of <i>gross floor area</i>
<i>Pet care establishment</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Place of entertainment</i>	Greater of 1 <i>parking space</i> per 6 seats, or 1 <i>parking space</i> per 6 persons capacity, or 1 <i>parking space</i> per 10 m ² of <i>gross floor area</i>
<i>Restaurant</i>	Greater of 1 <i>parking space</i> per 10 m ² of <i>gross floor area</i> and 1 <i>parking space</i> per 4 persons capacity
<i>Retail store</i>	Greater of 1 <i>parking space</i> per 28 m ² of <i>gross floor area</i> and 2 <i>parking spaces</i>
<i>Service shop</i>	
<i>Shopping center</i>	
<i>Short-term accommodate use</i>	1 <i>parking space</i>
<i>Studio</i>	1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Trailer Park</i>	1 <i>parking space</i> per <i>trailer site</i>

Use		Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Veterinary clinic</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
Public, institutional, recreational and other uses		
<i>Boat launch</i>		5 <i>parking spaces</i>
<i>Cemetery</i>		No minimum requirement
<i>Community Centre</i>		Greater of 1 <i>parking space</i> per 5 seats, or 1 <i>parking space</i> per 5 <i>persons</i> capacity, or 1 <i>parking space</i> 20 m ² of <i>gross floor area</i>
<i>Construction camp</i>		1 <i>parking space</i> per 2 <i>lodging units</i>
<i>Hospital</i>		Greater of 1 <i>parking space</i> per 2 beds and 1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Institutional uses not separately defined</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>Long term care facility</i>		Greater of 1 <i>parking space</i> per 2 <i>lodging units</i> and 1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Medical clinic</i>		1 <i>parking space</i> per 20 m ² of <i>gross floor area</i>
<i>Outdoor recreation</i>		15 <i>parking spaces</i> per reservable sports field 4 <i>parking spaces</i> per reservable court or rink 1 <i>parking space</i> per 5 <i>persons</i> capacity of a <i>swimming pool</i> 4 <i>parking spaces</i> per golf course hole
<i>Pet cemetery</i>		No minimum requirement
<i>Place of worship</i>		Greater of 1 <i>parking space</i> per 8 seats, or 1 <i>parking space</i> per 8 <i>persons</i> capacity
<i>Recreation facility</i>		1 <i>parking space</i> per 10 m ² of <i>gross floor area</i>
<i>Retirement home</i>		Greater of 1 <i>parking space</i> per 2 <i>lodging units</i> and 1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Retirement Home, Independent</i>		1 space per unit and 1 visitor parking space per unit
<i>School, commercial</i>		1 <i>parking space</i> per 30 m ² of <i>gross floor area</i>
<i>School, private or public</i>	<i>Elementary school</i>	1.5 <i>parking spaces</i> per classroom plus 1 <i>parking space</i> per 9 m ² of <i>gross floor area</i> for a gymnasium or auditorium
	<i>Secondary school</i>	Greater of 1 <i>parking space</i> per 5 classroom seats, or 1 <i>parking space</i> per 15 m ² of <i>gross floor area</i> for a gymnasium, or 1 <i>parking space</i> per 15 m ² of <i>gross floor area</i> for an auditorium

Use	Minimum Number of <i>Parking Spaces</i> to be Provided
<i>Industrial uses and processing facilities</i>	
<i>Abattoir</i>	1 <i>parking space</i> per 100 m ² of <i>gross floor area</i>
<i>Industrial uses</i> not separately defined	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i> , plus 1 <i>parking space</i> per 100 m ² of <i>gross floor area</i> used for warehousing / wholesaling
<i>Salvage yard</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Transportation terminal</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>
<i>Waste management facility</i>	1 <i>parking space</i> per 40 m ² of <i>gross floor area</i>

- b) Notwithstanding clause (a) of this Subsection, where the *Township* and the owner of a property have entered into an agreement pursuant to the Planning Act for the payment of cash-in-lieu of providing required *parking spaces*, the number of *parking spaces* required by this By-law shall be reduced by the number of *parking space* for which the agreement provides for the payment of cash-in-lieu of providing said *parking spaces*.
- c) Barrier-free *parking spaces* shall be provided in addition to the *parking spaces* required for *residential uses* where *parking spaces* are provided in a common *parking area* excluding a *private garage* or *driveway*, and for non-*residential uses*, in accordance with this Subsection and Table 8.

**Table 8:
Required Barrier-Free Parking Facilities**

Total Number of <i>Parking Spaces</i> on the Lot	Minimum Number of <i>Barrier-Free Parking Spaces</i>		
	Type A	Type A or B see Note (1)	Total
1 to 25 <i>parking spaces</i>	1	-	1
26 to 50 <i>parking spaces</i>	1	1	2
51 to 75 <i>parking spaces</i>	1	2	3
76 to 100 <i>parking spaces</i>	2	2	4
Greater than 100 <i>parking spaces</i>	4% of the total number of <i>parking spaces</i> on the <i>lot</i> shall be barrier-free <i>parking spaces</i> , see Note (2)		

Notes to Table 8:

- (1) Where one or more Type B barrier-free *parking space(s)* is(are) required, an equal number of Type A barrier-free *parking spaces* may be substituted for the Type B barrier-free *parking spaces*, provided that this provision shall not reduce the total number of barrier-free *parking spaces* required.
 - (2) Where an even number of barrier-free *parking spaces* is required, an equal number of Type A and Type B *parking spaces* shall be provided. Where an odd number of barrier-free *parking spaces* are required, the additional barrier-free *parking space* may be Type A or Type B.
- d) *Parking spaces* shall have minimum dimensions of 2.5 metres in width by 5.5 metres in length, except:
- i. *Parking spaces* that are parallel to a *parking aisle* or *driveway* shall be a minimum of 6 metres in length;
 - ii. Type A barrier-free *parking spaces* shall be a minimum of 3.4 metres in width;
 - iii. Type B barrier-free *parking spaces* shall be a minimum of 2.4 metres in width;
 - iv. An access aisle shall be provided on one side of all barrier-free *parking spaces* and shall have a minimum width of 1.5 metres and a minimum length equal to the full length of the *parking space* and shall be marked with high tonal contrast diagonal lines where the surface is asphalt, concrete or other hard surface, and one access aisle may be shared by two barrier-free *parking spaces* (with one barrier-free *parking space* located on each side of the access aisle);
 - v. Where the side of a *parking space* abuts a *building* or *structure* that has a *height* of 0.5 metre or greater, the *parking space* shall be a minimum of 3 metres in width.
- e) *Parking spaces* shall be located in accordance with the regulations in Table 9.

**Table 9:
Location of Parking Spaces**

<i>Use or Zone(s)</i>	Permitted Parking Space Locations
All Residential Zones and Agricultural Zones	Within a permitted <i>private garage</i> or other parking <i>structure</i>
	Within a permitted <i>driveway</i> , including <i>parking spaces</i> that may be in tandem, in any <i>yard</i>

Use or Zone(s)	Permitted Parking Space Locations
Residential uses with less than five (5) dwelling units	Within any other permitted <i>parking area</i> located in an <i>interior side yard</i> or <i>rear yard</i> , provided that no <i>parking spaces</i> or <i>parking aisles</i> shall be located closer than 1 metre to an <i>interior side lot line</i> or <i>rear lot line</i> , and no more than 50% of the area of any <i>required yard</i> shall be <i>used</i> for parking
Residential uses with more than five (5) dwelling units	Within any other permitted <i>parking area</i> located in a <i>side yard</i> or <i>rear yard</i> , provided that no <i>parking spaces</i> or <i>parking aisles</i> shall be located closer than 1.5 metres to a <i>side lot line</i> or <i>rear lot line</i> , no more than 50% of the area of any <i>required yard</i> shall be <i>used</i> for parking, and plantings strips shall be provided where required in accordance with Subsection 3.7.2
Commercial uses in the C1 or C2 Zone	As set out below for <i>parking spaces</i> required for any other <i>use</i> or <i>zone</i> , except that required <i>parking spaces</i> may also be provided within a permitted <i>parking area</i> on a separate <i>lot</i> that is located not more than 150 metres from the <i>lot</i> containing the <i>use</i> for which the parking is required, as measured between the nearest <i>lot lines</i> .
Any other use or zone	Within a permitted <i>parking area</i> in any <i>yard</i> provided no part of the <i>parking area</i> , other than a permitted <i>driveway</i> , shall be located closer than 1.5 metres to any <i>street line</i> , and <i>planting strips</i> shall be provided where required in accordance with Subsection 3.7.2
	Within a parking <i>structure</i> that is located in accordance with the regulations of the applicable <i>zone</i> .

