

THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY  
BY-LAW NUMBER \_\_\_\_\_

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Bonnechere Valley pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13.

PREAMBLE

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, provides that the Council of a local municipality may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of Bonnechere Valley has recommended that such a by-law be enacted in order to implement the policies and designations as they relate to the Township of Bonnechere Valley, contained within the new Official Plan for the County of Renfrew approved by the Ministry of Municipal Affairs and Housing, with modifications, on June 16, 2003, and ensure proper and orderly development within the corporate limits of the Township of Bonnechere Valley;

AND WHEREAS the Council of the Corporation of the Township of Bonnechere Valley has deemed it to be in the public interest that such a by-law be enacted;

NOW THEREFORE the Council of the Corporation of the Township of Bonnechere Valley enacts as follows:

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LIST OF SCHEDULES

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Schedule A-2 Township of Bonnechere Valley Zoning By-law (Sebastopol)

Schedule A-3 Township of Bonnechere Valley Zoning By-law (Grattan)

Schedule A-4 Township of Bonnechere Valley Zoning By-law (Eganville)

## **SECTION 1.0 - AUTHORIZATION AND USAGE**

### **1.1 TITLE**

This By-law shall be known and may be cited as the “Zoning By-law” of the Corporation of the Township of Bonnechere Valley.

### **1.2 SCOPE**

#### **(a) Application of By-law**

The provisions of this By-law shall apply to all lands within the Corporation of the Township of Bonnechere Valley.

#### **(b) Conformity with By-law**

No building or structure shall hereafter be erected or altered, or shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

#### **(c) Changes Causing Contravention of By-law**

No person shall change the purpose of which any lot, building or structure is used, or erect any new building or structure or alter any existing building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

#### **(d) Unlawful Uses**

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully.

#### **(e) Other Restrictions**

This By-law shall not be used or have the effect to reduce or mitigate any other restrictions by an authority having lawful jurisdiction to make such restrictions.

#### **(f) Permits and Licences**

No Municipal permit, certificate or licence shall be issued for a proposed use of land, including any establishment, enlargement, alteration or change in use of any building or structure, that contravenes any provision of this By-law.

### 1.3 ADMINISTRATION

(a) Administrator

This By-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as Council may designate from time to time for such purpose.

(b) Inspection

The Zoning Administrator, Chief Building Official or any officer or employee of the Corporation assigned the responsibility for enforcing this By-law may at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he believes a contravention is occurring. However, such officer shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, except under the authority of a search warrant as set out in Section 49 of the Planning Act R.S.O. 1990, c.P.13.

(c) Certificate of Occupancy

No change may be made in the type of use of any lot covered by this By-law or of any building or structure on any such lot or of any part of such lot, building or structure, until a Certificate of Occupancy has been issued by the Chief Building Official or Zoning Administrator to the effect that the proposed use complies with this By-law.

(d) Violations and Penalties

Every person who contravenes any provision of this By-law on conviction is liable:

- (i) on a first conviction to a fine of not more than \$25,000.00; and
- (ii) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted,

Every corporation which contravenes any provision of this By-law on conviction is liable:

- (i) on a first conviction to a fine of not more than \$50,000.00; and
- (ii) on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- (iii) every such penalty described herein is subject to the provisions of Section 67 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and will change from time to time in accordance with the said Act.

(e) Remedies

Where a building or structure is or is proposed to be erected, altered or enlarged, or a building, structure or lot is or is proposed to be used in contravention of any provision of this By-law, such contravention may be restrained by action at the insistence of any taxpayer or resident of the Corporation.

(f) Plans to Accompany Applications

In addition to all of the requirements of the Building Code and this By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan, in duplicate, drawn to scale and showing:

- (i) the true dimensions of the lot to be built upon or otherwise used;
- (ii) the location of all existing buildings, structures or uses on the lot;
- (iii) the proposed location, height and dimensions of any building, structures or use proposed for such lot;
- (iv) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law.
- (v) a statement, signed by the owner, disclosing the specific existing or proposed use for each existing or proposed building or structure, and containing all information necessary to determine if such existing or proposed building, structure or use conforms to the requirements of this By-law.

#### 1.4 VALIDATION

(a) Effective Date

This By-law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

(b) Repeal of Existing By-laws

From the coming into force of this By-law all previous By-laws passed by the Township, under Section 34 of the Planning Act or a predecessor thereof, shall be repealed.

(c) Validity

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

(d) Schedules to By-law

The zones set out in this By-law and the boundaries of such zones are set out in the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.5 **INTERPRETATION**

(a) For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “used” shall also mean “designed to be used”; and the word “occupied” shall also mean “designed to be occupied”.

(b) Boundaries of Zones

Where uncertainty exists with respect to the boundaries of the various zones as shown on the Schedules (zoning maps) attached to this By-law the following rules shall apply,

(i) Centreline Limits

Where the boundary is shown as following a street, lane, railway right-of-way or other right-of-way, such zone boundary shall be the centreline of the street, lane, railway right-of-way or other right-of-way.

(ii) Lot Lines

Where the boundary is not shown to be a street, or other feature described in item (i), but is shown to substantially follow a lot line, such lot line shall be the zone boundary unless specifically indicated otherwise on the Schedule;

(iii) Closed Road, Right-of-Way

In the event that a dedicated road, lane or railway right-of-way shown on the Schedule is closed, the property formerly in such road, lane or railway shall be included within the zone of adjoining property on either side of such closed feature. Where such closed feature formed a zone boundary, the new zone boundary shall be the former centreline of the closed road, lane or railway.

(iv) Shoreline

Where the boundary is shown as following the shoreline of any waterbody, the high water mark or to the surveyed area of water lots where applicable, shall be the zone boundary.

(v) Other Boundaries

Where none of the above interpretations can be applied, then the location of the boundary shall be determined by scaling from the original Schedule(s) located in the Municipal offices.

(c) Measurements

Where linear distances, other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

## **SECTION 2.0 - DEFINITIONS**

For the purpose of this By-law the definitions and interpretations of this section shall apply.

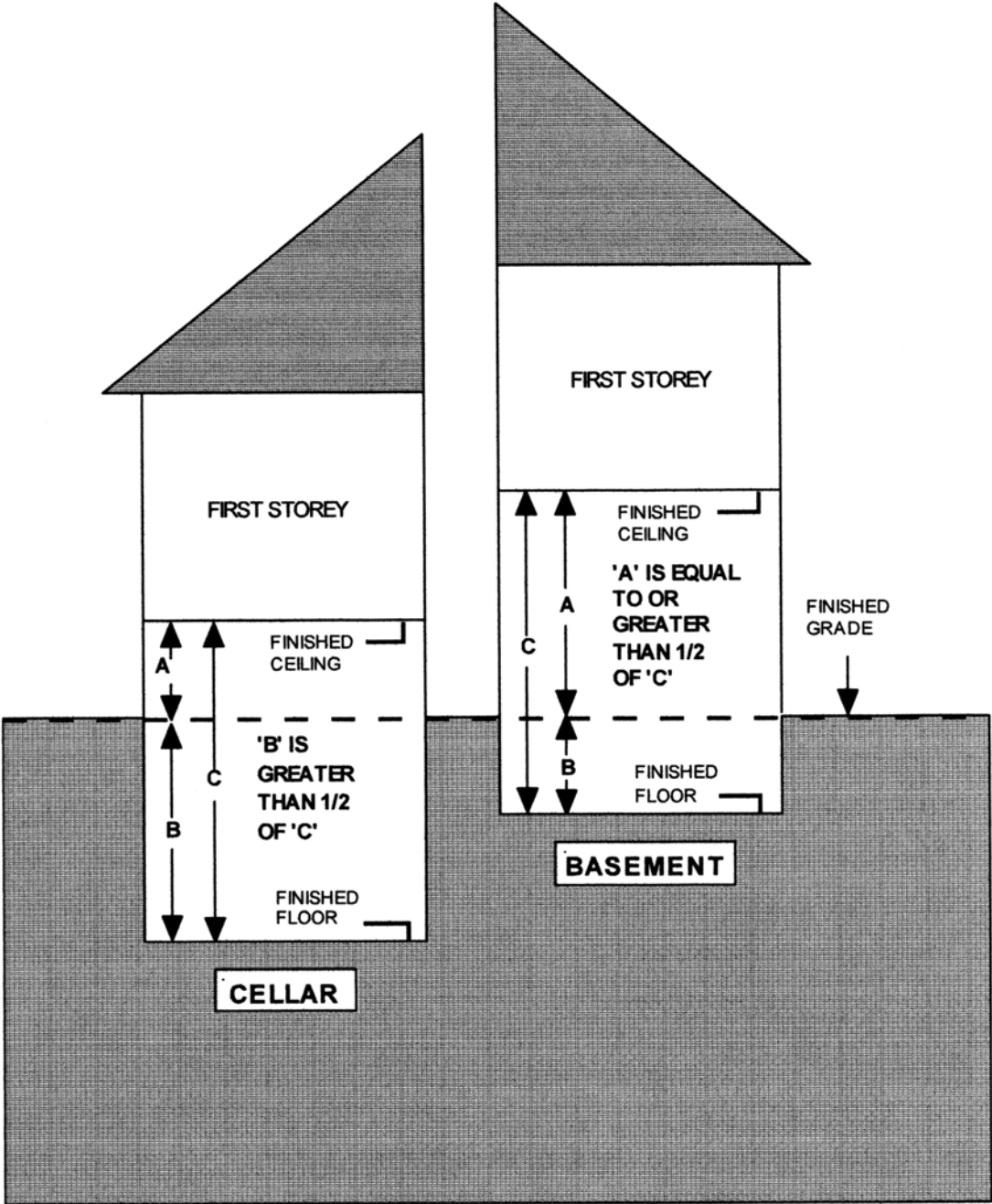
- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is customarily incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified. An adult entertainment parlour shall not be considered as an accessory use.
- 2.4 ADULT ENTERTAINMENT PARLOUR shall mean any premise or part thereof in which, in pursuance of a business, trade, calling or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations, are provided. This definition includes a body-rub parlour but does not include the exhibition, rental, or sale of film or videos approved for distribution pursuant to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law.
- 2.4.1 SERVICES APPEALING TO OR DESIGNED TO APPEAL TO EROTIC OR SEXUAL APPETITES OR INCLINATIONS shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 2.5 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.6 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and sub-surface drainage materials and equipment. This definition shall also include such goods and services as the selling, processing and storage of seed, feed and fertilizer and chemical products.
- 2.7 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport as defined under the regulation of Transport Canada.
- 2.8 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.

- 2.9 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. Alter shall also mean activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site. When used in reference to the words “altered” and “alteration” shall have a corresponding meaning.
- 2.10 AMUSEMENT RIDES AND GAMES means the use of lands, buildings or structures, for the provision of rides operated for gain and made available for the entertainment or amusement of the general public and may include an amusement arcade but shall not include an adult entertainment parlour.
- 2.10.1 AMUSEMENT ARCADE means any premises or part thereof containing four or more electronic, mechanical, pinball or amusement machines operated for gain and made available for the entertainment or amusement of the general public. This definition does not include establishments which sell such devices, provide that such devices are not made available on the premises for use on a commercial basis by the public.
- 2.11 ANIMAL HOSPITAL means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian, but shall not include a kennel.
- 2.12 ANTIQUE FURNITURE RESTORATION WORKSHOP, CABINET-MAKING SHOP AND SHOWROOM means an establishment engaged in the refinishing and restoration of antique furniture and includes a cabinet-making shop, and a showroom for the storage, and display of the finished product.
- 2.13 AREA OF NATURAL AND SCIENTIFIC INTEREST (ANSI) means areas of land and/or water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.
- 2.14 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.
- 2.15 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.16 ATTACHED shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.

## 2.17 AUTOMOTIVE SERVICES

- 2.17.1 AUTOMOTIVE STORE shall mean an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance repair operations on motor vehicles.
- 2.17.2 BODY SHOP shall mean a building or structure used for the painting or repairing of automobile bodies or fenders, but shall not include a salvage yard.
- 2.17.3 CAR WASH shall mean a building or structure containing facilities for washing automobiles, either by production line methods and mechanical services or by a self-service operation.
- 2.17.4 COMMERCIAL GARAGE shall mean a building where all functions of an automobile service station may be carried out and where major repairs of motor vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.17.5 GASOLINE BAR means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- 2.17.6 SERVICE STATION shall mean a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.17.7 VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.18 BANK AND FINANCIAL INSTITUTION shall mean a building or part thereof used for a bank, mortgage or trust company, finance company or investment company.
- 2.19 BASEMENT shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.

# ILLUSTRATION OF CELLAR AND BASEMENT DEFINITIONS



Note: the above illustration is for clarification purposes only.

- 2.20 **BED AND BREAKFAST ESTABLISHMENT** means an owner-occupied single detached dwelling or portion thereof in which there are no more than five (5) guest rooms, used or maintained for hire or gain on a temporary or day-to-day basis, as accommodation with or without meals, for other persons, particularly tourists or vacationers. The Bed and Breakfast Use shall remain subordinate to the primary use of the building as a single detached dwelling. This definition shall not include a motel, hotel, apartment dwelling house, boarding house, rooming house, restaurant or any other establishment defined in this By-law.
- 2.21 **BERM** means a landscaped mound of earth.
- 2.22 **BOAT DOCKING OR LAUNCHING FACILITIES** shall mean a structure for the mooring or launching of boats or other forms of water transportation, that is attached to or forms part of the mainland or is used in conjunction with a use on the mainland.
- 2.23 **BOAT HOUSE** shall mean a detached, accessory building or structure erected at the high water mark, which is solely designed or used for the sheltering of a boat or other form of water transportation and the storage of household equipment incidental to the residential use of the property and shall not be used for human habitation or contain food preparation or sanitary facilities.
- 2.24 **BOAT SALES, SNOWMOBILE, TRAILER AND CYCLE SALES AND/OR RENTALS** shall mean an establishment for the sale, rental, and/or lease of boats or other forms of water craft, snowmobiles, motorcycles, all-terrain vehicles, trailers, associated accessories and/or other similar equipment or vehicles.
- 2.25 **BOARDING HOUSE** means a dwelling in which the proprietor supplies for gain rooms for more than 3 boarders or and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.26 **BODY-RUB PARLOUR** shall mean any premise or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are 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. Body-rub shall mean the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.
- 2.27 **BUFFER** means a method of control used to prevent or minimize the adverse effects of incompatible land uses and may be in the form of:
- (i) a land area or intervening open space sufficient to provide the necessary distance separation;
  - or

- (ii) a natural or man-made feature such as a berm, wall, barrier, planting, topography, trench, fence, or other structure or technical control (ie., solid brick walls, triple-glazed windows, an active or passive gas venting system, etc.) the purpose of which is to lessen the effect of noise, odour, vibrations, visual impacts, but which shall not be a fortification as defined elsewhere in this By-law; or
  - (iii) a land use different from the conflicting ones but compatible with both; or
  - (iv) any combination of the aforementioned sufficient to accomplish the intended purpose.
- 2.28 **BUFFER STRIP** means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm, or any combination of the aforesaid.
- 2.29 **BUILDING** means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.30 **BUILDING ENVELOPE** means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.31 **BUILDING SUPPLY STORE** means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditioners and similar items.
- 2.32 **BUTCHER SHOP** shall mean an establishment where meat, poultry and/or fish are cooked, cured, cut or otherwise prepared and are offered for retail sale, but does not include the smoking of meats, a meat products plant, a stock-yard, abattoir, tannery or hide processing plant, a poultry-killing establishment, an animal food factory or an animal by-products plant.
- 2.33 **CAMP, RECREATION** means a recreational establishment operated by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodges and shall include a day camp or scout camp but does not include a tent and trailer campground or a mobile home park.
- 2.34 **CAMPING ESTABLISHMENT** means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 2.35 **CELLAR** shall mean the portion of a building between two floor levels which is partly underground and which has more than one-half of its height from finished floor to finished ceiling below adjacent finished grade.
- 2.36 **CEMETERY** means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.

- 2.37 CHURCH means a building commonly used by any religious organization as defined in the Religious Organizations Land Act, R.S.O., 1980 as amended for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.
- 2.38 CLINIC means a building or part thereof, used exclusively by physicians, dentists, homeopaths, chiropractors, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms and shall not include a body-rub parlour as defined in this By-law.
- 2.39 COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.40 CONCRETE MANUFACTURING PLANT means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structure, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.
- 2.41 CONTRACTOR'S YARD OR SHOP shall mean an area of land of a contractor of any building trade where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.42 CONVENIENCE STORE means a one-storey retail store having a gross leasable floor area of not more than 186 square metres that is designed and stocked to sell a variety of necessity items and goods including, but not limited to food, beverages, patent medicines, periodicals, personal hygiene products and cleaning supplies, primarily to residents of the immediate neighbourhood or to the travelling public.
- 2.43 CORPORATION means the corporation of the Township of Bonnechere Valley.
- 2.44 COTTAGE means a building to accommodate one or more guests for temporary occupancy,
- (i) that is at least partially furnished; and
  - (ii) in which the guest may be permitted to prepare and cook food.
- 2.45 COTTAGE ESTABLISHMENT means a tourist establishment comprising of two or more cottages owned or leased by the same person.
- 2.46 CUSTOM WORK SHOP means a building or structure or part thereof where the manufacturing of small quantities or articles is performed by the tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of materials.
- 2.47 DAY CARE CENTRE, HOME shall mean a dwelling that receives not more than five (5) children,

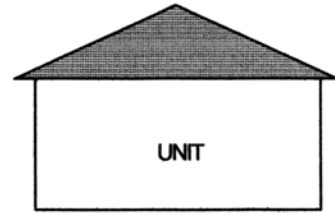
for temporary care and guidance, for a continuous period which does not exceed 24 hours.