- f) *Parking spaces* that are required in accordance with this Subsection shall be *used* only for the parking of operative, currently licensed *automobiles*, with the following exceptions:
- i. The parking or storage of *commercial vehicles*, *recreational vehicles* and *trailers* incidental to a permitted non-residential use on the same *lot* where such parking or storage is permitted as an *accessory use* to a permitted *principal use* on the same *lot*, provided it does not occupy any *parking space* required by this By-law;
 - ii. The temporary parking of *commercial vehicles* and *trailers* on a *lot* in a Residential Zone for the purposes of incidental deliveries, moving services, home maintenance, repair or construction services, for a period not exceeding 72 hours of any month;
 - iii. The parking of one (1) *commercial vehicle* not exceeding a *height* of 2.2 metres above the ground surface on which it is located including the *height* of any attachments to the *commercial vehicle*, and having a maximum length of 6.4 metres,

within a permitted *building* or within a permitted *driveway* on a *lot* in a Residential *Zone*;

- iv. The temporary parking of one *recreational vehicle* or a *trailer*, within a permitted *driveway* on a *lot* in a Residential *Zone*, only between May 1st and October 31st, provided it does not occupy a *parking space* required by this By-law;
 - v. The temporary parking or storage of one (1) *recreational vehicle* or *trailer* in a permitted *driveway* on a *lot used* for a *dwelling* in an Agricultural *Zone* or Residential *Zone* for a maximum period of 5 days in any one calendar month.
 - vi. For the purposes of subclause (iv) and (v), permitted *recreational vehicles* and *trailers* in a Residential *Zone* shall not exceed 3.6 metres in *height*, 7 metres in length and 3.5 metres in width, and the *height* shall be measured from the bottom of the wheels to the highest point of said *trailer* or *recreational vehicle*, including any load thereon, but excluding any antenna or satellite dish;
 - vii. The parking or storage of one (1) *recreational vehicle* or *trailer* within the *interior side yard* or *rear yard* or a *lot* in an Agricultural *Zone*, no closer than 1.0 metre to any *lot line*, provided it does not occupy a *parking space* required by this By-law;
 - viii. The parking or storage of one (1) *vehicle* that is not in running order within a *private garage* in a Residential *Zone* or Agricultural *Zone*, and the parking or storage of said *vehicles* within a permitted *parking area*, *building* or *open storage area* in a Commercial *Zone* or an Employment *Zone* where such storage is permitted as an *accessory use* to a permitted *principal use* on the same *lot*, provided it does not occupy any *parking space* required by this By-law;
 - ix. The parking of *commercial vehicles*, *recreational vehicles* or *trailers* or unlicensed *vehicles* within a permitted *building* or to prevent the parking of *commercial vehicles*, *recreational vehicles* or *trailers* within a *parking area* in an *interior side yard* or *rear yard*, provided it does not occupy a *parking space* required by this By-law;
 - x. The temporary parking of construction *vehicles* and equipment incidental to active construction work that relates to a permitted *use*, *building* or *structure* on a *lot*.
- g) No *parking area* shall be occupied or *used* in a manner that obstructs or protrudes into a *municipal* road allowance or private right-of-way.
 - h) A *parking area* shall not be permitted as a *principal use* on any *lot* except where specifically permitted otherwise by this By-law.

3.10 Prohibited Uses

Unless otherwise specified in this By-law, the following *uses* are prohibited in any *zone*:

- a) Any *use* that is not specifically defined and listed in the permitted *uses* of a *zone* or permitted by the General Provisions of this By-law shall not be permitted in that *zone*.
- b) The refining, storage or *use* in manufacturing of coal oil, rock oil, water oil, naphtha, benzene, dynamite, dualine, nitroglycerin, or gunpowder, except where specifically permitted for commercial purposes. This provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to a permitted *agricultural use*, or the *use* of natural gas, propane or fuel oil for purposes such as heating and cooking, in conjunction with any permitted *use*.
- c) The tanning or storage of uncured hides or skins.
- d) The boiling of blood, tripe, or bones for commercial purposes.
- e) The manufacturing of glue or fertilizers from dead animals or from human or animal waste.
- f) A livestock yard, livestock exchange, or dead stock yard.
- g) The extracting of oil from fish.
- h) Keeping or raising of any livestock, exotic bird, reptile or wild animal including tamed or domesticated wild animal or exotic bird or reptile on any residential *lot* or in any *building* or *structure* in a Residential *Zone*, but this shall not prevent the keeping of up to four (4) of any type of household pet, such as dogs, cats, hamsters, mice, rabbits, turtles.
- i) A junk-yard, *salvage yard*, *motor vehicle* wrecking yard, or the collection, storage or sale of junk, salvage, partially or completely dismantled *vehicles* or *trailers*, or parts of *vehicles* or *trailers*.
- j) A track for the driving, racing or testing of any motorized *vehicle*.
- k) A *waste management facility*.
- l) *Cabins*, *cottages*, *mobile homes*, *vehicles*, or *recreational vehicles* and *trailers* occupied as a permanent residence.
- m) *Short-term accommodation uses*.
- n) Locating or storing on any land for any purpose whatsoever any disused railroad car, street car body, truck body, *vehicle* body, or *trailer* without wheels whether or not the same is situated on a foundation.
- o) Locating or storing *pre-fabricated shipping containers*.
- p) *Outside storage* of road salt, road sand or other de-icing materials at a scale or in a manner that could contaminate land or water.
- q) *Adult entertainment establishments*.

- r) *Obnoxious uses.*
- s) Any *use* that includes any of the following where it would be a *significant drinking water threat*:
 - i. Waste disposal sites within the meaning of Part V of the Environmental Protection Act (excluding storage of wastes as described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O. Reg. 347) and storage of hazardous or liquid industrial waste);
 - ii. Large (more than 10,000 L) on-site sewage systems;
 - iii. Agricultural source material storage facilities;
 - iv. Non-agricultural source material storage facilities;
 - v. Commercial fertilizer storage facilities;
 - vi. Pesticide storage facilities;
 - vii. Road salt storage facilities;
 - viii. Snow storage facilities;
 - ix. Fuel storage;
 - x. DNAPL storage;
 - xi. Organic solvent storage;
 - xii. Outdoor confinement or farm animal yard in IPZ-1.

3.11 Public Uses

The following regulations apply to *public uses*:

- a) *Public uses* shall be permitted in all *zones*, in accordance with the requirements of this Section, except that permitted *public uses* within Greenlands *Zones* shall be limited to *infrastructure* authorized under an environmental assessment process and works subject to the Drainage Act, unless otherwise specified in this By-law.
- b) *Public uses* shall comply with the regulations of the applicable *zone* and the applicable General Provisions of this By-law, except that this requirement shall not apply to permitted *infrastructure*.
- c) No *outside storage* shall be permitted unless such *outside storage* is specifically permitted in the applicable *zone*.
- d) Nothing in this By-law shall prevent *buildings* and *structures used* for the storage of road maintenance materials within a public works yard owned by a *public authority*.

- e) Any above-ground, utility or *public use* which is located in a Residential Zone shall be located and maintained in general harmony with the residential *buildings* permitted in such Zone.