- 2.48 DAY NURSERY means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- 2.49 DEVELOPMENT means a) the construction, erection or placing of a building or structure of any kind; or b) the making of an addition or alteration to a building or structure that has the effect of changing the size or usability of it; or c) such activities as site grading, excavation and the placing or removal of fill that would change the landform and/or natural vegetative characteristics of the site.
- 2.50 DRIVEWAY means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.51 DWELLING means a building or part of a building containing one or more dwelling units.
- 2.51.1 ACCESSORY DWELLING UNIT means a dwelling unit accessory to a permitted non-residential use.
- 2.51.2 APARTMENT DWELLING HOUSE means the whole of a building not otherwise defined herein, which contains five (5) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 2.51.3 CLUSTER HOUSING means two or more separate single detached, semi-detached, duplex, two unit, triplex, three unit, four unit, row house and/or apartment dwelling houses for senior citizens located on the same lot, which lot is retained under common ownership.
- 2.51.4 DUPLEX DWELLING means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.51.5 DWELLING UNIT means a suite of habitable rooms which:
- (i) is located in a building;
  - (ii) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
  - (iii) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
  - (iv) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.

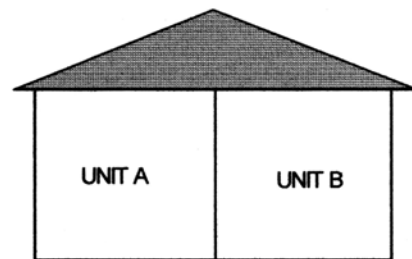
- 2.51.6 **FOUR UNIT DWELLING** means a separate building containing four dwelling units.
- 2.51.7 **LIMITED SERVICE DWELLING** means a single-detached dwelling which:
- (i) does not front on a municipally owned and maintained street, and
  - (ii) does not receive municipal street services, such as snow clearing and road maintenance, and where the owner is responsible for services such as snow clearing and road maintenance and ensuring that the road condition is adequate for access by emergency vehicles, including fire, ambulance and police; and
  - (iii) the means of access to the lot is not part of the municipal street network
- 2.51.8 **MULTIPLE ATTACHED DWELLING** means a building that is divided vertically into four or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit and shall also include a townhouse or a rowhouse.
- 2.51.9 **SEMI-DETACHED DWELLING** means a building that is divided vertically into separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.
- 2.51.10 **SINGLE DETACHED DWELLING** means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home.
- 2.51.11 **THREE UNIT DWELLING** means a separate building containing three dwelling units.
- 2.51.12 **TRIPLEX DWELLING** means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.51.13 **TWO UNIT DWELLING** means a separate building containing two dwelling units.
- 2.52 **DWELLING UNIT AREA** means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.53 **EATING ESTABLISHMENT** means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house or a tavern.
- 2.54 **EATING ESTABLISHMENT, DRIVE-IN** means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking

## ILLUSTRATIONS OF DWELLING TYPES

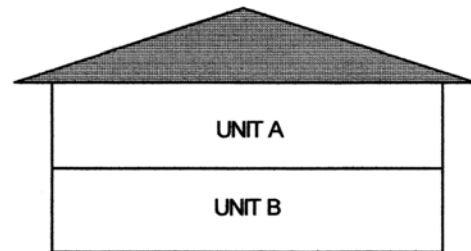
***DETACHED***



***SEMI-DETACHED***



***DUPLEX***



***MULTIPLE ATTACHED***



Note: The above illustrations are for clarification purposes only.

lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this By-law.

- 2.55 EATING ESTABLISHMENT, FULL SERVICE means a building or part thereof where food is prepared and offered for sale to the public for immediate consumption on or off the premises.
- 2.56 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building. No provision is made for consumption of the food within the customer's car, within the building or elsewhere on the site.
- 2.57 EQUIPMENT RENTAL ESTABLISHMENT means an establishment where construction tools and/or equipment are offered for rent.
- 2.58 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.
- 2.59 ESTABLISHED BUILDING LINE means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.
- 2.60 EXISTING shall mean legally existing as of the date of final passage of this By-law.
- 2.61 EXTRACTIVE INDUSTRIAL FACILITY means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation.
- 2.62 FACTORY OUTLET means a building accessory to a permitted industrial use where the products manufactured by that industry are kept for wholesale or retail sale.
- 2.63 FARM means a farm residence, farm buildings and accessory uses and structures and land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops. This definition may also apply to land used for livestock raising, dairying, woodlots, horticultural crops, fish farming and beekeeping.
- 2.64 FARM, LIMITED means the raising and harvesting of field, bush, vine, forest or tree crops grazing and trapping and does not include a farm dwelling and accessory buildings and uses.
- 2.65 FARM PRODUCE SALES OUTLET means a fruit, vegetable, flower or farm produce stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.
- 2.66 FARM PRODUCE PROCESSING means a facility where farm produce is processed prior to sale, but shall not include a manufacturing plant as defined elsewhere in this By-law.
- 2.67 FLOOD means a temporary rise in the water level resulting in the inundation of areas adjacent

to a watercourse not ordinarily covered by water.

- 2.67.1 FLOOD PLAIN means the area of land within a watershed which is subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in a hundred years. Lands subject to flooding shall have a corresponding meaning.
- 2.68 FLOOR AREA, GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter metres (2.25 metres) may be used to calculate floor area.
- 2.69 FLOOR AREA, GROSS LEASABLE means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including cellars, public walkways, malls, public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.
- 2.70 FLOOR AREA, NET shall mean only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.71 FLOWER SHOP shall mean a retail store where flowers and plants are sold or offered for sale to the public and such use may include the incidental raising and arranging of flowers and plants for sale in the store, but shall not include a garden centre as defined elsewhere in this By-law.
- 2.72 FOOD CATERING ESTABLISHMENT means any premises where food is prepared for banquets, weddings etc. and where such food is prepared for consumption off the premises.
- 2.73 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.74 FORTIFICATION means the installation, application or maintenance of devices, barriers or materials in a manner designed to restrict, obstruct or impede municipal law enforcement officials and/or emergency personnel from accessing or exiting land.
- 2.75 FUEL DEPOT means the use of land, structures or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.
- 2.76 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

- 2.77 FUNERAL HOME means any premises where preparation of a human body for interment or cremation is undertaken, but shall not include a crematorium.
- 2.78 FURNITURE SHOWROOM AND WORK SHOP means an establishment where furniture products are offered for sale to the public and may also be constructed and/or repaired on the same premises.
- 2.79 GARAGE OR CARPORT (PRIVATE) means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 2.80 GARAGE, PUBLIC shall mean a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.81 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses, for the cultivation of such materials.
- 2.82 GARDEN SUITE shall mean a one-unit detached residential structure, containing bathroom and kitchen facilities, that is ancillary to an existing residential structure and that is designed to be portable.
- 2.83 GOLF COURSE shall mean a public or private area operated for the purpose of playing golf including a par three golf course, driving range, miniature golf course or combination thereof.
- 2.84 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes.
- 2.85 GROUP HOME means a single housekeeping unit in a residential dwelling in which residents live together under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and federal statute.
- 2.86 HEIGHT means when used with reference to a building the vertical distance between the average elevation of the finished surface of the ground at the front of the building and:
- (a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater,
  - (b) in the case of a mansard roof, the deck roof line, and
  - (c) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge.
- 2.87 HIGH WATER MARK means the mark made by the action of water under natural conditions on the shore or bank of a waterbody, which action has been so common and usual and so long

continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

- 2.88 HOME DISPLAY AND SALES OUTLET shall mean an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.89 HOME FOR THE AGED means a “home for the aged” as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.90 HOME INDUSTRY means a gainful occupation, service, or trade, including a day nursery, carpentry, electrical, woodworking, window framing, welding, plumbing, machine or auto repair shop, riding stables, a kennel with a maximum of four outdoor runs, a service shop, a blacksmith or a storage building for school buses, boats or snowmobiles, and conducted in whole or in part in a building or structure accessory to a dwelling or in an attached garage.
- 2.91 HOME OCCUPATION means an occupation, business, or craft conducted for gain or support which is carried on as an accessory use either within a dwelling or dwelling unit and operated by the occupants residing in a dwelling or dwelling unit. Such home occupation uses may include a service or repair shop, a personal service shop, the office or consulting room of a doctor; dentist, chiropractor, licensed massage therapist, homeopath, drug-less practitioner, lawyer, or real estate agent, insurance agent, planner, architect, photographer, teacher, music or dance instructor, engineer, pottery, ceramics, arts and crafts or home day care centre, but shall not include a clinic, a hospital, a nursing home, a tea room, kennel, a small internal combustion engine repair shop, welding, machine or auto repair, body rub parlour or adult entertainment parlour.
- 2.92 HOSPITAL
- 2.92.1 PRIVATE HOSPITAL shall mean a hospital as defined in the Private Hospitals Act, as amended, and a sanitarium as defined by the Private Sanitarium Act as amended from time to time.
- 2.92.2 PUBLIC HOSPITAL shall mean a hospital as defined by the Public Hospital Act amended from time to time.
- 2.93 HOTEL means a tourist establishment that consists of one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and may or may not have facilities for serving meals.
- 2.94 HUNTING OR FISHING CAMP means a building or structure intended to provide basic shelter and accommodation for a person or group of persons engaged in hunting or fishing activities or other outdoor recreational activities on an occasional or seasonal basis in a remote location where municipal or community services are usually not available. Such structure may be described as being of light frame construction without any water or wash facilities. A hunting or fishing camp does not include a dwelling or a commercial use.



- 2.95 KENNEL means an establishment where any person, group of persons, partnership or corporation is engaged in the commercial business of breeding, buying, selling or boarding dogs, cats or domesticated animals.
- 2.96 LANDFILL SITE means a site for the disposal of waste by deposit under controlled conditions, and includes the compaction of the waste into a cell and covering the waste with cover materials at regular intervals.
- 2.97 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and/or trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.
- 2.98 LANE means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- 2.99 LAUNDROMAT means a building or structure where coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purposes of cleaning laundry.
- 2.100 LAUNDRY AND DRY CLEANING ESTABLISHMENT means a building or structure or part thereof where a business of dry cleaning, dry dyeing, laundering, cleaning or pressing of articles or goods of fabric, is carried on.
- 2.101 LEAF OR NEEDLE OIL PROCESSING PLANT means a building or structure or part thereof where the processing of leaves or needles is undertaken in order to produce leaf or needle oil.
- 2.102 LIVESTOCK means chickens, turkeys, cattle, hogs, mink, rabbits, sheep, goats or any other domestic animal used for consumption.
- 2.103 LOGGING HAULER means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor, and may include the storage of logs, but shall not include sawmill or the processing of logs.
- 2.104 LOT means a parcel or tract of land:
- (a) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of the Planning Act, R.S.O. 1990, c.P. 13 as amended.
  - (b) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or

- (c) the description of which is the same as in a deed which has been given consent pursuant to The Planning Act, R.S.O. 1990, c.P. 13 as amended.
- 2.105 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.106 LOT, CORNER means a lot having street frontage adjoining the point of intersection of two or more streets.
- 2.107 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings but not including septic systems.
- 2.108 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 along a line seven and one-half (7.5) metres back from and parallel to the street line. Notwithstanding Section 2.111 (i), in the case of a corner lot, where the shorter line does not meet the minimum lot frontage requirement of the applicable Zone, the lot frontage shall be measured along the longer lot line.
- 2.109 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.110 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.111 LOT LINE, FRONT means the street line with the following clarifications:
- (i) in the case of a corner lot, the shorter street line shall be deemed the front lot line and the longer street line shall be deemed the side lot line;
  - (ii) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;
  - (iii) in the case of a corner lot abutting a 0.3 metre reserve the lot line so abutting the 0.3 metre reserve shall be deemed an exterior side lot line and the street line shall be deemed the front lot line;
  - (iv) in the case of a through lot, the longer street line shall be deemed to be the front lot line and the opposite shorter street line shall be deemed to be the rear lot line;
  - (v) in all other cases, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.
- 2.112 LOT LINE, REAR means the lot line opposite the front lot line.

- 2.113 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.114 LOT, THROUGH means a lot bounded on two opposite sides by a street line. If any lot qualifies as being both a “Lot, Corner” and a “Lot, Through” as hereinbefore defined, such lot shall be deemed a “Lot, Corner” for the purpose of this By-law.
- 2.115 LOT WIDTH means the shortest horizontal distance between the side lot lines measured through the mid-point of the line representing the rear of the required front yard.
- 2.116 MAIN BUILDING means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 2.117 MANUFACTURING PLANT means a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.
- 2.118 MARINA means a building, structure or place, containing docking and/or launching facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.119 MEAT PRODUCTS PLANT shall mean a canned meat factory, sausage factory, meat processing plant and any other factory where meat or poultry are cooked cured, smoked or otherwise processed or packed but does not include a stock-yard, abattoir, tannery or hide processing plant, a poultry-killing establishment, an animal food factory or an animal by-products plant.
- 2.120 MINI STORAGE ESTABLISHMENT means one or more than one building containing separate spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels.
- 2.121 MINE means any opening or excavation in, or working of, the ground for the purpose of winning any mineral or mineral bearing substance, and all ways, works machinery, plant, buildings and premises below or above the ground relating to or used in connection with the opening, excavation or working of the ground and includes any roasting or smelting furnace, concentrator, mill, work or place used for or in connection with washing, crushing, grinding, sifting, reducing, leaching, roasting, smelting, refining or treating any mineral bearing substance, or conducting research on them and includes tailings, waste rock, stockpiles of ore or other material or the lands related to them and mines that have been temporarily suspended, rendered inactive, closed out or abandoned.
- 2.122 MINING means any mode or method of working whereby the earth or any rock, stratum, stone or mineral-bearing substance may be roasted, smelted, concentrated, milled, washed, crushed, ground, sifted, reduced, leached, refined or dealt with for the purpose of obtaining any mineral therefrom, whether it has been previously disturbed or not.
- 2.123 MOBILE HOME means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has

become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 46(1)(a) of the Planning Act, R.S.O. 1990, c.P. 13 as amended from time to time, or any successors thereto.

- 2.124 **MOBILE HOME PARK** means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.125 **MOBILE HOME SITE** means a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 2.126 **MOTEL** means a tourist establishment that consists of:
- i) one or more than one building containing four or more attached accommodation units accessible from the exterior only;
  - ii) may or may not have facilities for serving meals; and
  - iii) is designed to accommodate the public for whom the automobile is the principal means of transportation.
- 2.127 **MOTOR HOTEL** means a tourist establishment that consists of:
- i) one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior;
  - ii) may or may not have facilities for serving meals, and
  - iii) is designed to accommodate the public for whom the automobile is the principle means of transportation.
- 2.128 **MUSEUM** means a building or structure used for the display and/or preservation of a collection of paintings, photographs and/or other works of art, objects of natural or cultural history, mechanical, scientific or philosophical inventions, instruments, models and/or designs, dedicated to the recreation and education of the public, and may include libraries, reading rooms, laboratories and/or other offices and premises used in connection therewith.
- 2.129 **MUTUAL DRIVEWAY** means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.130 **NAVIGABLE WATERWAY** means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.131 **NON-CONFORMING** means that which does not conform, comply or agree with the regulations

of this Bylaw as of the date of final passing thereof.

- 2.132 NOXIOUS USE shall mean an offensive trade within the meaning of the Health Protection and Promotion Act, as amended, and the Environmental Protection Act or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.
- 2.133 NURSING HOME shall mean a nursing home as defined under the Nursing Home Act, as amended from time to time.
- 2.134 OFFICE - BUSINESS shall mean an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization.
- 2.135 OFFICE - PROFESSIONAL shall mean any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.136 OPEN STORAGE means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air in the side.
- 2.137 OUTDOOR FURNACE means a solid fuel burning appliance located to the exterior of the building it serves and is used for the space heating of buildings and/or domestic water heating and does not include the incineration of waste as defined in Section 25 of the Environmental Protection Act.
- 2.138 PAINTBALL RECREATION ESTABLISHMENT shall mean the use of land for the purpose of paintball games for gain or profit.
- 2.139 PARK means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.
- 2.139.1 PUBLIC PARK means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.139.2 PRIVATE PARK means a park other than a public park.
- 2.140 PARKING AREA means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.141 PARKING SPACE shall mean an area measuring not less than (2.7) metres by (5.5) metres exclusive of driveways or aisles, provided for the temporary parking or storage of motor vehicles.

- 2.141.1 **DISABLED PARKING SPACE** shall mean an area of not less than nineteen and one half (19.5) square metres measuring (3.5) metres by (5.5) metres exclusive of driveways or aisles, provided for the temporary parking or storage of motor vehicles for exclusive use of persons with disabilities.
- 2.142 **PERMITTED** means permitted by this By-law.
- 2.142 **PERSON** includes an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.144 **PLACE OF ENTERTAINMENT** means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include an adult entertainment parlour or any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.145 **PLACE OF WORSHIP** means lands or buildings owned or occupied for worship by a religious organization or congregation that is:
- (i) a charitable association under the laws of Canada;
  - (ii) organized for the advancement of religion and for the conduct of religious worship, service or rites, including related social and charitable activities; and
  - (iii) is permanently established as to the continuity of its existence.
- A place of worship, includes a church as defined elsewhere in this By-law and may also include a synagogue or a mosque and accessory uses such as a day nursery, a parish hall, or a residence for the head of a congregation.
- 2.146 **POST OFFICE** means a building or structure or part thereof, used for the sale of postal products and/or the distribution, collection and sorting of mail.
- 2.147 **PRIVATE CLUB** means a building or part of a building used as a meeting place for members of a chartered organization, and shall include a lodge, a fraternity or sorority house, hostel, and a labour union hall, but does not include an adult entertainment parlour.
- 2.148 **PRIVATE ROAD** means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.149 **PROPANE STORAGE AND SALES DEPOT** means an establishment for the sale and storage of propane and associated equipment and tanks.
- 2.150 **PUBLIC AUTHORITY** means the Council of the Township of Bonnechere Valley and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other Board or

Commission or Committee of the Township of Bonnechere Valley, established or exercising any power or authority under any general or special statutes of the Province of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Municipality.