3.12 Renewable Energy Systems

The following regulations apply to *renewable energy systems* that are subject to this By-law:

- a) Except where specifically permitted otherwise in this By-law, a maximum of one (1) *renewable energy system* is permitted on a *lot*.
- b) Any part of an accessory *renewable energy system* that services a permitted *dwelling* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to the *dwelling*;
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to the *dwelling*.
- c) Notwithstanding Clause (b) of this Section, a wind energy device that is accessory to a permitted *dwelling* may exceed the maximum *height* required for the *main building* on the *lot* by up to 3 metres measured to the top of the highest point of the device.
- d) Any part of an accessory *renewable energy system* that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* shall comply with the following:
 - i. The requirements of the applicable *zone* for the *main building* on the *lot*, if located within or attached to a permitted *main building* or *structure*; and;
 - ii. The requirements of Section 3.1 applicable to *accessory buildings or structures*, if not located within or attached to a permitted *main building* or *structure*.
- e) Notwithstanding Clauses (d) of this Section, an accessory wind energy device that services a permitted *agricultural use* or any other permitted non-residential use in a non-residential *zone* and that is freestanding or attached to a permitted *main building* or *structure* shall comply with the following requirements:
 - i. Maximum *height* of 30 metres measured from the *average finished grade* to the top of the highest point of the wind energy device;
 - ii. Minimum setbacks equal to the *height* of the wind energy device to all *lot lines*, measured from the base of the wind energy device to the *lot line*; and,

- iii. Minimum setbacks equal to the *height* of the wind energy device to all *dwellings*, measured from the base of the wind energy device to the nearest wall of the *dwelling*.

3.13 Requirements for Lots

The following regulations shall apply to all *lots*, *buildings* and *structures* in any *zone*:

- a) Except as otherwise provided in this By-law, no *building* or *structure* shall be *erected*, *altered*, extended or enlarged except upon a *lot* nor shall any land be *used* for any permitted *use* unless it comprises a *lot*; but this provision shall not prevent the *use* of any parcel or tract of land for a permitted *agricultural use* excluding any *building* or *structure* except a fence.
- b) Where two or more abutting *lots* under one identical ownership are consolidated for the purpose of development, the internal *lot lines* of the original *lots* shall not be construed to be *lot lines* for the purposes of applying the regulations of the applicable *zone*, provided that all applicable regulations of this By-law relative to the consolidated *lot* development and its external *lot lines* are complied with.
- c) For land that is subject to an approved draft plan of condominium, and any required site plan approval, where registration of the plan is intended to occur in phases and/or stages, the lands on which the draft approved plan of condominium is to be located shall be deemed to be one *lot* for the purpose of applying the provisions of this By-law.

3.14 Requirements for Services

- a) No *lot*, *building* or *structure* in any *zone* shall be *used* unless the required *municipal* services or approved private services as set out in the applicable *zone* are available to service the *lot*, *buildings* or *structures*.

3.15 Setbacks to Pipelines

3.15.1 TransCanada Pipelines

- a) Notwithstanding any other provisions of this By-Law to the contrary, no *main building* or *structure* shall be located closer than 7 metres from the limit of the right of way for a TransCanada Pipeline.
- b) Notwithstanding any other provisions of this By-Law to the contrary, no *accessory building or structure* shall be located closer than 3 metres from the limit of the right of way for a TransCanada Pipeline.
- c) Where a pipeline is located within a hydro corridor, this subsection shall not apply to structures associated with electricity generation facilities or electricity transmission or distribution systems.

3.15.2 Enbridge Pipelines

- a) Notwithstanding any other provisions of this By-Law to the contrary, no *building* or *structure used for a dwelling* or associated with a *dwelling* shall be located closer than 3 metres from the limit of the right of way for an Enbridge Pipeline.
- b) Where a pipeline is located within a hydro corridor, this subsection shall not apply to structures associated with electricity generation facilities and electricity transmission or distribution systems.

3.15 Setbacks to Public Streets

- a) Notwithstanding any other provisions of this By-Law to the contrary, *yard* and setback requirements adjacent to the *public streets* listed in Table 10 shall be measured a minimum distance from the centreline of the original road allowance in accordance with Table 10.

**Table 10:
Required Setbacks to Public Streets**

<i>Public Street</i>	Required Minimum Distance from Centre Line of <i>Public Street</i> for Yards and Setbacks
<i>Public streets</i> under <i>Township</i> jurisdiction	10 metres
<i>Public streets</i> under <i>County</i> jurisdiction	In accordance with <i>County</i> requirements
<i>Public streets</i> under Provincial jurisdiction	In accordance with Ministry of Transportation Ontario requirements

3.16 Setbacks to Watercourses and Waterfront

- a) No *main building* and/or *habitable building* or *structure* shall be located within 15.0 metres from the top of bank or high water mark of any *watercourse*.
- b) No *main building* and/or *habitable building* or *structure* shall be located within 15.0 metres from the 178 metres G.S.C. elevation on a *waterfront lot*, and no openings to any *habitable building* or *structure* shall be located lower than 178.5 metres G.S.C. on a *waterfront lot*.
- c) No part of any flood plain shall be *used* in calculating the *lot frontage*, *lot area*, *lot coverage*, *setbacks* or *yards* required by this By-law.

3.17 Sight Triangles

- a) *Sight triangles* shall be provided and maintained on all *corner lots* where no triangular or curved area of land has been incorporated into the right of way of a *public street*.
- b) Within a required *sight triangle*, no *building* or *structure* or *landscaping* shall be greater than 0.8 metre in *height* above the *average finished grade* at the *street line*.
- c) *Sight triangles* shall minimum dimensions in accordance with Table 11.

Table 11:

Required Sight Triangles

Intersection Type	Sight Triangle Dimensions
<i>Public streets</i> under <i>Township</i> jurisdiction	6 metres
<i>Public streets</i> under <i>County</i> jurisdiction	In accordance with <i>County</i> requirements
<i>Public streets</i> under Provincial jurisdiction	In accordance with Ministry of Transportation Ontario requirements

3.18 Signs

- a) Unless otherwise specified in this By-law, 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 *Sign* By-law of the *Township*.

3.19 Temporary Uses

3.19.1 Construction Uses

- a) Notwithstanding any other provisions of this By-law to the contrary, incidental construction *uses*, *buildings* and *structures* are permitted on any *lot* in all *zones*, in accordance with the following regulations:
 - i. The construction is in accordance with a valid *building* permit, site *alteration* permit or other required permit or approval; and,
 - ii. All temporary *buildings*, *structures* and materials associated with the construction are removed from the *lot* upon completion of the work or if the work is discontinued for a period of 60 days; and,
 - iii. *Buildings* and *structures* for incidental construction *uses* may be established on the *lot* prior to *erecting* the *main building*, provided it is *used* for no other purpose than storage..

- b) This By-law shall not apply to prevent incidental construction *uses* for approved *infrastructure*.

3.19.2 Model Homes

- a) Notwithstanding any other provisions of this By-law to the contrary, *model homes* are permitted on land that is subject to an approved draft plan of subdivision or condominium for *residential uses*, in accordance with the following regulations:
 - i. The number of *model homes* shall not exceed 5 *dwelling units* or 10% of the *dwelling units* approved in the draft plan of subdivision or condominium, whichever is the lesser, or as otherwise provided in a development agreement; and,
 - ii. The *model home* is built within a *lot* defined by the draft approved plan of subdivision or condominium; and,
 - iii. The *model home* complies with all other requirements of this By-law for the applicable type of *dwelling unit* with the exception of the parking requirements; and,
 - iv. The *buildings* are *used* for the purpose of *model homes* only and shall not be occupied prior to the date of registration of the plan subdivision or condominium and the development agreement.

3.19.2 Occasional or Special Event

- a) Notwithstanding any other provisions of this By-law to the contrary, the conducting of an *occasional or special event*, whether or not for profit, shall be permitted in all *Zones*, except the *Greenlands Zone*, and shall be limited to a maximum of 3 days in duration within each calendar year where located in a *Residential Zone*.