- 2.151 **PUBLIC BUILDING** means any building or structure owned or leased by a municipal corporation, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.152 **PUBLIC UTILITY** means any one of the following: a waterworks; a water supply system; sewage works; electrical power or energy generating transmission or distribution system; street lighting system; natural or artificial gas works or supply system; or a telephone system; and includes any lands, buildings or equipment required by a Public Authority for the administration or operation of any such system.
- 2.153 **QUARRY** means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 2.154 **RECREATION, ACTIVE** means the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a sports field, and motorized vehicle trails, including snowmobiles and all terrain vehicles.
- 2.155 **RECREATION, PASSIVE** means the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a playlot with activity equipment for children.
- 2.156 **RECREATIONAL VEHICLE** means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.
- 2.157 **RECREATIONAL VEHICLE CAMPGROUND OR PARK** means a parcel of land under common ownership which is designed, developed and maintained or intended to provide accommodation on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. It may also include accessory uses such as an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities.
- 2.158 **RELIGIOUS EDUCATION FACILITY** shall mean an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining and lodging facilities, accommodation for staff and compatible accessory uses.
- 2.159 **REQUIRED** means required by this By-law.

- 2.160 RESORT means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation or retreat and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, and accessory personal service, retail, spa and recreational uses but shall not include an adult entertainment parlour or any establishment otherwise defined herein.
- 2.161 RESTAURANT see EATING ESTABLISHMENT
- 2.162 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein.
- 2.163 RIDING STABLES means an establishment where horses are kept and where, for a fee, horses are hired out to the general public for riding.
- 2.164 ROAD, PUBLIC see STREET
- 2.165 ROAD ALLOWANCE (STREET ALLOWANCE) means land held under public ownership for the purpose of providing a street.
- 2.166 ROOM, HABITABLE means a room which:
- i) is located within a dwelling unit;
  - ii) is designed for living, sleeping or eating or for sanitary purposes;
  - iii) can be used at all times throughout the year; and
  - iv) is not located within a cellar.
- A habitable room does not include any room specifically defined herein as a non-habitable room.
- 2.167 ROOM, NON-HABITABLE means any room located within a dwelling unit that is not a habitable room, including, but not so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.168 SALVAGE YARD includes a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires under 500 tire units or a total volume less than 30 cubic metres, metal and/or other scrap material and includes a junk yard, scrap metal yard and an automotive wrecking establishment (as defined in this By-law), including ancillary automotive sales and service establishment and premises.
- 2.169 SAWMILL means a building, structure or area where timber is cut or stored, either to finished

lumber or as an intermediary step.

- 2.170 SCHOOL means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.171 SENIORS BOARDING RESIDENCE shall mean a dwelling in which the proprietor resides and supplies, for gain, accommodation, which may include the provision of meals, for not more than eight seniors.
- 2.172 SENIOR CITIZEN'S HOME means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof, and such homes include auxiliary uses such as club, kitchen, dining and/or lounge facilities, usually associated with Senior Citizens development and may also include accessory personal service, retail and recreational uses for the residents.
- 2.173 SENIOR CITIZEN HOUSING means two or more separate semi-detached, duplex, two unit, triplex, three unit, four unit, row house and/or apartment dwelling houses for senior citizens located on the same lot, which lot is retained under common ownership and is sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof.
- 2.174 SEPARATION DISTANCE means the horizontal distance between buildings or structures or physical features measured from the closest point on the exterior wall of such buildings or structures or such physical features.
- 2.175 SEPTAGE means untreated sanitary waste from a septic tank, and corresponds to Hauled Sewage as defined under the Environmental Protection Act.
- 2.176 SEPTAGE DISPOSAL SITE means a site where untreated sanitary waste from a septic tank is stored or disposed of.
- 2.177 SERVICE SHOP, GENERAL means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, upholstery, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.178 SERVICE SHOP, PERSONAL means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, dressmaking, bakery shops and photographic studios.

- 2.179 SEWAGE SLUDGE means waste from a sewage treatment plant that is predominantly organic in composition and that has been treated by aerobic or anaerobic digestion or other means.
- 2.180 SEWAGE SLUDGE SITE means a site where the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater is stored or disposed of.
- 2.181 SHOPPING CENTRE shall mean a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.182 SHOPPING PLAZA shall mean a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- 2.183 SIGHT TRIANGLE shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street to a point in the other street line, each such point being 6.0 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
- 2.184 SLEEP CABIN means a building or structure designed and built for temporary human accommodation which may contain separate heating facilities but no culinary or sanitary facilities.
- 2.185 SNOWMOBILE OR ATV TRAILS shall mean the use of land for recreational trails for the operation of snowmobiles, motorized off-road vehicles, and ATVs (all terrain vehicles).
- 2.186 STREET means a public highway or public road under the jurisdiction of either the Corporation, the County of Renfrew or the Province of Ontario, and includes any highway as defined in the Municipal Act (R.S.O. 1980), Chapter 302, as amended but does not include a lane, a driveway, a private road.
- 2.187 STREET ALLOWANCE (Road Allowance) means land held under public ownership for the purpose of providing a street.
- 2.188 STREET, IMPROVED means a road allowance which has been improved and maintained in such a manner so as to permit its use by normal vehicular traffic on a year-round basis.
- 2.189 STREET LINE a lot line dividing a lot from the limit of the street allowance or private road.
- 2.190 STREET, MINIMUM MAINTENANCE means a public road that is under the jurisdiction of the

Township and that is maintained to a standard acceptable for normal summer use only. STREET, SEASONAL shall have a corresponding meaning.

- 2.191 STRUCTURE means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground, including a septic system.
- 2.192 TAVERN OR PUBLIC HOUSE means a tavern or public house as defined in the Liquor Licence Act, but does not include a hotel or eating establishment.
- 2.193 TAXI STAND means the permanent location of a taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 2.194 TEA ROOM, see EATING ESTABLISHMENT.
- 2.195 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of the travelling or vacationing public.
- 2.196 TOURIST INFORMATION CENTRE means a building or structure or part thereof where information and maps are distributed and/or sold primarily to tourists or the travelling or vacationing public.
- 2.197 TOWNSHIP means the Corporation of the Township of Bonnechere Valley, or land included within the Township of Bonnechere Valley as appropriate.
- 2.198 TRAILER means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.
- 2.199 TRAILER, TENT OR TRAVEL means any trailer 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.
- 2.200 TRAILER PARK see Recreational Vehicle campground.
- 2.201 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.
- 2.202 TRANSMITTER TOWER means a tower for the transmission of radio, television and/or telephone signals.
- 2.203 TRUCK TERMINAL means a building, structure or place where trucks or transports are rented leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 2.204 USE when used as a noun shall mean the purpose for which a lot, building or structure or any

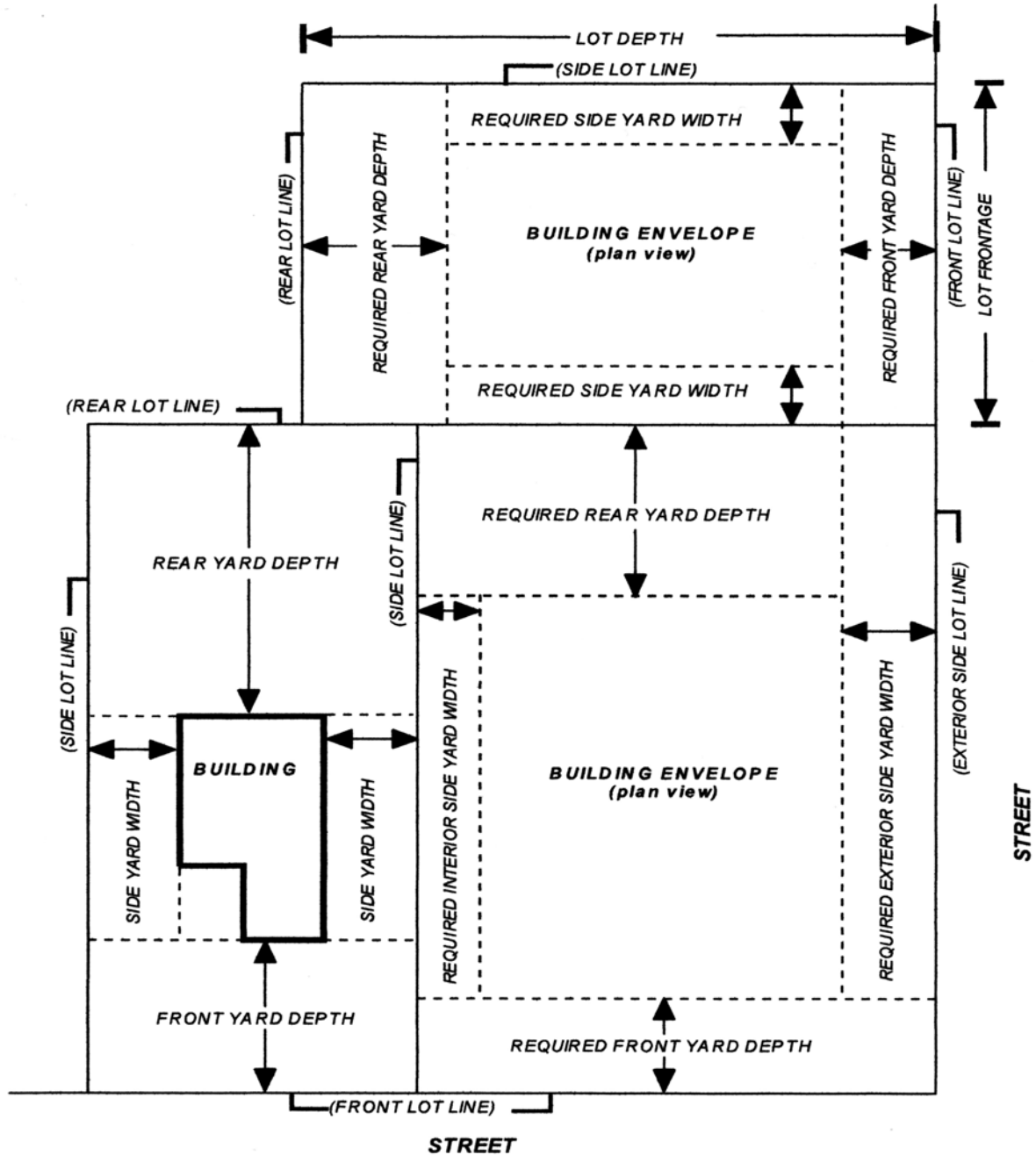
combination thereof is designed, arranged, occupied, intended, held or maintained. 'Use' when used as a verb shall mean to put to such purpose.

- 2.205 VEHICLE means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.
- 2.206 WAREHOUSE shall mean a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to the wholesalers.
- 2.207 WASTE DISPOSAL SITE means any land approved by the Ministry of the Environment and Energy or its agents upon, into or in which waste may be deposited or processed. A waste disposal site may be further classified according to the type of waste and/or the treatment of the waste, for example see Landfill Site, Transfer Station.
- 2.208 WASTE DISPOSAL SITE - COMPOSTING means a Waste Disposal Site approved for the treatment of waste by aerobic decomposition of organic matter by bacterial action for the production of stabilized humus.
- 2.209 WASTE DISPOSAL SITE - PROCESSING means a lot and premises approved by the Ministry of the Environment and Energy for the purpose where scrap or used materials are handled, dismantled, refurbished or temporarily stored for the purpose of resale or further disposal, and scrap or used materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.
- 2.210 WATER SETBACK means the straight line horizontal distance from the high water mark of a waterbody to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.210.1 WATERBODY means lakes, rivers, creeks and streams.
- 2.211 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.212 WAYSIDE PIT, QUARRY means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- 2.213 WETLAND means land that is seasonally or permanently covered by shallow water, as well as, lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

- 2.213.1 **PROVINCIALY SIGNIFICANT WETLAND** means an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.
- 2.214 **WHOLESALE OUTLET** shall mean a building or part of a building used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise and materials for resale or business use.
- 2.215 **WINDOW AND DOOR ESTABLISHMENT** shall mean a building or structure used for the light manufacturing, fabricating and assembly of windows and doors and may also include offices, showrooms, a retail outlet and light fabricating, assembly and sale of lawn furniture.
- 2.216 **WIND FARM** means one or more structures that convert wind energy to electrical energy, that individually or collectively produces more than a total of 40 kilowatts (kW) based on nameplate rating capacity and is connected to the provincial or local electrical transmission grid for commercial purposes.
- 2.217 **WIND GENERATOR** means a maximum of one windmill or structure that converts wind energy to electrical energy, with a maximum nameplate rating capacity of 40 kilowatts (kW).
- 2.218 **WRECKING ESTABLISHMENT** means a building and/or lot used for the wrecking or dismantling of vehicles as defined herein, and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined herein.
- 2.219 **YARD**, means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.
- 2.219.1 **FRONT YARD** means a yard extending across the full width of a lot between the front lot line and the nearest point of any main building or excavation on the lot.
- 2.219.2 **FRONT YARD DEPTH** means the least horizontal dimension between the front lot line of the lot or the chord of the front line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.219.3 **REAR YARD** means a yard extending across the full width of a lot between the rear lot line and the nearest wall of the main building or structure on the lot.
- 2.219.4 **REAR YARD DEPTH** means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.219.5 **SIDE YARD** means a yard between the side wall of the main building or structure on the lot and the side lot line and extending from the front yard (or front lot line if no front yard is required) to the rear yard (or rear lot line if no rear yard is required).
- 2.219.6 **EXTERIOR SIDE YARD** means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street line.

- 2.219.7 INTERIOR SIDE YARD means a side yard other than an exterior side yard.
- 2.219.8 REQUIRED YARD means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 2.220 ZONE means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.221 ZONING ADMINISTRATOR means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

## ILLUSTRATION OF YARDS, REQUIRED YARDS AND RELATED TERMINOLOGY



Note: The above illustration is for clarification purposes only.

## **SECTION 3.0 - GENERAL PROVISIONS**

### **3.1 APPLICATION**

The requirements contained in the General Provisions shall apply to all zones, except as otherwise indicated.

### **3.2 ACCESS** see Section 3.17 Lots to Front on a Streets.

### **3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES**

Accessory uses, buildings and structures shall be permitted in any zone provided that:

- (a) No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.
- (b) The accessory building or structure shall not be located within any front yard or within any exterior side yard except in accordance with specific exterior side yard requirements established by this By-law. Notwithstanding the aforesaid, on waterfront lots, accessory buildings and structures may be located in the front yard, but shall not be located closer to the front lot line than the minimum front yard depth of the applicable zone. This provision shall also not apply to a partially enclosed shelter for use by children waiting for a school bus in any Rural (RU) Zone or to any farm produce sales outlet, provided the structures have less than 9.3 sq. metres of gross floor area.
- (c) No accessory building or structure or use shall be located closer than one (1.0) metre to any lot line except:
  - (i) that common semi-detached garages may be centred on the mutual side lot line;
  - (ii) that boat docks and launching facilities may be built to the lot line where such line corresponds to the high water mark; and
  - (iii) that prescribed uses and structures may be permitted in accordance with the provisions of the By-law for Encroachments on minimum yards.
- (d) Accessory buildings and structures shall not exceed five (5.0) metres in height in any Residential or Commercial Zone or 7.5 metres in any Industrial Zone.
- (e) The coverage of the lot by accessory buildings and structures shall not exceed ten (10.0) percent of the total lot area.
- (f) No accessory building or structure be built within two (2.0) metres of the main building, unless the accessory building is constructed of incombustible materials.
- (g) Buildings and structures shall not be considered accessory if attached to the main building in any way.

- (h) Accessory buildings and structures shall not be constructed on lands subject to slope failure or flooding.
- (i) Notwithstanding paragraph (c) and (d) preceding, where an accessory structure is a satellite dish which is greater than 1.0 metre wide in diameter or similar device designed to receive communication signals from a satellite the following provision shall apply:
  - i) in any Zone such structure shall be located on the roof of the main building on the lot and shall not exceed the height of the main building by 2.0 metres or in the rear yard or interior side yard only.

#### 3.4 **ATTACHED GARAGE SIDE YARD**

In any Residential Zone where a private garage is attached to a single detached dwelling, the following minimum yard requirements shall apply:

- (a) On the side where the garage is located, the minimum side yard shall be one (1.0) metre.
- (b) On the other side, the minimum side yard shall be the lesser distance required elsewhere in this By-law.

#### 3.5 **AUTOMOTIVE SERVICE STATIONS, GAS BARS AND COMMERCIAL GARAGES**

Where automotive service stations and commercial garages are permitted in this By-law, the following provisions shall apply in addition to zone provisions:

- (a) No portion of any pump island on a service station lot shall be located closer than six (6.0) metres from the street line of any street.
- (b) The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than ten (10.0) metres (ie. entrance or exit point).
- (c) The maximum width of an entrance at the street line shall be not more than ten (10.0) metres and the minimum width not less than seven and one-half (7.5) metres.
- (d) The minimum distance between entrances shall be not less than nine (9.0) metres.
- (e) The minimum interior angle of a ramp to a street line shall be forty-five (45.0) degrees and the maximum interior angle of a ramp to the street line shall be ninety (90.0) degrees.
- (f) The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be three (3.0) metres.
- (g) The area included between ramps, or between ramps and a street line or a property line, as required by this by-law, shall be used for landscaped open space only, to a minimum

width of one (1.0) metre.

3.6 **BOAT HOUSES**

No new boat houses shall be permitted in any Zone.

3.7 **BUILDINGS TO BE MOVED**

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all of the requirements of the zone in which it is to be located.

3.8 **CROWN LANDS AND COUNTY FOREST**

Regardless of anything else in this by-law, including the Schedules, Crown Lands and County Forest are not subject to the provisions of this by-law.

3.9 **DWELLINGS PER LOT**

No more than one (1) building used as a dwelling, containing one or more dwelling units shall be erected on any lot, unless specifically stated otherwise in this By-law.

Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot, unless specifically stated otherwise in this By-law.

3.10 **ENCROACHMENTS ON REQUIRED MINIMUM YARDS**

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

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
Sills, belt courses, eaves, gutters chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	0.50 metres
Fire escapes, exterior staircases	Side and Rear only	1.5 metres
Balconies, steps, open roofed porches, sundecks, attached solariums	Front and Rear only	2 metres
Uncovered paved patios	All	2.5 metres front yard; other yards unlimited
Railway Spur	All	Unlimited
Gate House in any Industrial Zone	Front and Side only	Unlimited
Fences, Hedges, Shrubs, Trees, Freestanding Walls, Flagpoles, Light Standards, Garden Trellises, Clothes Poles and similar structures and appurtenances	All	Unlimited

### 3.11 **EXCEPTIONS TO HEIGHT LIMITATIONS**

The height limitations of this By-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, transmitter towers, wind generators, ventilators and skylights.

### 3.12 **FLOOD PLAIN**

In the absence of flood plain mapping from the Ministry of Natural Resources for the Bonnechere River in the Township of Bonnechere Valley, a one zone approach will be applied, wherein no development, with the exception of boat docking or launching facilities or works required for flood or erosion control measures, shall be permitted in the flood plain.

An elevation survey prepared by an Ontario Land Surveyor may be required in conjunction with a building permit, consent application or application for site plan approval, in order to verify the limit of the 1:100 year flood elevation flood plain.

### 3.13 **GRAVEL PITS, QUARRIES AND WAYSIDE PITS AND QUARRIES AND PORTABLE**

## **ASPHALT PLANTS**

A gravel pit or quarry, with the exception of a wayside pit or quarry shall be prohibited in all zones, except in an Extractive Industrial (EM) Zone. Wayside pits and portable asphalt plants shall be permitted in all zones except in a Residential Zone or an Environmental Protection Zone.

Portable asphalt plants must comply with the minimum separation distances required by the Ministry of Environment and must obtain a Certificate of Approval from the Ministry of Environment.

### **3.14 GROUP HOMES**

Group Homes are considered to be residential uses and will be permitted in all zones that permit residential uses, with the exception of the Limited Service Residential One (LSR1) Zone and the Limited Service Residential Two (LSR2) Zone. A Provincially licensed and approved group home may be permitted in any zone where a single detached residential dwelling is permitted provided that:

- (a) For lands that are within the area shown on Schedules 'A-1', 'A-2' and 'A-3' to this By-law, there is no group home or similar facility within 8.0 kilometres of the proposed facility, whether in the Municipality or in an adjacent municipality. For lands that are within the area shown on Schedule 'A-4' (Eganville) to this By-law, there is no group home or similar facility within 215 metres of the proposed facility, whether in the Municipality or in an adjacent municipality; and
- (b) There is a minimum rear yard area of 18 square metres per resident.

### **3.15 HOME INDUSTRY**

A home industry shall only be permitted in a Rural (RU) Zone provided the following provisions are complied with:

- (a) Not more than two persons, other than the occupants residing on the premises, shall be employed by the home industry.
- (b) Not more than twenty-five percent (25%) of the dwelling unit area, shall be used for the purpose of a home industry.
- (c) Accessory buildings may be erected, altered or used for the purpose of a home industry provided that not more than seventy-five (75) square metres of the gross floor area of all accessory buildings shall be used for the purpose of a home industry.
- (d) A home industry must be clearly secondary to the main residential or agricultural use on the property and not change the residential or agricultural character of the property.
- (e) There shall be no external display or advertising other than a non-illuminated sign not more than 0.5 square metres in area.

- (f) No goods, wares or merchandise shall be offered or exposed for sale or rent on the premises unless such goods, wares and merchandise are either:
  - i) incidental to the home industry; or
  - ii) arts and crafts produced on the premises; or
  - iii) farm produce resulting from the main use.
- (g) Such home industry shall not be a hazardous or noxious trade, and shall not create or become a public nuisance.
- (h) Parking shall be provided in accordance with the provisions of this By-law.

### 3.16 **HOME OCCUPATIONS**

A home occupation shall be permitted in any Zone provided such home occupation conforms to the following provisions:

- (a) The use shall be conducted entirely within the dwelling unit and carried on by occupants of the dwelling unit. One employee will be permitted to be employed in addition to occupant(s) of the dwelling.
- (b) There shall be no external display or advertising other than a non-illuminated sign not more than one half (0.5) of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- (c) Not more than twenty-five percent (25%) of the dwelling unit area shall be used for the purpose of home occupation uses.
- (d) Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- (e) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
- (f) Notwithstanding Section 3.16 (e) above, in a Rural (RU) zone, goods, wares or merchandise may be offered or exposed for sale or rent on the premises only where such goods, wares and merchandise are either:
  - (i) incidental to the home occupation; or
  - (ii) arts and crafts produced on the premises; or
  - (iii) farm produce resulting from the main use.
- (g) The use shall not require more than 2 off-street parking spaces for clients or customers of the home occupation in addition to the parking requirements for residential use on the property.

- (h) The home occupation shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking.
- (i) There shall be no manufacturing, fabricating or assembly process taking place on the premises.
- (j) No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.

### 3.17 **LOTS TO FRONT ON STREETS**

- (a) No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street.

- (b) **Limited Service Dwelling**

Notwithstanding the provisions of paragraph (a) of this subsection, a limited service dwelling is permitted and accessory buildings and structures may be erected or used on a lot in a Limited Service Residential One (LSR1) Zone or a Limited Service Residential Two (LSR2) Zone provided such lot has frontage on a private road which the subject lot and use are legally entitled to use and which has access to an improved street.

While new development may be permitted on minor extensions of private roads that are existing private roads as of the date of passing of this By-law and that have a legal right-of-way of less than 20 metres, all new private roads and the extensions must have a minimum legal right-of-way width of 20 metres.

- (c) **Hunting or Fishing Camp**

Notwithstanding the provisions of paragraph (a) of this subsection a hunting or fishing camp may be erected or used on a lot in a Rural (RU) Zone abutting an unopened road allowance.

- (d) **Resource Land Uses**

Notwithstanding the provisions of paragraph (a) of this subsection a building or structure accessory to a permitted forestry, farm or mineral exploration use may be erected or used on a lot that has frontage on a seasonally maintained street; however, this provision shall not be construed so as to permit any type of residential dwelling.

### 3.18 **MOBILE HOMES**

Notwithstanding any other provision of this by-law to the contrary, a mobile home shall only be permitted in a Mobile Home Park (MHP) Zone in accordance with the provisions of Section 14.0

of this By-law, or in the Rural (RU) Zone providing all of the following provisions are complied with:

- (a) A mobile home shall only be permitted on an individual lot with a minimum lot area of 2.0 hectares;
- (b) Only one (1) mobile home per individual lot shall be permitted;
- (c) A minimum setback from any street of 30 metres shall be required;
- (d) Mobile homes are prohibited in the following areas:
  - (i) the area shown on Schedule 'A-4' to this By-law;
  - (ii) the built-up area shown on Schedule 'A-3' to this By-law extending from the boundary of Schedule 'A-4' along the Fourth Chute Road to the eastern limit of Lot 18, Concession XIX, in the geographic Township of Grattan;
  - (iii) the built-up area shown on Schedule 'A-3' to this By-law extending from the boundary of Schedule 'A-4' along the Augsburg Road to the western limit of Lot 25, Concession XXII, in the geographic Township of Grattan;
  - (iv) on Schedule 'A-3' to this By-law along Highway No. 41; and
  - (v) on Schedule 'A-3' to this By-law along Foymount Road extending from the boundary of Schedule 'A-4' along the Augsburg Road to the intersection of Foymount Road and the Spring Creek Road.
- (e) Notwithstanding, Section 3.18 (d) above, a mobile home that is a garden suite as defined by this By-law and is the subject of a temporary use by-law, may be permitted in any zone where a single detached dwelling is permitted, subject to the provisions of that zone.

### 3.19 **NON-CONFORMING USES**

#### (a) Accessory Buildings

Nothing in this By-law shall prevent the erection of a building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law.

#### (b) Continuation of Existing Uses

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of passing of the By-law, so long as it continues to be used

for that purpose.

(c) Repair of Existing Buildings and Structures

If a non-conforming building or structure should be damaged by fire, flood, wind or earthquake, or other natural or unnatural occurrence beyond the owner's control, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size or volume are not increased and provided that reconstruction or restoration is commenced within twelve months and completed within twenty-four months of the date on which the damage took place.

(d) Enlargements to Existing Undersized Lots

An undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law or that was created by expropriation or the purchase of a road allowance or shoreline road allowance or lands merging on title subsequent to the passage of this By-law, shall retain its legal non-conforming status if an addition or enlargement to the lot does not result in a lot that meets the minimum frontage and/or area required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the zone in which the lot is located provided that:

- (i) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Township and the Ministry of the Environment and/or its agents where applicable; and
- (ii) all other applicable provisions of this by-law are complied with.

(e) Existing Buildings with Inadequate Lot or Yard Size

Where a building has been erected prior to the date of passing of this By-law on a lot having less than the minimum frontage and/or areas, or having less than the minimum required front yard depth and/or side yard depth and/or rear yard depth and/or water setback required in this By-law, said building may be enlarged, reconstructed, repaired or renovated provided that:

- (i) such enlargement, reconstruction, repair or renovation does not further contravene any provisions of this By-law;
- (ii) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Township and/or Ministry of the Environment and/or its agents where applicable; and
- (iii) all other applicable provisions of this By-law are complied with.

(f) Less than Required Floor Area

Nothing in this By-law shall prevent an extension or addition being made to a permitted

dwelling which existed at the time of passing of this By-law but which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law.

(g) Undersized Vacant Lots

Where a vacant lot with less than the minimum frontage or lot area required by this By-law was held in separate ownership from adjoining parcels on the date of passage of this By-law, or where a vacant lot was created by expropriation subsequent to the date of passage, such undersized, vacant lot may be used for a purpose permitted in the zone in which the said lot is located provided that:

- (i) all other applicable provisions of this by-law are complied with; and
- (ii) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Township and/or Ministry of the Environment and/or its agents where applicable.

(h) Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law provided that the building permit has not been revoked under the Building Code Act.

3.20 **NOXIOUS USES**

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Health Protection and Promotion Act and Regulations thereunder, and The Environmental Protection Act and Regulations thereunder. Noxious uses do not include normal farm operations using commercial fertilizers and manure, the spraying of crops with herbicides, insecticides, and pesticides, or the use of heavy machinery for farm purposes.

3.21 **OCCUPANCY OF INCOMPLETE BUILDINGS**

No dwelling shall be occupied before the kitchen, heating and sanitary conveniences have been installed and rendered usable by the Chief Building Official.

3.22 **OCCUPANCY OF VEHICLES**

No truck, bus, coach, vehicle, recreational vehicle or trailer shall be used as a primary residence for permanent human habitation within the Municipality whether or not the same is mounted on wheels.

3.23 **OPEN STORAGE**

Except as otherwise specifically provided in this By-law, open storage shall only be permitted in

accordance with the following provisions:

- (a) Open storage shall be accessory to a permitted or existing non-residential use, on the same lot.
- (b) No open storage shall be permitted in any required minimum front yard or required exterior side yard, except in the case of an agricultural use, or within any required minimum side or rear yard where the side or rear lot lines abut any Residential Zone or Community Facility Zone.
- (c) A buffer strip such as plant materials, a planting and screening strip, landscaped berms, fencing or other opaque barrier to a minimum height of 1.5 metres shall be used. Exceptions to this provision are for open storage accessory to an agricultural use for outdoor display used in conjunction with a permitted commercial use.
- (d) A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- (e) Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and properly drained. However, this provision shall not apply where the main use is an agricultural use.
- (f) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

### 3.24 **OUTDOOR FURNACES**

An outdoor furnace shall be permitted subject to the following requirements:

- (a) an outdoor furnace shall be located a minimum of 46 metres from any property line;
- (b) an outdoor furnace shall be located no closer than 100 metres from any dwelling on an adjacent lot;
- (c) an outdoor furnace shall be located no closer than 9 metres from any building on the property;
- (d) no more than one outdoor furnace shall be permitted on a lot, except where it serves a permitted accessory dwelling or an agricultural building on lands used primarily for agricultural purposes.
- (e) an outdoor furnace shall not be permitted on any lands located within the area shown on Schedule 'A-4' to this By-law or on any lands zoned R1, R2, R3, R4, R5, LSR1 or LSR2.

### 3.25 **PARKING AND LOADING SPACE REQUIREMENTS**

3.25.1 **PARKING REQUIREMENTS**

(a) Number of Spaces

In any Zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this By-law shall provide and maintain off-street parking space in accordance with the following, notwithstanding that where there is a change in use, the minimum required parking shall only be the difference between what would have been required with the previous use and what will be required by the new use in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Required</u>
(i) Single detached, semi- detached, duplex and two-unit dwellings	One (1) parking space per dwelling unit
(ii) Triplex, three-unit, four unit, rowhouse dwelling houses	One and a half (1.5) parking spaces per dwelling unit
(iii) Apartment dwelling houses	One and a half (1.5) parking spaces per dwelling unit
(iv) Mobile Home	One (1) parking space
(v) Group Home	One (1) parking space for every 3 persons licensed or approved capacity
(vi) Boarding House	One (1) parking space plus one (1) parking space for every three (3) beds
(vii) Bank or Financial Institution	5.9 spaces for every 100 square metres gross leasable area
(viii) Bed and Breakfast	One (1) parking space per dwelling unit and one (1) parking space for each rental room
(ix) Tavern	One (1) parking space per 4 persons design capacity
(x) Church, Assembly Hall	The greater of 1 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
(xi) Place of Entertainment/ recreation facility including	One (1) parking space per 6 seat capacity

	arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema, fitness club, fairgrounds	
(xii)	Hospital, Nursing Home, Home for the Aged, Retirement Home	One (1) parking space per every two (2) beds
(xiii)	Hotel	1 space per bedroom plus 10 spaces per 100 square metres of public use area
(xiv)	Industrial Establishment	One (1) parking space per each one hundred (100) square metres of gross floor area devoted to industrial use and one (1) parking space per two hundred (200) square metres of gross floor area devoted to warehouse use.
(xv)	Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per each practitioner after 5
(xvi)	Motel	1 space per bedroom
(xvii)	Office (Business/Professional)	3.5 spaces per 100 square metres of gross leasable area
(xviii)	Eating Establishment, Drive-In/ Drive Thru/ Fast Food	10.0 spaces per 100 square metres of gross leasable area
(xix)	Eating Establishment, Full Service	the greater of: 1 parking space per 14 square metres of gross leasable area; or 1 space per 4 persons design capacity of the eating area
(xx)	Eating Establishment, Take Out	7.0 spaces per 100 sq. metres of gross leasable area
(xxi)	Retail, General including convenience store and personal service establishment	5.0 spaces per 100 sq. metres of gross leasable area
(xxii)	Senior Citizen's Home	0.85 spaces per employee, plus 0.75 spaces per unit, one-third of which are for visitor parking

(xxiii) School	The greater of: 1.5 parking spaces per classroom, or 1 parking space per 3.0 sq. metres of floor area in the gymnasium, or 1 parking area per 3.0 sq. metres of floor area in the auditorium
(xxiv) Shopping Centre	5.4 spaces per 100 sq. metres of gross leasable area
(xxv) Shopping Plaza	4.9 spaces per 100 sq. metres of gross leasable area
(xxvi) Warehouse	One (1) parking space per two hundred (200) square metres of gross floor area
(xxvii) Other Non-Residential Uses	1 parking space per 30 sq. metres of gross floor area

(b) Calculation of Spaces

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be next higher whole number.

(c) Disabled Parking Requirements

Where parking facilities are required, disabled parking spaces for the exclusive use of persons with disabilities shall be identified and be provided as a portion of the required parking spaces calculated as per Section 3.25.1 (b) above, and shall be in accordance with the following table:

<u>Required Parking Spaces (minimum)</u>	<u>Required Disabled Parking Spaces (minimum)</u>
(i) 25 to 99 parking spaces	1 disabled parking space
(ii) 100 parking spaces or more	1 disabled parking space for every 100 required parking spaces or portion thereof, shall be disabled parking spaces.

(d) Location of Parking Areas

In a Residential Zone, the required parking shall be located on the same lot as the dwelling unit. In all other areas, the parking area shall be located within one hundred and fifty (150) metres of the location of the use it is intended to serve, and shall be situated in the same zone; and shall be secured and retained for parking purposes for the duration of the use.

The following provisions shall apply to the location of parking areas within yards or required yards.

- (i) In the case of a Residential use containing three or more dwelling units, the parking area shall be located in the rear yard and/or required rear yard only.
  - (ii) In any Residential Zone the parking of motor vehicles shall be permitted within part of a front yard on a properly constructed driveway but only if the said driveway fronts onto a garage, carport or side yard.
  - (iii) In an Extractive Industrial Zone, with the exception of the driveway portion, the parking area shall not be permitted in any required minimum yards.
  - (iv) In all other zones the parking area shall be permitted in all required yards provided that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline. Where the subject zone abuts a Residential Zone, the parking area shall be set back a minimum of 3.0 metres from the lot line.
- (e) Surface and Drainage
- (i) The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface.
  - (ii) Where more than four (4) parking spaces are required, the surface type shall prevent the raising of dust or loose particles or the surface will be treated to prevent the raising of dust or loose particles
  - (iii) Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.
- (f) Access to Parking Spaces and Parking Areas
- (i) Every parking space shall be provided with unobstructed access to a street by a driveway aisle or lane, except where such spaces are provided for the use of occupants of a single detached or semi-detached dwelling.
  - (ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.
- (g) Dimensions of Parking Spaces
- Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres.

### 3.25.2 **LOADING REQUIREMENTS**

(a) Uses Where Applicable

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained in the same premises with every such structure or use, off-street space for standing, loading and unloading.

(b) Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 3.5 metres by 9.0 metres with a minimum height clearance of 4.0 metres.

(c) Minimum Number of Loading Spaces

This requirement does not apply for buildings and structures having less total floor area than 300 square metres. For all other buildings, there shall be one loading space for each 1500 square metres of floor area or part thereof, above the 300 square metre threshold.