3.19.3 Temporary Sales Offices

- a) Notwithstanding any other provisions of this By-law to the contrary, temporary sales *offices* are permitted on land that is subject to an approved draft plan of subdivision or condominium for *commercial uses*, *industrial uses*, *institutional uses* or *residential uses*, or on a *lot* in a *zone* that permits the proposed development, in accordance with the following regulations:
 - i. The temporary sales *office* shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days; and,
 - ii. The temporary sales *office* shall comply with the regulations of the applicable *zone*; and,
 - iii. The required parking facilities shall be provided in accordance with Section 3.9; and,

iv. The *lots* or units to be sold shall be located within the *Township*.

3.20 Waste Storage Enclosures

- a) Where the storage of waste generated or received on a *lot* is not contained within a *building*, a *waste storage enclosure* shall be provided and maintained on the *lot*.
- b) A *waste storage enclosure* shall not be located:
 - i. Within a *front yard* or *exterior side yard*; or
 - ii. Within any *required yard* adjoining a *lot line* of a *lot* in a *Residential Zone*; or
 - iii. Within any required *landscaped open space*, *loading space*, *parking area* or *planting strip*.
- c) This Section shall not apply to a permitted *waste management facility* or the temporary storage of waste associated with an incidental construction *use*.

3.21 Wayside Pits or Quarries

- a) A *wayside pit* or a *quarry* used for *public authority* contracts shall be permitted in any *zone* except a *Residential Zone* or a *Greenlands Zone*, in accordance with the following regulations:
 - i. The *wayside pit* or *quarry* shall not be located closer than 150 metres to the boundary of any *Residential Zone*, measured from the nearest limit of the operation; and,
 - ii. The *wayside pit* or *quarry* is established and operated in accordance with the terms and conditions of a valid permit by the Minister of Natural Resources.

PART 4. ZONES AND ZONE SYMBOLS

4.1 Establishment of Zones

The *zones* and *zone* symbols of this By-law are established in Table 12 and apply to the land subject to this By-law as shown in Schedule “A”.

**Table 12:
Zones and Zone Symbols**

ZONE		SYMBOL
AGRICULTURAL ZONES		
Agricultural		A
Agriculture-Related		AR
Agricultural Purposes Only		APO
RESIDENTIAL ZONES		
Settlement Residential - Low Density	- Type 1A	R1A
	- Type 1B	R1B
	- Type 1C	R1C
	- Type 1D	R1D
	- Type 2	R2
	- Type 3	R3
Settlement Residential - Medium Density	- Type 1	RM1
	- Type 2	RM2
	- Type 3	RM3
Rural Residential		RR
Estate Residential		RE
Shoreline Residential		RS
Mobile Home Park Residential		RMH
COMMERCIAL ZONES		
Core Commercial		C1
Settlement Commercial		C2
Tourism Commercial		C3
Service Commercial		C4
Rural Commercial		C5
Marine Commercial		C6
EMPLOYMENT ZONES		
Industrial Employment		M1
Office and Business Park Employment		M2
Rural Employment		M3
Extractive Industrial – Mineral Aggregate Resources		MAR

ZONE	SYMBOL
INSTITUTIONAL ZONES	
Institutional	I
OPEN SPACE & RECREATION ZONES	
Open Space	OS
Open Space Recreation	OSR
GREENLANDS ZONES	
Greenlands 1	GL1
Greenlands 2	GL2
DRINKING WATER SOURCE PROTECTION ZONES	
Intake Protection Zone 1 (Overlay Zone)	IPZ1
Intake Protection Zone 2 (Overlay Zone)	IPZ2
Intake Protection Zone 3 (Overlay Zone)	IPZ3
OTHER ZONES	
Development	D

4.2 Multiple Uses and Multiple Zones

The following regulations apply to *lots used* for multiple *uses* or within multiple *zones*:

- a) Where any land, *building* or *structure* is *used* for more than one purpose:
 - i. All provisions of this By-law relating to each *use* shall be complied with; and,
 - ii. No *dwelling* shall be located within 3 metres of any other *building* on the *lot* except a *building* accessory to such *dwelling*; and,
 - iii. Subclause (ii) shall not apply to permitted *accessory dwellings* within a *building* containing a permitted non-*residential use*.
- b) Where a *lot* is located in more than one *zone*:
 - i. Each portion of the *lot* shall be used in accordance with the permitted *uses* and *regulations* of the applicable *zone*; and,
 - ii. The *General Provisions* and *zone* regulations shall be applied based on the *lot lines* of the *lot*, and a *zone* boundary dividing the *lot* into two or more *zones* shall not be deemed to be a *lot line*.

4.3 Special Provisions and Symbols

4.3.1 Holding Provisions

- a) Where a *zone* symbol is preceded by an upper case letter “H”, a number and a hyphen, the symbol refers to a holding provision that applies to the land as shown on Schedule “A”. The land shall be subject to the holding provision and the requirements of the *zone*. Holding provisions are established in Section 14.1.

4.3.2 Site-Specific Provisions

- a) Where a *zone* symbol is followed by a hyphen and a number, the symbol refers to a site-specific provision that applies to the land as shown on Schedule “A”. The land shall be subject to the site-specific provision and the requirements of the *zone*. Site-specific provisions are established in Section 14.2.

4.3.3 Temporary Use Provisions

- a) Where a *zone* symbol is preceded by the upper case letter “T”, a hyphen and a number, the symbol refers to a temporary *use* provision that applies to the land as shown on Schedule “A”. The land shall be subject to the temporary *use* provision until the temporary *use* provision expires, and the requirements of the *zone*. Temporary *use* provisions are established in Section 14.3.

PART 5. AGRICULTURAL ZONES

5.1 Applicable Zones

The permitted *uses* and regulations of Part 5 apply to land within the following *zones*:

Zone	Symbol
Agricultural Zone	A
Agriculture-Related Zone	AR
Agricultural Purposes Only Zone	APO

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

5.2 Permitted Uses

In the *zones* identified in Section 5.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 13.

**Table 13:
Permitted Uses in Agricultural Zones**

<i>Uses</i>	Zones where Permitted (1) = <i>Principal Use</i> , (2) = <i>Accessory Use</i>		
	A	AR	APO
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)	(2)	(2)
<i>Accessory dwelling unit (see s. 3.1.5)</i>	(2)		
<i>Agricultural use</i>	(1)		(1)
<i>Agriculture-related use</i>		(1)	
<i>Agricultural service and supply establishment</i>	(2)	(1)	
<i>Agri-tourism / value-added uses (see s. 3.1.6)</i>	(2)		
<i>Bed and breakfast establishment (see s. 3.1.7)</i>	(2)		
<i>Commercial kennel (see s. 3.6.1)</i>		(1)	
<i>Conservation use</i>	(1)	(1)	(1)
<i>Group home (see s. 3.6)</i>	(2)		
<i>Home occupation (see s. 3.1.10)</i>	(2)		
<i>On-farm diversified uses (see s. 3.1.11)</i>	(2)		
<i>Outside storage</i>	(2)	(2)	(2)
<i>Pet care establishment (see s. 3.6.2)</i>	(2)	(1)	
<i>Private kennel (see s. 3.6.1)</i>	(2)	(1)	

Uses	Zones where Permitted (1) = Principal Use, (2) = Accessory Use		
	A	AR	APO
Renewable energy system (see s. 3.12)	(2)	(2)	(2)
Single detached dwelling	(1)		
Service shop	(2)		
Veterinary clinic	(2)	(1)	
Wayside pit or quarry (see s. 3.21)	(1)	(1)	(1)

5.3 Regulations

In the zones identified in Section 5.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Table 14.

Table 14:
Regulations for Permitted Uses in Agricultural Zones

Regulation		Zone Requirements		
		A	AR	APO
Minimum lot area		40 ha	0.4 ha	40 ha
Minimum lot frontage		100 m	50 m	100 m
Minimum front yard	Dwelling	8 m	-	-
	Greenhouse	30 m	30 m	30 m
	Mushroom farm building	60 m, see Note (1)	-	60 m, see Note (1)
	Other main building	30 m	10 m	30 m
Minimum exterior side yard	Dwelling	8 m	-	-
	Greenhouse	30 m	30 m	30 m
	Mushroom farm building	60 m, see Note (1)	-	60 m, see Note (1)
	Other main building	30 m	10 m	30 m
Minimum interior side yard	Dwelling	6 m	-	-
	Greenhouse	15 m, see Note (2)	15 m	15 m, see Note (2)
	Mushroom farm building	30 m, see Note (1)	-	30 m, see Note (1)
	Other main building	15 m	7.5 m	15 m

Regulation		Zone Requirements		
		A	AR	APO
Minimum rear yard	<i>Dwelling</i>	8 m	-	-
	<i>Greenhouse</i>	15 m, see Note (2)	15 m	15 m, see Note (2)
	<i>Mushroom farm building</i>	30 m, see Note (1)	-	30 m, see Note (1)
	<i>Other main building</i>	30 m	7.5 m	30 m
Maximum lot coverage	<i>Greenhouses</i>	70%	40%	70%
	<i>Other buildings or structures</i>	10%		10%
Maximum height		15 m	15 m	15 m
Minimum landscaped open space		No minimum	10%	No minimum
Maximum outside storage		5% of lot area, see Note (3)	10% of lot area, see Note (3)	5% of lot area, see Note (3)

Notes to Table 14:

- (1) Mushroom farm *buildings* shall have a minimum setback of 500 metres to Residential Zones and Institutional Zones and 300 metres to a *dwelling* located on a separate *lot*. The minimum *yard* and setback requirements for mushroom farm *buildings* shall also apply to *outdoor storage* and stockpile areas where manure or any other mushroom growing medium is stored.
- (2) *Greenhouses* shall have a minimum *interior side yard* and *rear yard* of 30 metres where one or more ventilating fans exhaust into the respective *yard*.
- (3) *Outside storage* for purposes other than a permitted *outside display and sales areas* for products offered for sale on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots* by a *planting strip* in accordance with Subsection 3.7.2. No manure, compost or equipment storage area shall be permitted within 30 metres of a *street line* or a *lot line* of a separate *lot* that contains a *residential use* or the top of bank of a *municipal drain* or *watercourse*.

PART 6. RESIDENTIAL ZONES

6.1 Applicable Zones

The permitted *uses* and regulations of Part 6 apply to land within the following *zones*:

Zone	Symbol
Settlement Residential - Low Density <i>Zone</i>	
- Type 1A	R1A
- Type 1B	R1B
- Type 1C	R1C
- Type 1D	R1D
- Type 2	R2
- Type 3	R3
Settlement Residential - Medium Density <i>Zone</i>	
- Type 1	RM1
- Type 2	RM2
- Type 3	RM3
Rural Residential	RR
Estate Residential	RE
Shoreline Residential	RS
Mobile Home Park Residential	RMH

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

6.2 Permitted Uses

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 15.

**Table 15:
Permitted Uses in Residential Zones**

Uses	Zones where Permitted												
	<i>(1) = Principal Use, (2) = Accessory Use</i>												
	R1A	R1B	R1C	R1D	R2	R3	RM1	RM2	RM3	RR	RE	RS	RMH
Residential Uses													
<i>Semi-detached dwelling</i>					(1)	(1)							
<i>Single detached dwelling</i>	(1)	(1)	(1)	(1)	(1)	(1)				(1)	(1)	(1)	
<i>Apartment</i>							(1)	(1)	(1)				
<i>Stacked townhouse dwelling</i>									(1)				
<i>Street townhouse dwelling</i>							(1)	(1)					
<i>Townhouse dwelling</i>								(1)	(1)				
<i>Triplex dwelling</i>							(1)	(1)					
<i>Duplex dwelling</i>					(1)	(1)							
<i>Fourplex dwelling</i>							(1)	(1)	(1)				
<i>Cottage</i>												(1)	
Accessory Uses													
<i>Bed and breakfast establishment (see s. 3.1.7)</i>	(2)	(2)	(2)	(2)	(2)	(2)				(2)	(2)	(2)	
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
<i>Garden suite</i>		(2)	(2)	(2)	(2)	(2)							
<i>Group home (see s. 3.6)</i>	(2)	(2)	(2)	(2)	(2)	(2)				(2)	(2)	(2)	
<i>Home occupation (see s. 3.1.10)</i>	(2)	(2)	(2)	(2)	(2)	(2)				(2)	(2)	(2)	
<i>Mobile Home Park</i>													(1)
<i>Renewable energy system (see s. 3.12)</i>	(2)	(2)	(2)										
Institutional Uses													
<i>Day Care</i>							(1)						
<i>Retirement Home</i>							(1)	(1)	(1)				

Uses	Zones where Permitted												
	(1) = Principal Use, (2) = Accessory Use												
	R1A	R1B	R1C	R1D	R2	R3	RM1	RM2	RM3	RR	RE	RS	RMH
Independent Retirement Home							(1)	(1)	(1)				

6.3 Regulations

In the zones identified in Section 6.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Tables 16, 17 and 18.

Institutional Uses in Residential Zones

a) The Institutional Standards found in Table 24 of this By-law shall apply to the Institutional uses listed in Table 15;

Table 16:

Regulations for Permitted Uses in Settlement Residential – Low Density Zones

Regulation		Zone Requirements					
		R1A	R1B	R1C	R1D	R2	R3
Minimum lot area	Single detached dwelling	2,000 m ²	550 m ²	500 m ²	450 m ²	400 m ²	350 m ²
	Semi-detached dwelling or duplex dwelling	-				700 m ² , see Note (1)	600 m ² , see Note (1)
Minimum lot frontage	Single detached dwelling	30 m	18 m	15 m	15 m	12.5 m	12.5 m
	Semi-detached dwelling or duplex dwelling	-				20 m, see Note (1)	18 m, see Note (1)
Minimum front yard	Dwelling	7.5 m	7.5 m	4.5 m	4.5 m	6.0 m	6.0 m
	Private garage			6.0 m	6.0 m		
Minimum exterior side yard	Single detached dwelling	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
	Semi-detached dwelling or duplex dwelling. Private garage	-				4.5 m	4.5 m
Minimum interior side yard		3 m	1.2 m	1.2 m	1.2 m	1.2 m, see Note (2)	1.2 m, see Note (2)
Minimum rear yard		7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Maximum lot coverage		35%	40%	40%	45%	45%	45%
Maximum height		11 m	9 m	9 m	9 m	9 m	9 m
Minimum landscaped open space		35%	30%	30%	25%	25%	25%

Notes to Table 16:

- (1) Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, the minimum *lot area* and minimum *lot frontage* for each *dwelling unit* shall be half the requirement identified for the applicable *zone*.
- (2) Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, no *interior side yard* shall be required along the common *lot line* of the attached wall joining the two *dwelling units*.

Table 17:

Regulations for Permitted Uses in Settlement Residential – Medium Density Zones

Regulation		Zone Requirements		
		RM1	RM2	RM3
Minimum lot area	<i>Apartment dwelling</i>	1021 m ²	1021 m ²	1021 m ²
Minimum lot area (per dwelling unit)	<i>Apartment dwelling</i>	200 m ²	180 m ²	150 m ²
	<i>Fourplex dwelling</i>	250 m ²	200 m ²	180 m ²
	<i>Stacked townhouse dwelling</i>	-	-	200 m ²
	<i>Street townhouse dwelling</i>	210 m ²	180 m ²	-
	<i>Townhouse dwelling</i>	-	200 m ²	160 m ²
	<i>Triplex dwelling</i>	250 m ²	200 m ²	-
Minimum lot frontage	<i>Apartment dwelling</i>	35 m	30 m	25 m
	<i>Fourplex dwelling</i>	35 m	30 m	25 m
	<i>Stacked townhouse dwelling</i>	-	-	25 m
	<i>Street townhouse dwelling</i>	7 m per unit	6 m per unit	-
	<i>Townhouse dwelling</i>	-	30 m	25 m
	<i>Triplex dwelling</i>	30 m	25 m	-
Minimum front yard	<i>Apartment dwelling</i>	7.5 m	7.5 m	6.0 m
	<i>Other dwelling</i>	6.0 m	6.0 m	6.0 m
Minimum exterior side yard	<i>Apartment dwelling</i>	7.5 m	7.5 m	4.5 m
	<i>Other dwelling</i>	4.5 m	4.5 m	4.5 m
Minimum interior side yard	<i>Apartment dwelling</i>	4 m	4 m	3 m
	<i>Fourplex dwelling</i>	4 m	4 m	3 m
	<i>Stacked townhouse dwelling</i>	-	-	4 m
	<i>Street townhouse dwelling</i>	3 m, see Note (1)	3 m, see Note (1)	-
	<i>Townhouse dwelling</i>	-	3 m	3 m
	<i>Triplex dwelling</i>	4 m	4 m	-
Minimum rear yard		7.5 m	7.5 m	7.5 m
Maximum lot coverage		40%	40%	45%
Maximum height	<i>Apartment dwelling</i>	11 m	11 m	11 m
	<i>Other dwelling</i>	9 m	9 m	11 m
Minimum landscaped open space		30%(2)	30%(2)	25%(2)