(d) Location

The loading space required shall be located in the interior side yard or rear yard unless set back a minimum distance of 20 metres from the street line.

(e) Surfacing

The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel.

3.26 **PUBLIC USES OF LAND**

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by any local board thereof defined by the Municipal Affairs Act (R.S.O. 1980), any telephone, gas, or telegraph company, any department or agent of the Government of Ontario or Canada, including Ontario Hydro, provided that:

(a) With the exception of a public utility, the lot coverage, parking and loading, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with; and

(b) No goods, material, or equipment shall be stored in the open in a Residential Zone; and

(c) Any building erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone.

3.27 **SENSITIVE LAKES**

Lake Clear has been designated as a Highly Sensitive Lake by the Ministry of Natural Resources and the Ministry of the Environment.

- (a) No mining activities will be permitted within 450 metres of the high water mark of Lake Clear.
- (b) No new waste disposal sites shall be permitted within 900 metres of the high water mark of Lake Clear.
- (c) Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to all lands within 300 metres of the high water mark of Lake Clear, in the geographic Township of Sebastopol:
  - (i) Subject to the provisions of the underlying Zone, permitted uses shall include single detached dwellings, limited service dwellings, home occupations and home industries, convenience stores, non-intensive farming, and forest management uses as well as tent and trailer parks and tourist establishments within an existing Tourist Commercial (TC) Zone.
  - (ii) Development on existing vacant lots with lakeshore frontage shall only be permitted under the following conditions:
    - 1. No more than one single detached residential dwelling or limited service dwelling shall be permitted on an individual lot, in accordance with the permitted uses of the applicable Zone;
    - 2. No development, including the erection of buildings or structures, or the placing or removal of fill of any kind, whether it originates on the site or elsewhere, shall be permitted within 30 metres of the high water mark of the lake, except where such buildings, structures or fill are intended for flood or erosion control or boat docks and boat launching facilities; and
    - 3. The area between the dwelling or private waste disposal system is to be retained where possible, in its natural state to serve as a buffer which will assist in minimizing the land-surface transport of nutrients to the lake. The retention of the natural soil mantle and mature tree cover within 30 metres of the shoreline will be encouraged.
- (d) Where a portion of a lot is governed by the provisions of Section 3.27 (a), (b) or (c) above, the provisions of this Section shall not be construed to apply to that portion of a lot which is located further from Lake Clear than as outlined in those provisions. On lands located further from Lake Clear the permitted uses of the zone that applies to that portion of the lot shall continue to apply.

3.28 **SEPARATION DISTANCES**

(a) **Dwellings**

- (i) No dwelling shall be erected unless it complies with the Minimum Distance Separation (MDS 1) formula or unless such residential dwelling is located on the same lot as the farm.
- (ii) No dwelling other than a permitted accessory dwelling in the same zone, shall be erected within sixty (60) metres of any Industrial Zone.
- (iii) No dwelling, senior citizen home, nursing home, school or hospital, shall be erected within one hundred and fifty (150) metres of any Extractive Industrial (EM) Zone, any Extractive Industrial Reserve (EMR) Zone or any existing pit or within three hundred (300) metres of an existing quarry.
- (iv) Notwithstanding the requirements of subsection 3.28(a)(iii) above, on an existing vacant lot of record where a single detached dwelling is a permitted use and where it is not possible erect a dwelling that is at least 150 metres from an Extractive Industrial Reserve Zone (EMR), such lot shall be exempt from the requirements of subsection 3.28(a)(iii), and a single detached dwelling may be erected on an existing lot of record, provided a minimum setback of 90 metres from an Extractive Industrial Reserve Zone (EMR) is provided.

(b) **Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities**

- (i) No gravel pit shall be made or established and no concrete or asphalt manufacturing plant or extractive industrial facility shall be located within 150 metres of a residential dwelling, senior citizen home, nursing home, school or hospital, or where the adjacent lot is vacant, within 150 metres of any lot line or portion thereof which abuts a Residential Zone or Development Zone. No quarry shall be made or established within 300 metres of a residential dwelling, senior citizen home, nursing home, school or hospital, or where the adjacent lot is vacant, within 300 metres of any lot line or portion thereof which abuts a Residential Zone or Development Zone.
- (ii) No gravel pit, quarry, concrete or asphalt manufacturing plant or extractive industrial facility shall be located within fifty (50) metres of the high water mark of any waterbody.

(c) **Kennel**

No kennel shall be located within sixty (60) metres of any residential building on another lot.

(d) **Septage Disposal Site and Sewage Sludge Disposal Site**

No septage disposal site or sewage sludge disposal site shall be located within:

- (i) Two hundred (200) metres of any isolated dwelling on another lot;
- (ii) Seven hundred fifty (750) metres of any subdivision, cluster of residential development or land zoned for residential development;
- (iii) One hundred fifty (150) metres of any encased well;
- (iv) Seventy-five (75) metres of any well with a minimum casing depth of six (6.0) metres.
- (v) One hundred and eighty (180) metres of any surface water;
- (vi) Thirty (30) metres of the right-of-way of any low volume road;
- (vii) Ninety (90) metres of the right-of-way of any road;
- (viii) Sixty (60) metres of any land used for livestock pasturing;

(e) Farm Uses

All new farm and non-farm development shall comply with the Minimum Distance Separation (MDS II) formula, as amended from time to time.

3.29 **SETBACKS**

No person shall erect any building or structure or undertake any development in any Zone unless such development conforms to the following setback requirements.

(a) Provincial Highway

The setback requirement for all buildings and structures shall be 18 metres from the centreline of the road plus the minimum front yard depth required for such use in the Zone where it is located.

(b) Other Road

The setback requirement for all buildings and structures shall be 10 metres from the centreline of the road plus the minimum front yard depth required for such use in the Zone where it is located.

(c) Water Setback

No development, including the erection of buildings or structures, or the placing or removal of fill of any kind, whether it originates on the site or elsewhere, shall be permitted within 30 metres of the high water mark of a waterbody, except where such

buildings, structures or fill are intended for flood or erosion control or boat docks and boat launching facilities.

(d) Established Building Line in Built-Up Areas

Notwithstanding the yard and setback provisions of this By-law, where there is an established building line extending on both sides of the lot, a permitted building or structure may be erected closer to the street line and street centre line than required by the yard and setback provisions, provided that such permitted building or structure is not erected closer to the street line than the established building line on the date of passing of this By-law. Established building line means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.

(e) Established Building Line in Waterfront Areas

Notwithstanding the minimum water setback provisions of this By-law, where there is an established building line on the waterfront side of a lot extending on both sides of the lot, a permitted building or structure may be erected closer to the high water mark than required by Section 3.29 (c), provided that such permitted building or structure is not erected closer to the high water mark than the greater of either the established building line on the date of passing of this By-law or 15 metres from the high water mark. Established building line means the average distance from the high water mark to existing dwellings within 100 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law. This provision does not apply to properties on Lake Clear, or does it apply to septic systems.

3.30 **SLEEP CABINS**

Notwithstanding any other provision of this By-law to the contrary, a sleep cabin shall be permitted in all RU, LSR1, LSR2 and R4 zones where residential uses and/or hunting or fishing camps are permitted, provided that they do not exceed a maximum cumulative floor area of 18 square metres and they meet the minimum setback provisions as required for the principle use and there is an existing dwelling and/or hunting or fishing camp on the same lot.

3.31 **STANDARDS - CUMULATIVE**

Unless permitted elsewhere in this By-law, where a lot contains more than one use, the lot area requirements shall be the sum of the requirements for the separate uses thereof but the lot frontage requirements shall be no less than the greater of the lot frontage requirements for each individual use in the zone where such lot is located.

When a building, structure or lot accommodates more than one use, loading space requirements and parking space requirements for each building, structure or lot shall be the sum of the requirements for the separate uses thereof unless exempted elsewhere in this By-law.

3.32 **TEMPORARY CONSTRUCTION USES PERMITTED**

Nothing in this By-law shall prevent uses incidental to a construction camp or other such temporary work camp, such as a tool shed, scaffold or other building or structure incidental to the construction, or a sign not more than four and one-half (4.5) square metres incidental to the construction provided that these uses are permitted only for so long as the same are necessary for work in progress which has neither been finished nor abandoned. This provision shall not be construed to allow a mobile home.

3.33 **THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the requirements for front yards contained in the By-law shall apply to each yard abutting the street.

3.34 **TRANSMITTER TOWERS**

In any zone where a transmitter tower is a permitted use, no transmitter tower shall be located closer to an adjacent lot line than one and a half (1½) times the height of the tower.

3.35 **VISIBILITY AT INTERSECTIONS**

- (a) At the intersection of any two streets, no building, or structure shall be erected, no landscaping materials shall be allowed to grow, no land shall be graded and no vehicle shall be parked above the height of 0.8 metres above the centreline grade of such streets, so as to materially impede the vision of the operator of a vehicle on the street, within the sight triangle.
- (b) At the intersection of a street and a railway right-of-way at grade, the vision of the operator of a motor vehicle shall be unimpeded, as described above, within 23.0 metres of the point of intersection of the lot lines.

3.36 **WIND GENERATORS**

A wind generator shall be permitted in any Rural (RU) zone, General Industrial One (GM1) Zone General Industrial Two (GM2) Zone or Extractive Industria Reserve (EMR) Zone subject to the following provisions:

- (a) No wind generator is located closer to an adjacent lot line than one and a half (1½) times the height of the tower, including moving parts; and
- (b) No wind generator is located closer than 150 metres to an existing residential dwelling on an adjacent lot.

**SECTION 4.0 - ZONE CLASSIFICATIONS - EXCEPTION AND HOLDING ZONE PROVISIONS**

4.1 Zone Classification

For the purpose of this By-law, the following zones are established as shown on the Schedule(s) (Zoning Maps).

<u>Zones</u>	<u>Zone Symbol</u>
Residential One	R1
Residential Two	R2
Residential Three	R3
Residential Four	R4
Residential Five	R5
Rural Residential	RR
Limited Service Residential One	LSR1
Limited Service Residential Two	LSR2
Mobile Home Park	MHP
Neighbourhood Commercial	NC
General Commercial	GC
Highway Commercial	HC
Tourist Commercial	TC
General Industrial One	GM1
General Industrial Two	GM2
Extractive Industrial	EM
Extractive Industrial Reserve	EMR
Disposal Industrial	DM
Rural	RU
Environmental Protection	EP
Community Facility	CF
Open Space	OS
Development	D

4.2 Exception Zones

Where a zone classification is followed by the numbered suffix “-Exception One”, this denotes the further classification as an Exception Zone. The corresponding zone symbol suffix is “-E1”. Additional Exception Zones within the same zone classification are numbered consecutively (ie: Highway-Commercial - Exception One (HC-E1), etc; or Residential One - Exception One (R1 - E1), Residential One - Exception Two (R1-E2) etc.

Exception Zone provisions are listed separately under the applicable zone classification requirements sections in the text of this By-law. All provisions of this By-law will apply equally to the respective Exception Zone classification, except as otherwise specified by the Exception Zone provisions.

For the purpose of this By-law, Exception Zones are established as shown on the Schedule(s) (Zoning Maps).

#### 4.3 Holding Provisions - Principle of Development Established

Any parcel of land zoned for Residential, Commercial or Industrial development where the principle of development has been established (ie. R1, HC, R2) may be further classified as a holding zone with the addition of the suffix “-h”. Certain criteria for development (ie. phasing, financial considerations, geotechnical studies, access etc.) must be met to the satisfaction of Council prior to the removal of the holding provision.

Under this holding zone, interim and passive uses such as open space and conservation will be permitted. Uses existing at the time of passing of the By-law will also be permitted. When the holding provision is removed the permitted uses would be those permitted in the applicable zone, as the individual residential, commercial or industrial zone provisions (ie. R1, R2, HC, etc.), as the case may be, would then apply.

The removal of the holding provisions shall require an amendment to this By-law as per Section 36 of the Planning Act, R.S.P, 1990, c.P. 13, as amended. No public participation with mechanism for appeal shall be required where the principle of development has been established.

## **SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Residential One (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **5.1 Permitted Uses**

The following uses shall be permitted uses on full municipal sewer and water services;

#### **(a) Residential Uses**

- a single detached dwelling
- a group home

#### **(b) Non-Residential Uses**

- a day nursery
- a home day care centre
- a public park
- a private park

Uses, buildings and structures which are accessory to the foregoing.

### **5.2 Zone Provisions**

(a)	Lot Area (minimum)	600 sq. metres
(b)	Lot Frontage (minimum)	20 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Side Yard Width (minimum)	
	(i) interior	2.5 metres
	(ii) exterior	6.0 metres
(e)	Rear Yard Depth (minimum)	7.5 metres
(f)	Dwelling Unit Area (minimum)	55 sq. metres
(g)	Lot Coverage (maximum)	40 %
(h)	Building Height (maximum)	10.5 metres
(i)	Dwellings per Lot (maximum)	1 only

(j) Parking

Parking spaces shall be provided in accordance with Section 3 of this By-law.

5.3 Exception Zones

**SECTION 6.0 - REQUIREMENTS FOR RESIDENTIAL TWO (R2) ZONE**

No person shall hereafter use any land or erect, alter, enlarge or use any building or structure in a Residential Two Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

6.1 Permitted Uses

The following uses shall be permitted uses on full municipal sewer and water services;

(a) Residential Uses

- a duplex dwelling
- a semi-detached dwelling
- a two unit dwelling
- a triplex dwelling
- a three unit dwelling
- a four unit dwelling
- multiple-attached dwelling house
- an apartment dwelling house
- senior citizen home dwelling
- senior citizen housing
- a group home

(b) Non-Residential Uses

- a day nursery
- a home day care centre
- a public park
- a private park

Uses, buildings and structures which are accessory to the foregoing permitted uses.

6.2 Zone Provisions

(a) For Duplex, Semi-Detached or Two Unit Dwelling

- |       |   |  |
|-------|---|--|
| (i)   | Lot area (minimum)                                | 625 sq. metres   |
| (ii)  | Lot frontage (minimum)                            | 20 metres  |
| (iii) | Front Yard Depth (minimum)                        | 7.5 metres   |
| (iv)  | Interior Side Yard Depth (minimum)                | 3.0 metres   |
| (v)   | Exterior Side Yard Depth (minimum)                | 6 metres<br>or ½ the height of the building,<br>whichever is greater |
| (vi)  | Rear Yard Depth (minimum)                         | 7.5 metres   |
| (vii) | Dwelling Unit Area (minimum)<br>per dwelling unit | 65 sq. metres  |

	(viii) Lot Coverage (maximum)	40 %
	(ix) Building Height (maximum)	10.5 metres
(b)	For Triplex or Three Unit Dwelling	
	(i) Lot area (minimum)	700 sq. metres
	(ii) Lot frontage (minimum)	20 metres
	(iii) Front Yard Depth (minimum)	7.5 metres
	(iv) Interior Side Yard Depth (minimum)	3.0 metres
	(v) Exterior Side Yard Depth (minimum)	6 metres or ½ the height of the building, whichever is greater
	(vi) Rear Yard Depth (minimum)	7.5 metres
	(vii) Dwelling Unit Area (minimum) per dwelling unit	65 sq. metres
	(viii) Lot Coverage (maximum)	40%
	(ix) Building Height (maximum)	10.5 metres
(c)	For Multiple-Attached Dwelling House	
	(i) Lot area (minimum)	700 sq. metres plus 140 sq. metres for each unit greater than three
	(ii) Lot frontage (minimum)	18 metres plus 6 metres for each unit greater than three
	(iii) Front Yard Depth (minimum)	7.5 metres
	(iv) Interior Side Yard Depth (minimum)	3.0 metres
	(v) Exterior Side Yard Depth (minimum)	6 metres or ½ the height of the building, whichever is greater
	(vi) Rear Yard Depth (minimum)	7.5 metres
	(vii) Dwelling Unit Area (minimum) per dwelling unit	65 sq. metres
	(viii) Lot Coverage (maximum)	40%
	(ix) Building Height (maximum)	10.5 metres
(d)	For Apartment Dwelling House or Senior Citizen Home Dwelling	
	(i) Lot Area (minimum)	650 sq. metres plus 140 sq. metres for each unit above four
	(ii) Lot Frontage (minimum)	30.0 metres
	(iii) Front Yard Depth (minimum)	7.5 metres
	(iv) Interior Side Yard Depth (minimum)	5.0 metres
	(v) Exterior Side Yard Depth (minimum)	6 metres or ½ the height of the building, whichever is greater
	(vi) Rear Yard Depth (minimum)	10.5 metres

(vii)	Dwelling Unit Area (minimum) per dwelling unit	
	1. bachelor dwelling unit	45 sq. metres
	2. one bedroom dwelling unit	55 sq. metres
	3. two bedroom dwelling unit	55 sq. metres plus 9 sq. metres for each additional bedroom over one
(viii)	Lot Coverage (maximum)	40%
(ix)	Building Height (maximum)	13.5 metres
e)	Senior Citizen Housing	In accordance with the applicable performance standards for the dwelling type as per Sections 6.2 (a), b), c) and d) above.
f)	Dwellings per Lot (maximum)	No more than one building consisting of two, three or more separate dwelling units shall be erected on any lot.
g)	Parking	Parking spaces shall be provided in accordance with Section 3 of this By-law.

6.3 Exception Zones

## **SECTION 7.0 - REQUIREMENTS FOR RESIDENTIAL THREE (R3) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Residential Three (R3) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 7.1 Permitted Uses

#### (a) Residential Uses

- a single detached dwelling
- a two unit dwelling
- a duplex dwelling
- a semi-detached dwelling

#### (b) Non-Residential Uses

- a public park
- a private park
- a home day care centre
- a day nursery

Uses, buildings and structures which are accessory to the foregoing permitted uses.