Notes to Table 17:

- (1) No interior side yard shall be required along the common lot line of the attached wall joining two dwelling units for a street townhouse dwelling.
- (2) A continuous landscaped buffer area shall be provided along the side and rear lot

lines of any lot which is occupied by an *Apartment Dwelling*. The landscaped buffer area shall be 3m in width along the side and rear lot lines

**Table 18:
Regulations for Permitted Uses in Other Residential Zones**

Regulation		Zone Requirements			
		RR	RE	RS	RMH
Minimum lot area	<i>Cottage</i>	-		2,000 m ²	-
	<i>Single detached dwelling</i>	2,000 m ²	8,000 m ²	2,000 m ²	
	<i>Mobile home park</i>	-			4.0 ha
	<i>Mobile home site</i>				Communal sewer area, see Note (1)
Individual septic	900 m ²				
Minimum lot frontage	<i>Cottage</i>	-		30 m	-
	<i>Single detached dwelling</i>	30 m	60 m	30 m	
	<i>Mobile home park</i>	-			135 m
	<i>Mobile home site width, see Note (1)</i>				15 m
Minimum front yard	<i>Cottage</i>	-		7.5 m	-
	<i>Single detached dwelling</i>	7.5 m	15 m	7.5 m	
	<i>Mobile home sites, see Note (1)</i>	-			8 m
	<i>Mobile home, see Note (1)</i>				6 m
Minimum exterior side yard	<i>Cottage</i>	-		4.5 m	-
	<i>Single detached dwelling</i>	4.5 m	15 m	4.5 m	
	<i>Mobile home sites, see Note (1)</i>	-			8 m
	<i>Mobile home, see Note (1)</i>				6 m
Minimum interior side yard	<i>Cottage</i>	-		3 m	-
	<i>Single detached dwelling</i>	3 m	9 m	3 m	
	<i>Mobile home sites, see Note (1)</i>	-			8 m
	<i>Mobile home, see Note (1)</i>				3 m
Minimum rear yard	<i>Cottage</i>	-		7.5 m	-
	<i>Single detached dwelling</i>	7.5 m	12 m	7.5 m	
	<i>Mobile home sites, see Note (1)</i>	-			8 m
	<i>Mobile home, see Note (1)</i>				9 m
<i>Maximum lot coverage</i>		35%	35%	35%	35%
<i>Maximum mobile home site coverage</i>		-			35%
Maximum height	<i>Cottage</i>	-		11 m	-
	<i>Single detached dwelling</i>	11 m	11 m	11 m	
	<i>Mobile home park</i>	-			7 m
<i>Minimum landscaped open space</i>		35%	35%	35%	35%

Notes to Table 18:

- (1) Each *mobile home site* within a *mobile home park* shall comply with the minimum area and minimum width for *mobile home sites* and shall be located in accordance with the minimum *yard* requirements for *mobile home sites*. A maximum of one (1) *mobile home* shall be located on each *mobile home site* in accordance with the minimum *yard* requirements for *mobile homes*. The maximum total number of *mobile homes* permitted in a *mobile home park* shall not exceed 15 *mobile homes* per hectare of *lot area*.

PART 7. COMMERCIAL ZONES

7.1 Applicable Zones

The permitted *uses* and regulations of Part 7 apply to land within the following *zones*:

Zone	Symbol
Core Commercial Zone	C1
Settlement Commercial Zone	C2
Tourism Commercial Zone	C3
Service Commercial Zone	C4
Rural Commercial Zone	C5
Marine Commercial Zone	C6

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

7.2 Permitted Uses

In the *zones* identified in Section 7.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 19.

**Table 19:
Permitted Uses in Commercial Zones**

Uses	Zones where Permitted					
	(1) = Principal Use, (2) = Accessory Use					
	C1	C2	C3	C4	C5	C6
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)	(2)	(2)	(2)	(2)	(2)
<i>Accessory dwelling unit (see s. 3.1.5)</i>	(2)					(2)
<i>Agricultural service and supply establishment</i>					(1)	
<i>Agriculture-related use</i>					(1)	
<i>Animal shelter</i>		(1)		(1)		
<i>Art gallery</i>	(1)	(1)	(1)			
<i>Automotive body shop</i>				(1)	(1)	
<i>Automotive dealership</i>				(1)	(1)	
<i>Automotive maintenance or repair establishment</i>				(1)	(1)	
<i>Automotive service station</i>		(1)		(1)	(1)	
<i>Automotive washing establishment</i>		(1)		(1)	(1)	

Uses	Zones where Permitted					
	<i>(1) = Principal Use, (2) = Accessory Use</i>					
	C1	C2	C3	C4	C5	C6
<i>Boat launch</i>						(1)
<i>Boat slip</i>						(1)
<i>Cabin rental establishment</i>			(1)			
<i>Club</i>	(1)	(1)	(1)			(1)
<i>Commercial kennel (see s. 3.6.1)</i>				(1)	(1)	
<i>Commercial school</i>	(1)	(1)	(1)	(1)		(1)
<i>Commercial self-storage facility</i>				(1)	(1)	
<i>Community centre</i>	(1)	(1)	(1)			
<i>Contractors establishment</i>				(1)	(1)	
<i>Daycare</i>	(1)	(1)				
<i>Drive-through facility</i>		(1)	(1)	(1)	(1)	
<i>Dry cleaning/laundry depot</i>	(1)	(1)		(1)		
<i>Existing camping establishment</i>			(1)			
<i>Existing trailer park</i>			(1)			
<i>Financial institution</i>	(1)	(1)		(1)		
<i>Funeral home establishment</i>	(1)	(1)		(1)		
<i>Garden centre</i>			(1)	(1)	(1)	(1)
<i>Hotel/motel</i>	(1)	(1)	(1)	(1)		
<i>Marina</i>						(1)
<i>Museum</i>	(1)	(1)	(1)			
<i>Medical clinic</i>	(1)	(1)				
<i>Office</i>	(1)	(1)	(1)	(1)		
<i>Outside display and sales area</i>	(2)	(2)	(2)	(2)	(2)	(2)
<i>Outside storage</i>				(2)	(2)	(2)
<i>Personal service shop</i>	(1)	(1)	(1)	(1)		
<i>Pet care establishment (see s. 3.6.2)</i>				(1)	(1)	
<i>Place of entertainment</i>	(1)	(1)	(1)	(1)		
<i>Recreation facility</i>	(1)	(1)	(1)	(1)		
<i>Renewable energy system (see s. 3.12)</i>	(2)	(2)	(2)	(2)	(2)	(2)
<i>Restaurant</i>	(1)	(1)	(1)	(1)	(1)	(1)
<i>Retail store</i>	(1)	(1)	(1)	(1)	(1)	(1)
<i>Commercial School</i>	(1)	(1)	(1)		(1)	
<i>Service shop</i>	(1)	(1)	(1)	(1)	(1)	(1)
<i>Shopping centre</i>	(1)	(1)	(1)	(1)		
<i>Studio</i>	(1)	(1)	(1)	(1)		(1)
<i>Veterinary clinic</i>	(1)	(1)	(1)	(1)	(1)	(1)

Uses	Zones where Permitted					
	(1) = Principal Use, (2) = Accessory Use					
	C1	C2	C3	C4	C5	C6
Wayside pit or quarry (see s. 3.21)	(1)	(1)	(1)	(1)	(1)	(1)

7.3 Regulations

In the zones identified in Section 7.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Table 20.