### 7.2 Zone Provisions

#### (a) Lot Area (minimum)

- |  |                  |
|--|------------------|
| (i) single detached residential dwelling | 2,025 sq. metres |
| (ii) all other permitted uses            | 3,065 sq. metres |

(b) Lot Frontage (minimum) 30 metres

(c) Front Yard Depth (minimum) 7.5 metres

(d) Side Yard Depth (minimum) 3.0 metres

(e) Rear Yard Depth (minimum) 7.5 metres

(f) Dwelling Unit Area (minimum) 55 sq. metres

(g) Lot Coverage (maximum) 40%

(h) Building Height (maximum) 10.5 metres

(i) Dwellings per Lot (maximum)

No more than one building consisting of one or two separate dwelling units shall be erected on any lot.

(j) Parking Spaces

Parking spaces shall be provided in accordance with Section 3 of this By-law.

7.3 Exception Zones

**SECTION 8.0 - REQUIREMENTS FOR RESIDENTIAL FOUR (R4) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Residential Four (R4) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

8.1 Permitted Uses

(a) Residential Uses

- a single detached dwelling

(b) Non-Residential Uses

- a public park
- a private park
- a home day care centre
- a day nursery

Uses, buildings and structures accessory to the foregoing.

8.2 Zone Provisions

(a)	Lot Area (minimum)	3,035 sq. metres
(b)	Lot Frontage (minimum)	45 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Side Yard Width (minimum)	3.0 metres
(e)	Rear Yard Depth (minimum)	7.5 metres
(f)	Shoreline Lot Frontage (minimum)	45 metres
(g)	Dwelling Unit Area (minimum)	55 sq. metres
(h)	Lot Coverage (maximum)	20 %
(i)	Building Height (maximum)	10.5 metres
(j)	Dwellings per Lot (maximum)	1 only
(k)	Parking Spaces	Parking spaces shall be provided in accordance with Section 3 of this By-law.
(l)	Water Setback (minimum)	A minimum water setback shall be

provided in accordance with the Section 3 of this By-law.

(m) Sensitive Lakes

All development shall be in accordance with the provisions for Sensitive Lakes in Section 3 - General Provisions of this By-law.

### 8.3 Exception Zones

(a) Residential Four-Exception One (R4-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Residential Four-Exception One (R4-E1) on Schedule A-2 (Sebastopol) and located in Part 5, Plan 49R- 14930, the following provisions shall apply:

- (i) An existing one family dwelling shall be permitted as a non-conforming use subject to the following conditions:
  - 1. No reconstruction resulting from the existing dwelling being damaged or destroyed by causes beyond the control of the owner, or any repair or renovation to the existing dwelling, shall result in an increase in the height or bulk of the dwelling, or a further reduction of the minimum required front yard setback, minimum rear yard setback, minimum side yard setback or minimum water setback.
  - 2. Notwithstanding any other provision to the contrary, such existing one family dwelling may be permitted to be raised for the purposes of constructing a foundation; and
  - 3. All other applicable provisions of Section 3.19 (a) of this By-law shall apply to the existing single detached residential dwelling.
- (ii) Existing performance standards shall apply to all existing buildings and structures; and
- (iii) A septic system to service the existing one family dwelling on lands zoned R4-E1 shall be permitted to be located on lands zoned R4-E2 in Part 1, Plan 49R-14930.

All other provisions of the Residential Four (R4) zone and this By-law shall apply to lands in the Residential Four-Exception One (R4-E1) zone.

(b) Residential Four-Exception Two (R4-E2) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Residential Four-Exception Two (R4-E2) and located in Part 1, Plan 49R-14930, in the geographic township of Sebastopol, the following provisions shall apply:

- (i) An existing one family dwelling shall be a permitted use;
- (ii) The minimum front yard setback for a septic system shall be 3 metres;
- (iii) In addition to a septic system to service the existing one family dwelling on lands zoned R4-E2, a second individual septic system to service the existing one family dwelling on lands zoned R4-E1 and located in Part 5, Plan 49R-14930, shall be permitted to be located on lands zoned R4-E2 in Part 1, Plan 49R-14930.

All other provisions of the Residential Two (R4) zone and this By-law shall apply to lands in the Residential Two-Exception Two (R4-E2) zone.

## **SECTION 9.0 - REQUIREMENTS FOR RESIDENTIAL FIVE (R5) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Residential Five (R5) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

### 9.1 Permitted Uses

#### (a) Residential Uses

- senior citizen housing on full municipal sewer and water services

#### (b) Non-Residential Uses

- public park
- private park

Uses, buildings and structures which are accessory to the foregoing.

### 9.2 Zone Provisions

The following zone provisions apply based on the individual dwelling house types comprising the senior citizen housing:

#### (a) For Duplex, Semi-Detached or Two Unit Dwelling

- |      |                        |                |
|------|------------------------|----------------|
| (i)  | Lot area (minimum)     | 625 sq. metres |
| (ii) | Lot frontage (minimum) | 20 metres      |

#### (b) For Triplex or Three Unit Dwelling

- |      |                        |                |
|------|------------------------|----------------|
| (i)  | Lot area (minimum)     | 700 sq. metres |
| (ii) | Lot frontage (minimum) | 20 metres      |

#### (c) For Multiple-Attached Dwelling House

- |      |                        |   |
|------|------------------------|---|
| (i)  | Lot area (minimum)     | 700 sq. metres plus 140 sq. metres for each unit greater than three |
| (ii) | Lot frontage (minimum) | 18 metres plus 6 metres for each unit greater than three            |

#### (d) For Apartment Dwelling House

- |       |                            |   |
|-------|----------------------------|---|
| (i)   | Lot Area (minimum)         | 650 sq. metres plus 140 sq. metres for each unit above four |
| (ii)  | Lot Frontage (minimum)     | 30.0 metres   |
| (iii) | Front Yard Depth (minimum) | 7.5 metres  |

(iv)	Interior Side Yard Depth (minimum)	5.0 metres or ½ the height of the building, whichever is greater
(v)	Rear Yard Depth (minimum)	7.5 metres or ½ the height of the building, whichever is greater
(vi)	Dwelling Unit Area (minimum) per dwelling unit	
	1. bachelor dwelling unit	35 sq. metres
	2. one bedroom dwelling unit	45 sq. metres
	3. two bedroom dwelling unit	45 sq. metres plus 9 sq. metres for each additional bedroom over one
(vii)	Building Height (maximum)	13.5 metres
(e)	Front Yard Depth (minimum) other than apartment dwelling house	6.0 metres
(f)	Interior Side Yard Depth (minimum) other than apartment dwelling house	3.0 metres
(g)	Exterior Side Yard Depth (minimum)	5 metres
(h)	Rear Yard Depth (minimum) other than apartment dwelling house	6.0 metres
(i)	Dwelling Unit Area (minimum) per dwelling unit other than apartment dwelling units	45 sq. metres
(j)	Landscaped Open Space (minimum)	20 %
(k)	Building Height (maximum) other than apartment dwelling house	10.5 metres
(l)	Parking Spaces	Parking spaces shall be provided in accordance with Section 3 of this By-law.

9.3 Exception Zones

**SECTION 10.0 - REQUIREMENTS FOR RESIDENTIAL SIX (R6) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Residential Six (R6) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

10.1 Permitted Uses

(a) Residential Uses

- senior citizen housing

(b) Non-Residential Uses

- public park
- private park

Uses, buildings and structures which are accessory to the foregoing.

10.2 Zone Provisions

- |     |  |  |
|-----|--|--|
| (a) | Lot Area (minimum)                             | 1.0 hectare  |
| (b) | Lot Frontage (minimum)                         | 46 metres  |
| (c) | Front Yard Depth (minimum)                     | 6.0 metres   |
| (d) | Interior Side Yard Width (minimum)             | 3.0 metres   |
| (e) | Exterior Side Yard Width (minimum)             | 6.0 metres or ½ the height of the building, whichever is greater     |
| (f) | Rear Yard Depth (minimum)                      | 6.0 metres   |
| (g) | Dwelling Unit Area (minimum) per dwelling unit |  |
|     | (i) dwellings other than apartments            | 55 sq. metres  |
|     | (ii) bachelor dwelling unit                    | 35 sq. metres  |
|     | (iii) one bedroom dwelling unit                | 45 sq. metres  |
|     | (iv) two bedroom dwelling unit                 | 45 sq. metres plus 9 sq. metres for each additional bedroom over one |
| (h) | Landscaped Open Space (minimum)                | 20 %   |
| (i) | Building Height (maximum)                      | 10.5 metres  |

(j) Parking Spaces

Parking spaces shall be provided in accordance with Section 3 of this By-law.

10.3 Exception Zones

## **SECTION 11.0 - REQUIREMENT FOR RURAL RESIDENTIAL (RR) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Rural Residential (RR) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

### 11.1 Permitted Uses

#### (a) Residential Uses

- a single detached dwelling
- a group home in accordance with the provisions for Group Homes in Section 3 of this By-law

#### (b) Non-Residential Uses

- a day nursery
- a home day care centre
- a public park
- a private park

Uses, buildings and structures which are accessory to the foregoing.

### 11.2 Zone Provisions

- |     |                              |   |
|-----|------------------------------|---|
| (a) | Lot Area (minimum)           | 2,025 sq. metres  |
| (b) | Lot Frontage (minimum)       | 30 metres   |
| (c) | Front Yard Depth (minimum)   | 7.5 metres  |
| (d) | Side Yard Width (minimum)    | 3.0 metres  |
| (e) | Rear Yard Depth (minimum)    | 7.5 metres  |
| (f) | Dwelling Unit Area (minimum) | 55 sq. metres   |
| (g) | Lot Coverage (maximum)       | 40 %  |
| (h) | Building Height (maximum)    | 10.5 metres   |
| (i) | Parking Spaces               | parking spaces shall be provided in accordance with Section 3 of this By-law. |
| (j) | Sensitive Lakes              | in accordance with the provisions for Sensitive Lakes in Section 3 - General  |

- (k) Dwelling Units per Lot (maximum) 1 only

11.3 Exception Zones

- (a) Rural Residential-Exception One Zone (RR-E1)

In addition to the uses normally permitted in the Rural Residential (RR) zone, on those lands described as part of Lot 24, Concession XX, in the geographic Township of Grattan and zoned Rural Residential-Exception One (RR-E1), may also be used for the purposes of a leaf oil processing plant in accordance with the provisions of Section 20.2 of this By-law, with the exception that the minimum rear yard depth shall be 15.0 metres.

- (b) Rural Residential-Exception Two Zone (RR-E2)

In addition to the uses normally permitted in the Rural Residential (RR) zone, on those lands described as part of Lot 25, Concession XX, in the geographic Township of Grattan and zoned Rural Residential-Exception Two (RR-E2), may also be used for the purposes of a plumbing, heating and electrical contractor's shop and automotive body shop in accordance with the provisions of Section 19.2 of this By-law.

- (c) Rural Residential-Exception Three Zone (RR-E3)

In addition to the uses normally permitted in the Rural Residential (RR) zone, on those lands described as Part of Lots 2, 3 and 4, Plan 149 (Part 1, plan 49R-8793), and located within Part of Lot 5, Concession XIII in the geographic Township of Grattan and zoned Rural Residential-Exception Three (RR-E3), may also be used for the purposes of a contractor's yard or shop in accordance with the provisions of Section 20.2 of this By-law.

**SECTION 12.0 - REQUIREMENT FOR LIMITED SERVICE RESIDENTIAL ONE (LSR1) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Limited Service Residential One (LSR1) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

12.1 Permitted Uses

(a) Residential Uses

- a limited service dwelling existing on the date of passing of this By-law
- a limited service dwelling on an existing lot of record

(b) Non-Residential Uses

- a home day care centre
- a public park
- a private park

12.2 Zone Provisions

(a)	Lot Area (minimum)	2,025 sq. metres
(b)	Lot Frontage (minimum)	30 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Side Yard Width (minimum)	3.0 metres
(e)	Rear Yard Depth (minimum)	7.5 metres
(f)	Dwelling Unit Area (minimum)	55 sq. metres
(g)	Lot Coverage (maximum)	20 %
(h)	Building Height (maximum)	10.5 metres
(i)	Parking Spaces	Parking spaces shall be provided in accordance with Section 3 of this By-law.
(j)	Water Setback (minimum)	A minimum water setback shall be provided in accordance with the Section 3 of this By-law.
(k)	Dwelling Units per Lot (maximum)	1 only

12.3 Exception Zones

(a) Limited Service Residential One-Exception One (LSR1-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Limited Service Residential One-Exception One (LSR1-E1) and located in Part Lot 15, Concession X, in the geographic Township of South Algona, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) Lot Frontage (minimum) 28.5 metres

(b) Limited Service Residential One-Exception Two (LSR1-E2)

Notwithstanding the requirements of Section 3.17 and any other provision of this By-law to the contrary, for the lands zoned Limited Service Residential One-Exception Two (LSR1-E2) and located on Olivia Island and Laureda Island, in the geographic Township of South Algona, in the Township of Bonnechere Valley, a limited service dwelling shall be permitted.

(c) Limited Service Residential One-Exception Three (LSR1-E3)

Notwithstanding the requirements of Section 3.17 and any other provision of this By-law to the contrary, for the lands zoned Limited Service Residential One-Exception Three (LSR1-E3) and located in Part Lot 1, Concession VIII, in the geographic Township of South Algona, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) A limited service dwelling and a maximum of two (2) sleep cabins shall be permitted uses;
- (ii) A sleep cabin shall mean a building or structure designed and built for temporary human accommodation containing separate heating facilities from the dwelling but no kitchen or sanitary facilities and having a maximum floor area of 20 square metres; and
- (iii) Permitted uses shall be limited to those uses in Section 12.3.(c)(i) above and accessory uses, buildings and structures in accordance with the requirements of Section 3.3 of this By-law
- (iv) All other provisions of the By-law shall apply to lands in the Limited Service Residential One-Exception Three (LSR1-E3).

## **SECTION 13.0 - REQUIREMENT FOR LIMITED SERVICE RESIDENTIAL TWO (LSR2) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Limited Service Residential Two (LSR2) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

### 13.1 Permitted Uses

#### (a) Residential Uses

- a limited service dwelling existing on the date of passing of this By-law
- a limited service dwelling on an existing lot of record

#### (b) Non-Residential Uses

- a home day care centre
- a public park
- a private park

Uses, buildings and structures which are accessory to the foregoing.

### 13.2 Zone Provisions

(a)	Lot Area (minimum)	3,035 sq. metres
(b)	Lot Frontage (minimum)	45 metres
(c)	Front Yard Depth (minimum)	7.5 metres
(d)	Side Yard Width (minimum)	3.0 metres
(e)	Rear Yard Depth (minimum)	7.5 metres
(f)	Shoreline Lot Frontage (minimum)	45 metres
(g)	Dwelling Unit Area (minimum)	55 sq. metres
(h)	Lot Coverage (maximum)	20 %
(i)	Building Height (maximum)	10.5 metres
(j)	Parking Spaces	Parking spaces shall be provided in accordance with Section 3 of this By-law.
(k)	Sensitive Lakes	in accordance with the provisions for Sensitive Lakes in Section 3 - General

Provisions of this By-law.

- (l) Water Setback (minimum) A minimum water setback shall be provided in accordance with the Section 3 of this By-law.
- (m) Dwelling Units per Lot (maximum) 1 only

13.3 Exception Zones

(a) Limited Service Residential Two-Exception One (LSR2-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands located on part of Lot 23, Concession XI, geographic Township of Sebastopol, and zoned Limited Service Residential Two-Exception One (LSR2-E1) the minimum required lot area shall be 1118 square metres.

(b) Limited Service Residential Two-Exception Two (LSR2-E2)

Notwithstanding any other provision of this By-law to the contrary, for the lands located on part of Lot 29, Concessions VIII and IX, geographic Township of Sebastopol, and zoned Limited Service Residential Two-Exception Two (LSR2-E2) the minimum required lot frontage shall be 23.75 metres and the minimum required shoreline lot frontage shall be 43.5 metres.

(c) Limited Service Residential Two-Exception Three (LSR2-E3)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Limited Service Residential Two-Exception Three (LSR2-E3) and located in Parts 1 and 2, Plan 49R-15266, in Part of Lot 23, Concession XI, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) Permitted Uses shall be limited to an existing limited service dwelling and use, buildings and structures accessory to the foregoing
- (ii) Lot Area (minimum) 1,600 square metres
- (iii) Lot frontage (minimum) 30 metres
- (iv) Shoreline Lot Frontage (minimum) 30 metres
- (v) Existing performance standards shall apply; and
- (vi) All other provisions of the Limited Service Residential Two (LSR2) Zone and this By-law shall apply to the lands zoned Limited Service Residential Two-Exception Three (LSR2-E3).

(d) Limited Service Residential Two-Exception Four (LSR2-E4)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Limited Service Residential Two-Exception Four (LSR2-E4) and located in part of Part 2, Plan 49R- 3068, and part of Part 1, 49R14081, in Part of Lots 23 and 24, Concession XI, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) Permitted Uses shall be limited to an existing limited service dwelling and use, buildings and structures accessory to the foregoing;
- (ii) Existing performance standards shall apply; and
- (iii) All other provisions of the Limited Service Residential Two (LSR2) Zone and this By-law shall apply to the lands zoned Limited Service Residential Two-Exception Four (LSR2-E4).

(e) Limited Service Residential Two - Exception Five (LSR2-E5) Zone

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the Limited Service Residential Two-Exception Five (LSR2-E5) Zone, within part of Island “D” (Turner Island), Lake Clear, geographic Township of Sebastopol, in the Township of Bonnechere Valley, and more particularly described as Part 1 on Plan 49R-12254, a seasonal island dwelling and two accessory bunkhouses may be permitted and the following provisions shall apply:

- (i) A minimum water setback of thirty (30) metres shall be provided from the high water mark of Lake Clear and no building or structure may be located within the 30 metre area.
- (ii) The maximum total combined floor area of the seasonal island dwelling and accessory bunkhouses shall not exceed 168 square metres.
- (iii) The lot shall be served by a water access point on the mainland. The water access point shall be located on lands fronting along the shoreline of Lake Clear and be held in the same ownership as Island “D” (Turner Island) or otherwise secured for parking, boat launching and/or docking by a right-of-way or easement. Documentary evidence is to be filed each year with the Building Official. This is a condition precedent to the validity of the principle use.
- (iv) Dwelling, Seasonal Island: means a single-detached dwelling that:
  - 1. is located on an island with its only means of access by water, and
  - 2. is not occupied continuously, or used as a year round permanent dwelling, and

3. does not receive fire, ambulance, school bus, municipal street, public boat launch or public boat dock services.