Table 20:
Regulations for Permitted Uses in Commercial Zones

Regulation		Zone Requirements					
		C1	C2	C3	C4	C5	C6
Minimum lot area		-	930 m ²	4,000 m ²	4,000 m ²	4,000 m ²	930 m ²
Minimum lot frontage		-	25 m	45 m	45 m	45 m	30 m
Minimum front yard		-	7.5 m	20 m	9 m	10 m	6 m
Minimum exterior side yard		-	4.5 m	10 m	4.5 m	10 m	4.5 m
Minimum interior side yard	Abutting a lot in a Residential Zone	4.5 m	4.5 m	20 m	4.5 m	14 m	14 m
	Other	-	1.5 m	9 m	1.5 m	9 m	6 m
Minimum rear yard	Abutting a lot in a Residential Zone	4.5 m	14 m	20 m	14 m	14 m	14 m
	Other	-	7.5 m	10 m	10 m	10 m	10 m
Maximum lot coverage		-	45%	45%	45%	45%	45%
Maximum height		11 m	11 m	11 m	11 m	11 m	11 m
Minimum landscaped open space		See Note (1)	20%, see Note (1)	20%, see Note (1)	20%, see Note (1)	20%, see Note (1)	10%, see Note (1)
Maximum outside display and sales area		10% of lot area	5% of lot area	5% of lot area	10% of lot area	10% of lot area	5% of lot area
Maximum outside storage		-			5% of lot area, see Note (2)	10% of lot area, see Note (2)	5% of lot area, see Note (2)
Maximum number of accessory dwelling units		1 per 150 m ² of lot area	-				1 per 150 m ² of lot area

Regulation	Zone Requirements					
	C1	C2	C3	C4	C5	C6
Maximum number of <i>cabins</i> in a <i>cabin rental establishment</i>	-		1 per 500 m ² of <i>lot area</i>		-	
Maximum number of <i>camp sites</i> in a <i>camping establishment</i>			Existing			
Maximum number of <i>trailer sites</i> in a <i>trailer park</i>			Existing			

Notes to Table 20:

- (1) For *lots* abutting any *lot* in a Residential *Zone*, *planting strips* shall be provided in accordance with Subsection 3.7.2.
- (2) *Outside storage* for purposes other than a permitted *outside display and sales area* for products offered for sale on the *lot* shall be located in a *rear yard* or *side yard* and screened from view from *public streets* and adjacent *lots* by a *planting strip* in accordance with Subsection 3.7.2. No outside storage shall be permitted within 30 metres of any Provincial Highway.

PART 8. EMPLOYMENT ZONES

8.1 Applicable Zones

The permitted *uses* and regulations of Part 8 apply to land within the following *zones*:

Zone	Symbol
Industrial Employment <i>Zone</i>	M1
Office and Business Park Employment <i>Zone</i>	M2
Rural Employment <i>Zone</i>	M3
Extractive Industrial – Mineral Aggregate Resources <i>Zone</i>	MAR

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

8.2 Permitted Uses

In the *zones* identified in Section 8.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 21.

Table 21:
Permitted Uses in Employment Zones

Uses	Zones where Permitted			
	<i>(1) = Principal Use, (2) = Accessory Use</i>			
	M1	M2	M3	MAR
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)	(2)	(2)	(2)
<i>Agricultural service and supply establishment</i>			(1)	
<i>Agriculture-related use</i>			(1)	
<i>Animal shelter</i>		(1)		
<i>Automotive body shop</i>	(1)			
<i>Club</i>		(1)		
<i>Commercial school</i>		(1)		
<i>Commercial self-storage facility</i>			(1)	
<i>Community centre</i>		(1)		
<i>Contractors establishment</i>	(1)	(1)	(1)	
<i>Daycare</i>		(1)		
<i>Dry cleaning/laundry establishment</i>	(1)	(1)		
<i>Financial institution</i>		(1)		

Uses	Zones where Permitted (1) = Principal Use, (2) = Accessory Use			
	M1	M2	M3	MAR
Hotel/motel		(1)		
Industrial use	(1)	(1)		
Medical Marihuana Production Facility	(1)		(1)	
Mineral aggregate operation				(1)
Office	(2)	(1)	(2)	
Outside display and sales area	(2)	(2)	(2)	
Outside storage	(2)		(2)	(2)
Pet care establishment (see s. 3.6.2)		(1)		
Recreation facility		(1)		
Renewable energy system (see s. 3.12)	(2)	(2)	(2)	(2)
Retail store	(2)	(2)	(2)	
Service shop	(1)	(1)	(1)	
Studio		(1)		
Transportation Terminal	(1)		(1)	
Veterinary clinic		(1)	(1)	
Wayside pit or quarry (see s. 3.21)	(1)	(1)	(1)	(1)

8.3 Regulations

In the zones identified in Section 8.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Table 22.

Table 22:
Regulations for Permitted Uses in Employment Zones

Regulation		Zone Requirements			
		M1	M2	M3	MAR
Minimum lot area		2,000 m ²	2,000 m ²	4,000 m ²	4.0 ha
Minimum lot frontage		30 m	30 m	45 m	30 m, see Note (3)
Minimum front yard		7.5 m	7.5 m	10 m	30 m, see Note (3)
Minimum exterior side yard		4.5 m	4.5 m	10 m	15 m, see Note (3)
Minimum interior side yard	Abutting a lot in a Residential Zone	20 m	20 m	20 m	30 m, see Note (3)
	Other	3 m	3 m	9 m	15 m,

Regulation		Zone Requirements			
		M1	M2	M3	MAR
					see Note (3)
Minimum rear yard	Abutting a lot in a Residential Zone	20 m	20 m	20 m	30 m, see Note (3)
	Other	7.5 m	7.5 m	10 m	15 m, see Note (3)
Maximum lot coverage		50%	50%	40%	20%
Maximum height		11 m	11 m	11 m	11 m, see Note (3)
Minimum landscaped open space		20%, see Note (1)	20%, see Note (1)	20%, see Note (1)	10%, see Note (1)
Maximum gross floor area for accessory retail store		Lesser of 10% of gross floor area or 230 m ²	Lesser of 10% of gross floor area or 230 m ²	Lesser of 10% of gross floor area or 230 m ²	-
Maximum outside display and sales area		5% of lot area	5% of lot area	5% of lot area	-
Maximum outside storage		10% of lot area, see Note (2)	5% of lot area, see Note (2)	10% of lot area, see Note (2)	10% of lot area, see Note (2)

Notes to Table 22:

- (1) For lots abutting any lot in a Residential Zone, planting strips shall be provided in accordance with Subsection 3.7.2. In the M1, M2 and M3 Zones, a minimum of 50% of the required landscaped open space shall be located in the front yard.
- (2) Outside storage for purposes other than a permitted outside display and sales area for products offered for sale on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots by a planting strip in accordance with Subsection 3.7.2. No outside storage shall be permitted within 30 metres of any Provincial Highway.
- (3) Minimum yard requirements and maximum height requirements apply to buildings, structures and aggregate stockpiles.

PART 9. INSTITUTIONAL ZONES

9.1 Applicable Zones

The permitted *uses* and regulations of Part 9 apply to land within the following *zones*:

Zone	Symbol
Institutional <i>Zone</i>	I

This *zone* applies to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

8.2 Permitted Uses

In the *zone* identified in Section 9.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 23.

**Table 23:
Permitted Uses in Institutional Zones**

<i>Uses</i>	Zones where Permitted (1) = <i>Principal Use</i> , (2) = <i>Accessory Use</i>
	I
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)
<i>Cemetery</i>	(1)
<i>Club</i>	(1)
<i>Commercial school</i>	(1)
<i>Community centre</i>	(1)
<i>Daycare</i>	(1)
<i>Funeral home establishment</i>	(1)
<i>Hospital</i>	(1)
<i>Independent Retirement Home</i>	(1)
<i>Long term care facility</i>	(1)
<i>Medical clinic</i>	(1)
<i>Place of worship</i>	(1)
<i>Private or public park</i>	(1)
<i>Private or public school</i>	(1)
<i>Recreation facility</i>	(1)
<i>Renewable energy system (see s. 3.12)</i>	(2)
<i>Retirement home</i>	(1)

Uses	Zones where Permitted (1) = <i>Principal Use</i> , (2) = <i>Accessory Use</i>
	I
<i>Wayside pit or quarry</i> (see s. 3.21)	(1)

9.3 Regulations

In the zone identified in Section 9.1, no person shall use or permit the use of any lot or erect, alter or use any building or structure for any purpose except in accordance with the regulations in Table 24.

Table 24:
Regulations for Permitted Uses in Institutional Zones

Regulation		Zone Requirements
		I
Minimum lot area		1,400 m ²
Minimum lot frontage		30 m
Minimum front yard		7.5 m
Minimum exterior side yard		6 m
Minimum interior side yard	Abutting a lot in a Residential Zone	7.5 m
	Other	6 m
Minimum rear yard	Abutting a lot in a Residential Zone	7.5 m
	Other	6 m
Maximum lot coverage		30%
Maximum height		15 m
Minimum landscaped open space		20%, see Note (1)

Notes to Table 24:

- (1) For lots abutting any lot in a Residential Zone, *planting strips* shall be provided in accordance with Subsection 3.7.2.

PART 10. OPEN SPACE & RECREATION ZONES

10.1 Applicable Zones

The permitted *uses* and regulations of Part 10 apply to land within the following *zones*:

Zone	Symbol
Open Space Zone	OS
Open Space Recreation Zone	OSR

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

10.2 Permitted Uses

In the *zones* identified in Section 10.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 25.

**Table 25:
Permitted Uses in Open Space & Recreation Zones**

Uses	Zones where Permitted (1) = <i>Principal Use</i> , (2) = <i>Accessory Use</i>	
	OS	OSR
<i>Accessory buildings or structures and accessory uses (see s. 3.1)</i>	(2)	(2)
<i>Art gallery</i>		(1)
<i>Cemetery</i>	(1)	
<i>Club</i>	(1)	(1)
<i>Commercial school</i>		(1)
<i>Community centre</i>		(1)
<i>Daycare</i>		(1)
<i>Outdoor recreation</i>	(1)	(1)
<i>Outside storage</i>	(2)	(2)
<i>Private or public park</i>	(1)	(1)
<i>Recreation facility</i>		(1)
<i>Renewable energy system (see s. 3.12)</i>	(2)	(2)
<i>Restaurant</i>	(2)	(2)
<i>Retail store</i>	(2)	(2)
<i>Studio</i>		(1)
<i>Wayside pit or quarry (see s. 3.21)</i>	(1)	(1)

10.3 Regulations

In the *zones* identified in Section 10.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 26.

Table 26:

Regulations for Permitted Uses in Open Space & Recreation Zones

Regulation	Zone Requirements	
	OS	OSR
Minimum <i>lot area</i>	-	2,000 m ²
Minimum <i>lot frontage</i>	-	15 m
Minimum <i>front yard</i>	7.5 m	7.5 m
Minimum <i>exterior side yard</i>	7.5 m	7.5 m
Minimum <i>interior side yard</i>	7.5 m	7.5 m
Minimum <i>rear yard</i>	7.5 m	7.5 m
Maximum <i>lot coverage</i>	5%	50%
Maximum <i>height</i>	9 m	11 m
Minimum <i>landscaped open space</i>	30%	20%, see Note (1)
Maximum <i>gross floor area</i> for accessory <i>retail store</i> and/or <i>restaurant</i>	100 m ²	100 m ²
Maximum <i>outside display and sales area</i>	5% of lot area	5% of lot area
Maximum <i>outside storage</i>	10% of <i>lot area</i> , see Note (2)	5% of <i>lot area</i> , see Note (2)

Notes to Table 26:

- (1) For *lots* abutting any *lot* in a Residential *Zone*, *planting strips* shall be provided in accordance with Subsection 3.7.2.
- (2) *Outside storage* shall be limited to the storage of recreational equipment used on the *lot*.

PART 11. GREENLANDS ZONES

11.1 Applicable Zones

The permitted *uses* and regulations of Part 11 apply to land within the following *zones*:

Zone	Symbol
Greenlands Zone – Type 1	GL1
Greenlands Zone – Type 2	GL2

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

11.2 Permitted Uses

In the *zones* identified in Section 11.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 27.

Table 27:
Permitted Uses in Greenlands Zones

Uses	Zones where Permitted (1) = Principal Use, (2) = Accessory Use	
	GL1	GL2
Accessory buildings or structures and accessory uses (see s. 3.1)		(2)
Conservation use	(1)	(1)
Existing agricultural use	(1)	(1)
Existing use		(1)

11.3 Regulations

In the *zones* identified in Section 11.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 28.

Table 28:
Regulations for Permitted Uses in Greenlands Zones

Regulation	Zone Requirements	
	GL1	GL2
Minimum <i>lot area</i>	-	-
Minimum <i>lot frontage</i>	-	-

Regulation	Zone Requirements	
	GL1	GL2
Minimum <i>front yard</i>	See Note (1)	9 m
Minimum <i>exterior side yard</i>	See Note (1)	9 m
Minimum <i>interior side yard</i>	See Note (1)	9 m
Minimum <i>rear yard</i>	See Note (1)	9 m
Maximum <i>lot coverage</i>	See Note (1)	5%
Maximum <i>height</i>	-	3 m
Minimum <i>landscaped open space</i>	-	-

Notes to Table 28:

- (1) No *buildings* or *structures* or site alteration shall be permitted within the GL1 Zone.

PART 12. DRINKING WATER SOURCE PROTECTION ZONES

12.1 Applicable Zones

The permitted *uses* and regulations of Part 11 apply to land within the following *zones*:

Zone	Symbol
Intake Protection <i>Zone</i> 1	IPZ-1
Intake Protection <i>Zone</i> 2	IPZ-2
Intake Protection <i>Zone</i> 3	IPZ-3

These *zones* apply to land identified with the corresponding *zone* overlays as shown in Schedule “A”.

12.2 Permitted Uses

In the *zones* identified in Section 12.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose that would constitute a *significant drinking water threat*. The permitted *uses* shall include the permitted *uses* of the underlying *zone*, where the *use* is not defined as a *significant drinking water threat*.

12.3 Regulations

In the *zones* identified in Section 12.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the regulations of the underlying *zone* for any *use* that is not a *significant drinking water threat*.

PART 13. OTHER ZONES

13.1 Applicable Zones

The permitted *uses* and regulations of Part 13 apply to land within the following *zones*:

Zone	Symbol
Development	D

This *zone* applies to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

13.2 Permitted Uses

In the *zone* identified in Section 13.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 27.

**Table 29:
Permitted Uses in Other Zones**

<i>Uses</i>	Zones where Permitted (1) = <i>Principal Use</i> , (2) = <i>Accessory Use</i>
	D
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)	(2)
<i>Conservation use</i>	(1)
<i>Existing use</i>	(1)

13.3 Regulations

In the *zone* identified in Section 13.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, alter or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Table 30.

**Table 30:
Regulations for Permitted Uses in Other Zones**

Regulation	Zone Requirements
	D
Minimum <i>lot area</i>	<i>Existing</i>
Minimum <i>lot frontage</i>	<i>Existing</i>
Minimum <i>front yard</i>	8 m
Minimum <i>exterior side yard</i>	8 m

Regulation	Zone Requirements
	D
Minimum <i>interior side yard</i>	3 m
Minimum <i>rear yard</i>	8 m
Maximum <i>lot coverage</i>	30%
Maximum <i>height</i>	9 m
Minimum <i>landscaped open space</i>	20%