(v) Bunkhouse: means a building or structure designed and built for temporary human accommodation containing separate heating facilities but no culinary or sanitary facilities and having an area of not more than 28 square metres.

(f) Limited Service Residential Two-Exception Six (LSR2-E6) Zone

Notwithstanding any provisions of this By-law to the contrary, for the lands located within the Limited Services Residential Two-Exception Six (LSR2-E6) Zone, within part of Lot 28, Concession 10, geographic Township of Sebastopol, in the Township of Bonnechere Valley, the use of land shall be limited parking for up to four (4) vehicles for the purpose of access to lands located within the Limited Service Residential Two-Exception Five (LSR2-E5) Zone, within part of Island "D" (Turner Island), Lake Clear, geographic Township of Sebastopol, in the Township of Bonnechere Valley, and more particularly described as Part 1 on Plan 49R-12254.

(g) Limited Service Residential Two-Exception Seven (LSR2-7) Zone

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Limited Service Residential Two-Exception Seven (LSR2-E7) and located in Part of Lot 50, Range C North, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) The maximum floor area of any new dwelling or upgrades and/or renovations and/or repairs to an existing dwelling, shall be limited to a footprint with a maximum floor area of equivalent or smaller size than the dwelling existing on June 9, 2005;
- (ii) The location of any future reconstructed or new dwelling shall be no closer to the high water mark of Lake Clear than the setback that existed as of June 9, 2005. All new accessory structures shall be required to meet the minimum water setback of 30 metres and the minimum front yard depth, side yard width and rear yard depth requirements of the of the Limited Service Residential Two (LSR2) zone;
- (iii) Any septic system for a new dwelling shall be required to meet the minimum water setback of 30 metres and the minimum front yard depth, side yard width and rear yard depth requirements of the LSR2 zone;
- (iv) A minimum 30 metre wide vegetated buffer should be maintained along the high water mark of Lake Clear. A vegetated buffer shall mean an area to be used only for the purpose of planting and maintaining trees, shrubs, grasses and/or other vegetation to be maintained in its natural state. Any mature trees and undergrowth vegetation present between the existing dwellings and the shoreline of the lake should be left in its current condition as much as possible; and

- (v) All other applicable provisions of the LSR2 zone and this By-law shall apply to lands zoned Limited Service Residential Two-Exception Seven.

**SECTION 14.0 - REQUIREMENTS FOR MOBILE HOME PARK (MHP) ZONE**

No person shall hereafter use any lands or erect, alter or use any building or structure in a Mobile Home Park (MHP) Zone except in accordance with the provisions of this section and of any other relevant Section of this By-law.

14.1 Permitted Uses

(a) Residential Uses

- mobile homes
- accessory single detached dwelling

(b) Non-Residential Uses

- a business office accessory to a mobile home park
- a mobile home park equipment and vehicular storage area
- a recreation facility accessory to a mobile home park

Uses, buildings and structures which are accessory to the foregoing.

14.2 Zone Provisions

- (a) Mobile Home Park Lot Area (minimum) 1.2 hectares
- (b) Mobile Home Park Lot Frontage (minimum) 90 metres
- (c) No building or structure within an MHP zone shall be located within 20 metres of the boundary of an MHP zone.
- (d) Mobile Homes on one communal service:

The following provisions apply to each individual Mobile Home Site within a Mobile Home Park:

- (i) Mobile Home Site Area (minimum) 1,400 sq. metres
- (ii) Mobile Home Site Frontage (minimum) 30 metres
- (iii) Mobile Home Site Front Yard Depth (minimum) 6.0 metres
- (iv) Mobile Home Site Side Yard Width (minimum) 3.0 metres
- (v) Mobile Home Site Rear Yard Depth (minimum) 10.5 metres

(e) Mobile Homes on two communal services:

The following provisions apply to each individual Mobile Home Site within a Mobile Home Park:

- |       |   |                |
|-------|---|----------------|
| (i)   | Mobile Home Site Area (minimum)             | 600 sq. metres |
| (ii)  | Mobile Home Site Frontage (minimum)         | 15 metres      |
| (iii) | Mobile Home Site Front Yard Depth (minimum) | 5.0 metres     |
| (iv)  | Mobile Home Site Side Yard Width (minimum)  | 2.0 metres     |
| (v)   | Mobile Home Site Rear Yard Depth (minimum)  | 7.5 metres     |

(f) Mobile Homes on private wells and private sewage disposal:

The following provisions apply to each individual Mobile Home Site within a Mobile Home Park:

- |       |   |                  |
|-------|---|------------------|
| (i)   | Mobile Home Site Area (minimum)             | 2,025 sq. metres |
| (ii)  | Mobile Home Site Frontage (minimum)         | 30 metres        |
| (iii) | Mobile Home Site Front Yard Depth (minimum) | 7.5 metres       |
| (iv)  | Mobile Home Site Side Yard Width (minimum)  | 5.0 metres       |
| (v)   | Mobile Home Site Rear Yard Depth (minimum)  | 10.5 metres      |

(g) Dwelling Unit Area (minimum):

- |      |  |               |
|------|--|---------------|
| (i)  | Mobile Home                                    | 55 sq. metres |
| (ii) | Accessory Single Detached Residential Dwelling | 75 sq. metres |

(h) Building Height (maximum) 10.5 metres

(i) All roads within a Mobile Home Park shall have a minimum width of 10 metres and shall be constructed and maintained in such a manner as to eliminate dust.

(j) Setback from Internal Roads (minimum) 9 metres

(k) Buffering:

No land in a Mobile Home Park (MHP) Zone shall be used for any other purpose than for landscaped open space within 3.0 metres of any lot line.

(l) Parking and Loading Spaces:

Parking and loading spaces shall be provided in accordance with Section 3 -General Provisions of this By-law.

(m) Open Storage:

In accordance with the provisions for Open Storage in Section 3 -General Provisions of this By-law.

(n) Separation Distances:

In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.

(o) Setbacks:

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

(p) Accessory Uses, Buildings and Structures:

Notwithstanding any Zone provision of the MHP Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of the MHP Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. An accessory single detached residential dwelling and business office accessory to a mobile home park shall be interpreted as permitted uses which are subject to the requirements of Section 14.2 of this By-law.

14.3 Exception Zones

**SECTION 15.0 - REQUIREMENTS FOR NEIGHBOURHOOD COMMERCIAL (NC) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Neighbourhood Commercial (NC) Zone except in accordance with the provisions of this Section and of any other relevant Section of this By-law.

15.1 Permitted Uses

(a) Residential Uses

- an accessory dwelling unit EXCEPT in the case of an automotive service station.

(b) Non-Residential Uses

- a convenience store
- automotive-gasoline bar
- automotive-service station

Uses, buildings and structures accessory to the foregoing.

15.2 Zone Provisions

(a) Lot Area (minimum)

- |       |  |                  |
|-------|--|------------------|
| (i)   | on well and septic system              | 4,050 sq. metres |
| (ii)  | on Municipal Sewer or Municipal Water  | 2,025 sq. metres |
| (iii) | on Municipal Sewer and Municipal Water | 700 sq. metres   |

(b) Lot Frontage (minimum)

- |       |  |           |
|-------|--|-----------|
| (i)   | on well and septic system              | 46 metres |
| (ii)  | on Municipal Sewer or Municipal Water  | 30 metres |
| (iii) | on Municipal Sewer and Municipal Water | 23 metres |

(c) Front Yard Depth (minimum) 7.5 metres

(d) Rear Yard Width (minimum) 7.5 metres provided that where the side lot line abuts a Residential Zone the minimum rear yard depth shall be 10.5 metres

(e) Interior Side Yard Width (minimum) 3.0 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 6 metres

- |     |  |  |
|-----|--|--|
| (f) | Exterior Side Yard Width (minimum)                       | 6.0 metres   |
| (g) | Lot Coverage (maximum)                                   | 40 %   |
| (h) | Building Height (maximum)                                | 10.5 metres  |
| (i) | Dwelling Unit Area (minimum)<br>accessory dwelling Unit: |  |
|     | (i) Bachelor dwelling unit                               | 45 sq. metres  |
|     | (ii) with one bedroom                                    | 55 sq. metres  |
|     | (iii) with more than one bedroom                         | 55 sq. metres plus 9 square metres for each additional bedroom |
| (j) | Parking Spaces   |  |

Parking Spaces shall be provided in accordance with Section 3 of this By-law.

### 15.3 Exception Zones

#### (a) Neighbourhood Commercial-Exception One (NC-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands located within Part Lot 12, Plan 152, Block “D”, Eganville, and zoned Neighbourhood Commercial-Exception One (NC-E1), the following provisions shall apply:

- (i) An accessory Laundromat shall also be a permitted use;
- (ii) The minimum rear yard depth shall be 3.0 metres;
- (iii) The minimum interior side yard width abutting a Residential Zone shall be 3.0 metres;
- (iv) The provisions of subsection 3.5 (c) shall not apply; and
- (v) All other provisions of the Neighbourhood Commercial (NC) Zone shall apply to lands zoned Neighbourhood Commercial-Exception One (NC-E1).

## **SECTION 16.0 - REQUIREMENTS FOR GENERAL COMMERCIAL (GC) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a General Commercial (GC) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 16.1 Permitted Uses

#### (a) Residential Uses

- an accessory residential dwelling unit, EXCEPT in the case of an automobile service station or commercial garage, where the accessory residential dwelling unit shall be a single detached residential dwelling
- an accessory single detached dwelling

#### (b) Non-Residential Uses

- antique furniture restoration workshop, cabinet making shop and showroom
- automotive - car wash
- automotive - commercial garage
- automotive - gasoline bar
- automotive - service station
- automotive - store
- automotive - vehicle sales and/or rental establishment
- bank and financial institution
- bed and breakfast
- boat sales, snowmobile, trailer and cycle sales and/or rentals
- building supply store
- business and professional offices
- clinic
- convenience store
- day nursery
- eating establishment - full service
- eating establishment - drive in
- eating establishment - take-out
- equipment rental establishment
- funeral home
- furniture showroom and workshop
- garden centre
- home display and sales outlet
- hotel
- laundry and/or dry cleaning establishment
- motel
- motor hotel
- museum
- place of entertainment
- post office

- public park, private park
- propane storage and sales depot
- retail store, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area
- service shop, general
- service shop, personal
- tavern
- taxi stand
- tourist information

Uses, buildings and structures which are accessory to the foregoing.

## 16.2 Zone Provisions

### (a) Lot Area (minimum)

- |      |                                 |   |
|------|---------------------------------|---|
| (i)  | hotel, motor hotel, motel       |   |
|      | 1. on well and septic system    | 2,750 sq. metres plus an additional 185 sq. metres for each guest room in excess of four guest rooms. |
| (ii) | other uses                      |   |
|      | 1. on well and septic system    | 2,025 sq. metres  |
|      | 2. on municipal water or sewer  | 900 sq. metres  |
|      | 3. on municipal water and sewer | 185 sq. metres  |

### (b) Lot Frontage (minimum)

- |       |                              |           |
|-------|------------------------------|-----------|
| (i)   | on well and septic system    | 35 metres |
| (ii)  | on municipal water or sewer  | 24 metres |
| (iii) | on municipal water and sewer | 18 metres |

### (c) Front Yard Depth (minimum) 7.5 metres

- |     |   |             |
|-----|---|-------------|
| (i) | Motel, motor hotel, hotel,<br>automobile - service station,<br>automotive - commercial garage | 10.5 metres |
|-----|---|-------------|

- |      |                          |            |
|------|--------------------------|------------|
| (ii) | all other permitted uses | 7.5 metres |
|------|--------------------------|------------|

### (d) Side Yard Width (minimum)

3 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 6 metres

- (e) Rear Yard Depth
 

7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 10.5 metres
- (f) Landscaped Open Space (minimum) 30 %
- (g) Building Height (maximum) 10.5 metres
- (h) Dwelling Unit Area (minimum)
  - (i) accessory single detached dwelling 65 sq. metres
  - (ii) accessory dwelling unit 40 sq. metres
    - 1. bachelor dwelling unit 40 sq. metres
    - 2. with one bedroom 50 sq. metres
    - 3. with more than one bedroom 50 sq. metres plus 9 sq. metres for each additional bedroom
- (i) Parking and Loading Areas
 

Parking and loading spaces shall be provided in accordance with Section 3 of this By-law.
- (j) Dwelling Units Per Lot (maximum) 1 only

16.3 Exception Zones

(a) General Commercial-Exception One (GC-E1) Zone:

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned General Commercial-Exception One (GC-E1) and located in Part Lot 24, Plan 16, Block P, Eganville, a three unit dwelling shall also be a permitted use.

(b) General Commercial-Exception Two (GC-E2)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned General Commercial-Exception Two (GC-E2) and located in Block C-1, Plan 461, in the geographic Township of Sebastopol, the following provisions shall also apply:

- (i) A warehouse shall also be a permitted use; and
- (ii) No lands shall be used for any purpose other than fencing and landscaped open space within a side yard that abuts any other zone.

(c) General Commercial-Exception Three (GC-E3)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned General Commercial-Exception Three (GC-E3), the following provisions shall apply:

- (i) Residential dwelling units shall also be a permitted use;
- (ii) Front Yard Depth (minimum) 0 metres
- (iii) Rear Yard Depth (minimum) 0 metres
- (iv) Lot Coverage (maximum) 85%; and
- (v) Notwithstanding Section 3.25.1 (d) or any other provision of this By-law to the contrary, the parking area to be located within 150 metres of the location it is intended to serve may be located on lands in a different zone.

## **SECTION 17.0 - REQUIREMENTS FOR HIGHWAY COMMERCIAL (HC) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Highway Commercial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 17.1 Permitted Uses

#### (a) Residential Uses

- an accessory residential dwelling unit, EXCEPT in the case of an automobile service station or commercial garage, where the accessory residential dwelling unit shall be a single detached residential dwelling
- an accessory single detached dwelling

#### (b) Non-Residential Uses

- animal hospital
- antique furniture restoration workshop, cabinet making shop and showroom
- automotive - body shop
- automotive - car wash
- automotive - commercial garage
- automotive - gasoline bar
- automotive - service station
- automotive - store
- automotive - vehicle sales and/or rental establishment
- bed and breakfast
- boat sales, snowmobile, trailer and cycle sales and rentals
- building supply store
- business and professional offices
- butcher shop
- clinic
- convenience store
- eating establishment - full service
- eating establishment - drive in
- eating establishment - take-out
- equipment rental establishment
- funeral home
- furniture showroom and workshop
- garden centre
- home display and sales outlet
- hotel
- kennel
- laundromat
- laundry and dry cleaning establishment
- mini storage establishment
- motel

- motor hotel
- place of entertainment
- public park, private park
- service shop general
- service shop personal
- tavern
- welding shop
- accessory retail stores, including those whose products are manufactured on the premises, provided that the space devoted to such manufacturing does not exceed 50% of the total floor area.

Uses, buildings and structures which are accessory to the foregoing.

## 17.2 Zone Provisions

(a)	Lot Area (minimum)	
	(i)	on well and septic system 4,050 sq. metres
	(ii)	on municipal water or municipal sewer 2025 sq. metres
	(iii)	on municipal water and sewer 900 sq. metres
(b)	Lot Frontage (minimum)	35 metres
(c)	Front Yard Depth (minimum)	
	(i)	Motel, motor hotel, hotel, automobile service station, commercial garage 10.5 metres
	(ii)	all other permitted uses 7.5 metres
(d)	Side Yard Width (minimum)	3 metres provided that where the side lot line abuts a Residential Zone, the minimum side yard width shall be 6 metres
(e)	Rear Yard Depth	7.5 metres provided that where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 10.5 metres
(f)	Lot Coverage (maximum)	33%

- |     |   |   |
|-----|---|---|
| (g) | Building Height (maximum)   | 10.5 metres   |
| (h) | Dwelling Unit Area (minimum)  |   |
|     | (i) accessory single detached dwelling  | 65 sq. metres   |
|     | (ii) accessory dwelling unit  | 40 sq. metres   |
|     | 1. bachelor dwelling unit   | 40 sq. metres   |
|     | 2. with one bedroom   | 50 sq. metres   |
|     | 3. with more than one bedroom   | 50 sq. metres plus 9 sq. metres for each additional bedroom |
| (i) | Parking and Loading Areas   |   |
|     | Parking and loading spaces shall be provided in accordance with Section 3 of this By-law. |   |
| (j) | Dwelling Units Per Lot (maximum)  | 1 only  |

### 17.3 Exception Zones

#### (a) Highway Commercial-Exception One (HC-E1) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Highway Commercial-Exception One (HC-E1) and located in Part Lot 24, Concession XXI, in the geographic Township of Grattan, the following provisions shall apply:

- (i) Permitted uses shall also include a truck terminal;
- (ii) No bulk fuel storage structures shall be permitted on the lands, other than emergency or temporary storage tanks; the total capacity of all emergency or temporary storage tanks (including skid tanks) shall be limited to a capacity of 3,000 imperial gallons; and
- (iii) All other provisions of the Highway Commercial (HC) zone shall apply to lands in the Highway Commercial-Exception One (HC-E1) zone.

#### (b) Highway Commercial-Exception Two (HC-E2) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Highway Commercial-Exception Two (HC-E2) and located along Bonnechere Street West, within Part Lot 19, Concession IX in the geographic Township of Wilberforce, the following zone provisions shall apply:

- (i) permitted uses shall be restricted to a retail store; a one family dwelling which is accessory to the permitted retail use; and uses, buildings and

structures which are accessory to the foregoing permitted uses;

- (ii) all existing buildings and structures shall be permitted; and
- (iii) all other provisions of this By-law and the Highway Commercial Zone shall apply to lands zoned Highway Commercial-Exception Two (HC-E2).

(c) Highway Commercial-Exception Three (HC-E3)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Highway Commercial-Exception Three (HC-E3) and located in Part Lots 19 and 20, Concession XX, in the geographic Township of Grattan, more particularly described as Part 1, Plan 49R-13281, the following provisions shall apply:

- (i) Permitted uses shall also include a window and door establishment;
- (ii) The minimum parking requirement for a window and door establishment shall be one (1) parking space per 30 m<sup>2</sup> of gross floor area; and
- (iii) All other provisions of the Highway Commercial (HC) zone shall apply to lands in the Highway Commercial-Exception Three (HC-E3) zone.

(d) Highway Commercial-Exception Four (HC-E4)

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Highway Commercial-Exception Four (HC-E4) and located in Lot 2, Block W, Alice Street and Wellington Street, in the (former) Village of Eganville, a boarding house shall also be a permitted use.

(e) Highway Commercial-Exception Five (HC-E5) Zone

Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Highway Commercial-Exception Five (HC-E5) and located on 30 Bonnechere Street and is located in Part of Lots 11 and 12, Block 'I', Plan 16, in the (former) Village of Eganville, in the Township of Bonnechere Valley the following zone provisions shall apply:

- (i) permitted uses shall be restricted to the following: a single detached dwelling; a tea room with a maximum seating capacity of 24 persons; a retail store; one dwelling unit which is accessory to the permitted tea room and/or retail use; and uses, buildings and structures which are accessory to the foregoing permitted uses;
- (ii) the maximum floor area of all retail uses shall be 115 square metres;
- (iii) a minimum of nine (9) parking spaces shall be required;

- (iv) parking shall be permitted within the front yard;
- (v) no loading space is required;
- (vi) the maximum lot coverage shall be 33% and
- (vii) all other provisions of this By-law and the Highway Commercial Zone shall apply to lands zoned Highway Commercial-Exception Five (HC-E5).

**SECTION 18.0 - REQUIREMENTS FOR TOURIST COMMERCIAL (TC) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Tourism Commercial (TC) Zone except in accordance with the provisions of this Section and of any other relevant Section of this By-law.

18.1 Permitted Uses

(a) Residential Uses

An accessory dwelling unit.

(b) Non-Residential Uses

- active recreation uses
- amusement rides and games
- automotive - gasoline bar
- bed and breakfast
- camping or cottage establishment
- eating establishment - drive in
- eating establishment - full service
- eating establishment - take-out
- hotel
- marina
- motel
- passive recreation uses
- place of entertainment
- public park
- private park
- recreational vehicle campground or park
- resort
- retail store
- riding stables
- souvenir sales establishment
- storage building

Uses, buildings and structures accessory to the foregoing.

18.2 Zone Provisions

- |     |                            |              |
|-----|----------------------------|--------------|
| (a) | Lot Area (minimum)         | 1.5 hectares |
| (b) | Lot Frontage (minimum)     | 120 metres   |
| (c) | Front Yard Depth (minimum) | 10.5 metres  |
| (d) | Side Yard Width (minimum)  | 12 metres    |

- (e) Rear Yard Depth (minimum) 15 metres
- (f) Lot Coverage (maximum) 40 %
- (g) Building Height (maximum) 12 metres
- (h) Accessory single detached residential dwelling 65 sq. metres

(i) Parking and Loading Areas:

Parking and loading spaces shall be provided in accordance with Section 3 of this By-law.

(j) Sensitive Lakes:

In accordance with the provisions for Sensitive Lakes in Section 3 - General Provisions of this By-law.

(k) Water Setback:

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

(l) Accessory Uses, Buildings and Structures:

Notwithstanding any Zone provision of the TC Zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of the TC Zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law. An accessory dwelling unit shall be interpreted as a permitted use which is subject to the requirements of Section 18.2 of this By-law.

18.3 Exception Zones

(a) Tourist Commercial-Exception One (TC-E1)

Notwithstanding any other provision of this By-law to the contrary, on those lands described as part of Lot 25, Concession X, geographic Township of South Algona, and zoned as Tourist Commercial-Exception One (TC-E1), a limited service residential dwelling shall be a permitted use.

**SECTION 19.0 - REQUIREMENTS FOR GENERAL INDUSTRIAL ONE (GM1) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a General Industrial One (GM1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

19.1 Permitted Uses

(a) Residential Uses

- an accessory single detached residential dwelling if occupied by the owner, caretaker, watchman or other similar person employed full time on the lot on which such dwelling is located.

(b) Non-Residential Uses

- commercial garage
- contractor's yard or shop
- manufacturing plant
- meat products plant
- fuel storage tanks
- retail store, wholesale outlets, and/or business offices, accessory to a permitted use
- truck terminal
- public garage
- sawmill
- warehouses
- factory outlet
- logging hauler
- leaf or needle oil processing plant
- transmitter tower

Uses, buildings and structures accessory to the foregoing.

19.2 Zone Provisions

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

(a)	Lot Area (minimum)	4,000 sq. metres	
(b)	Yards (minimum)	Abutting <u>Industrial Zone</u>	Abutting <u>Other Zone</u>
	(i) Front Yard Depth	15 metres	22 metres
	(ii) Interior Side Yard Width	3 metres	22 metres
	(iii) Exterior Side Yard Width	6 metres	22 metres
	(iv) Rear Yard Depth	9 metres	22 metres

- (c) Lot Frontage (minimum) 35 metres
- (d) Building Height (maximum) 15 metres
- (e) Lot Coverage (maximum) 50%
- (f) Dwelling Unit Area (minimum) 65 sq. metres
- (g) Dwellings Per Lot (maximum) 1 only

(h) Parking and Loading Spaces:

Parking and loading spaces shall be provided in accordance with Section 3 - General Provisions of this By-law.

(i) Open Storage:

In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.

(j) Separation Distances:

In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.

(k) Setbacks:

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

19.3 Exception Zones

**SECTION 20.0 - REQUIREMENTS FOR GENERAL INDUSTRIAL TWO (GM2) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a General Industrial Two (GM2) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

20.1 Permitted Uses

(a) Residential Uses

- an accessory dwelling if occupied by the owner, caretaker, watchman or other similar person employed full time on the lot on which such dwelling is located.

(b) Non-Residential Uses

- contractor's yard or shop
- fuel storage tanks
- leaf or needle oil processing plant
- logging hauler
- meat products plant
- transmitter towers
- retail store, wholesale outlets, and/or business offices, accessory to a permitted use
- sawmill
- wood fabricating, manufacturing and processing plants

Uses, buildings and structures accessory to the foregoing.

20.2 Zone Provisions

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

(a)	Lot Area (minimum)	4,050 sq. metres	
(b)	Yards (minimum)	Abutting Industrial <u>Zone</u>	Abutting <u>Other Zone</u>
	(i) Front Yard Depth	15 metres	22 metres
	(ii) Side Yard Width	3 metres	22 metres
	(iii) Rear Yard Depth	9 metres	22 metres
(c)	Lot Frontage (minimum)	30 metres	
(d)	Lot Coverage (maximum)	50%	

- (e) Dwelling Unit Area (minimum) 65 sq. metres
- (f) Dwelling Units Per Lot (maximum) 1 only
- (g) Parking and Loading Spaces Parking and loading spaces shall be provided in accordance with Section 3 -General Provisions of this By-law.
- (h) Open Storage

Notwithstanding the provisions of Section 3.20, the following provisions shall also apply to the open storage of goods and materials on lands zoned General Industrial Two (GM2):

- (i) an open storage use shall only be permitted in a rear yard; and
- (ii) any open storage use shall be concealed from view from any road by the use of plant materials, a planting and screening strip, landscaped berms, fencing or other opaque barrier.

- (i) Separation Distances:

In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.

- (j) Setbacks:

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

### 20.3 Exception Zones

**SECTION 21.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL (EM) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Extractive Industrial (EM) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

21.1 Permitted Uses

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- asphalt manufacturing plant
- concrete manufacturing plant
- extractive industrial facility
- forestry
- limited farm
- gravel pit
- quarry

Uses, buildings and structures accessory to the foregoing permitted uses.

21.2 Zone Provisions

No person shall use any lot or erect, alter or use any building or structure in an Industrial (EM) Zone in except in accordance with the following provisions:

(a)	Yards (minimum):	Abutting <u>Industrial Zone</u>	Abutting <u>Other Zone</u>
	(I) Front Yard Depth	22 metres	30 metres
	(ii) Side Yard Width	15 metres	30 metres
	(iii) Rear Yard Depth	15 metres	30 metres
(b)	Landscaped Open Space		

No land in an Extractive Industrial (EM) Zone shall be used for any other purpose than landscaped open space within:

- (i) thirty (30) metres of any zone other than an industrial zone
- (ii) twenty-two (22) metres of any street line

(c) Parking and Loading

In accordance with the provisions for Parking and Loading Space Requirements in Section 3 - General Provisions of this By-law

(d) Accessory Uses, Buildings and Structures

Notwithstanding any other provision of this by-law to the contrary, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

(e) Open Storage

In accordance with the provisions for Open Storage in Section 3 - General Provisions of this By-law.

(f) Separation Distances

In accordance with the provisions for Separation in Section 3 - General Provisions of this By-law.

(g) Setbacks

In accordance with the provisions for Setbacks in Section 3 General Provisions of this By-law.

21.3 Exception Zones

(a) Extractive Industrial-Exception One (EM-E1)

In addition to those uses normally permitted in the Extractive Industrial (EM) Zone, on those lands described as part of Lots 41 and 42, Range 'D' North, geographic Township of Grattan, and zoned as Extractive Industrial-Exception One (EM-E1), a sawmill and a logging hauler shall be permitted uses.

(b) Extractive Industrial-Exception Two (EM-E2)

Notwithstanding any other provision of this By-law to the contrary, buildings and structures may be erected on those lands described as part of Lot 7, Concession XIV, geographic Township of Grattan, and zoned as Extractive Industrial-Exception Two (EM-E2), a sawmill shall be a permitted use.

**SECTION 22.0 - REQUIREMENTS FOR EXTRACTIVE INDUSTRIAL RESERVE (EMR) ZONE**

No person shall use any lands or erect, alter, enlarge or use any building or structure in an EMR Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

22.1 Permitted Uses

(a) Residential Uses

- an existing dwelling at the time of passing of this by-law

(b) Non-Residential Uses

- non-residential uses existing at the time of passing of this by-law
- existing farms excluding an additional dwelling associated with a farm use
- limited farm
- forestry
- passive recreation areas

Uses, buildings and structures accessory to the foregoing.

22.2 Zone Provisions

- |     |                                    |             |
|-----|------------------------------------|-------------|
| (a) | Front Yard Depth (minimum)         | 10.5 metres |
| (b) | Interior Side Yard Width (minimum) | 3.0 metres  |
| (c) | Exterior Side Yard Width (minimum) | 6.0 metres  |
| (d) | Rear Yard Depth (minimum)          | 15.0 metres |
| (e) | Setbacks                           |             |

In accordance with the provisions for setbacks in Section - General Provisions of this By-law.

(f) Accessory Uses, Buildings and Structures

Notwithstanding any zone provisions of this zone to the contrary, uses, buildings and structures which are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provision of this By-law.

22.3 Exception Zones

(a) Extractive Industrial Reserve-Exception One (EMR-E1)

In addition to those uses normally permitted in the Extractive Industrial Reserve (EMR) Zone, on those lands described as part of Lot 4, Concession XIII, geographic Township of Grattan, and zoned as Extractive Industrial Reserve-Exception One (EMR-E1), a private airfield shall be a permitted use.

(b) Extractive Industrial Reserve-Exception Two (EMR-E2)

Notwithstanding the requirements of Section 22.2 of this By-law, on those lands described as part of Lot 18, Concession XVI, geographic Township of Grattan, and zoned as Extractive Industrial Reserve-Exception Two (EMR-E2), the minimum required front yard depth shall be 70.0 metres and the front lot line shall be deemed to be the lot line that divides the lot from the road allowance between Concessions XVI and XVII, geographic Township of Grattan.

**SECTION 23.0 REQUIREMENTS FOR DISPOSAL INDUSTRIAL (DM) ZONE**

No person shall use any lands or erect, alter, enlarge or use any building or structure in a Disposal Industrial Zone except in accordance with the provisions of this Section and any other relevant sections of this By-law:

23.1 Permitted Uses

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- landfill site, but shall not include landfilling of hazardous waste
- transfer station
- waste disposal site - processing
- waste disposal site - composting

Uses, buildings and structures accessory to the foregoing permitted uses.

23.2 Zone Provisions

(a)	Yards (minimum):	<u>Abutting Industrial Zone</u>	<u>Abutting Other Zone</u>
	(i) Front Yard Depth	22 metres	30 metres
	(ii) Side Yard Depth	15 metres	30 metres
	(iii) Rear Yard Depth	15 metres	30 metres

(b) Buffer Strip

No land in any DM Zone shall be used for any purpose other than a buffer strip within

- (i) thirty (30) metres of any Zone other than an industrial zone; and
- (ii) twenty-two (22) metres of any street line.

(c) Abandoned or Rehabilitated

No building shall be erected or constructed in or on a landfill site that has been abandoned or rehabilitated.

(d) Accessory Uses, Buildings and Structure

Notwithstanding any other zone provision to the contrary, with the exception of the Buffer Strip provisions, uses, buildings and structures that are accessory to the permitted uses of this zone shall be permitted in accordance with the requirements for Accessory Uses, Buildings and Structures in Section 3.0 General Provisions of this By-law.

23.3 Exception Zones

## **SECTION 24.0 - REQUIREMENTS FOR RURAL (RU) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Rural Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 24.1 Permitted Uses

#### (a) Residential Uses

- single detached dwelling
- mobile home, in accordance with the Mobile Home provisions in Section 3.0 General Provisions of this By-law.

#### (b) Non-Residential Uses

- agricultural commercial establishment
- bed and breakfast
- cemetery
- day nursery
- home day care centre
- hone industry
- existing private airfields
- farm
- farm produce sales outlet
- forestry
- hunting and fishing camp
- limited farm
- logging hauler
- nursery
- passive recreation uses
- private club
- public garage
- a public park
- a private park
- riding stables
- snowmobile or ATV trail
- transmitter tower

Uses, buildings and structures accessory to the foregoing in 24.1 (a) and (b).

### 24.2 Zone Provisions

#### (a) Lot Area (minimum)

- |      |   |                  |
|------|---|------------------|
| (i)  | riding stable, farm, forestry, limited farm | 2 hectares       |
| (ii) | other permitted uses                        | 4,050 sq. metres |

- (b) Lot Frontage (minimum) 46 metres
- (c) Front Yard Depth (minimum) 7.5 metres
- (d) Side Yard Width (minimum)
  - (i) interior 3 metres
  - (ii) exterior 5 metres
- (e) Rear Yard Depth (minimum) 7.5 metres
- (f) Dwelling Unit Area (minimum) 65 sq. metres
- (g) Lot Coverage (maximum) 33%

(h) Parking and Loading Spaces

Parking spaces shall be provided in accordance with Section 3 of this By-law.

(i) Accessory Uses, Buildings and Structures

In accordance with the provisions for Accessory Uses, Buildings and Structures in Section 3 General Provisions of this By-law.

(j) Sensitive Lakes

In accordance with the provisions for Sensitive Lakes in Section 3 - General Provisions of this By-law.

(k) Separation Distances

In accordance with the provisions for Separation Distances in Section 3 General Provisions of this By-law.

(l) Setbacks

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law.

- (m) Dwelling Units per Lot 1 only

24.3 Exception Zones

(a) Rural- Exception One Zone (RU-E1)

In addition to the uses normally permitted in the Rural (RU) zone, on those lands

described as part of Lot 25, Concession XXII, in the geographic Township of Grattan and zoned Rural-Exception One (RU-E1), may also be used for the purposes of a leaf or needle oil processing plant in accordance with the provisions of Section 19.2 of this By-law, exception that the minimum side yard shall be 3.0 metres.

(b) Rural- Exception Two Zone (RU-E2)

In addition to the uses normally permitted in the Rural (RU) zone, on those lands described as part of Lot 17, Concession XVII, in the geographic Township of Grattan and zoned Rural-Exception Two (RU-E2), may also be used for the purposes of an automobile service station in accordance with the provisions of Section 16.2 of this By-law and also for a business and sales office for an aggregate operation, including the outdoor display and storage of aggregate materials for sale.

(c) Rural- Exception Three Zone (RU-E3)

In addition to the uses normally permitted in the Rural (RU) zone and notwithstanding the provisions of Section 3.14 of this By-law, on those lands described as part of Lot 32, Concession XXI, in the geographic Township of Grattan and zoned Rural-Exception Three (RU-E3), may also be used for the purposes of an abattoir in accordance with the provisions of Section 19.2 of this By-law.

(d) Rural- Exception Four Zone (RU-E4)

Notwithstanding the requirements of Section 24.2 of this By-law, on those lands described as part of Lot 18, Concession XVI, geographic Township of Grattan, and zoned as Rural-Exception Four (RU-E4), the minimum required front yard depth shall be 70.0 metres and the front lot line shall be deemed to be the lot line that divides the lot from the road allowance between Concessions XVI and XVII, geographic Township of Grattan.

(e) Rural-Exception Five (RU-E5)

Notwithstanding any other provision of this By-law to the contrary, for the lands located in Part Lots 18 and 19, Range 'C' South, Sebastopol, shall be considered to be an existing undersized lot and will be considered as a permitted use notwithstanding that the lot has less than the minimum required frontage on a Township Road.

(f) Rural-Exception Six (RU-E6)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural-Exception Six (RU-E6) and located on Scotch Bush Road in Part of Lots 6 and 7, Concession 6, in the geographic Township of Grattan, the following

provisions shall apply:

- (i) A garden suite shall be a permitted use subject to the provisions of Section 39 of the Planning Act, R.S.O. 1990, c.P.13.
- (ii) The permitted temporary use of the property for a garden suite shall lapse on the 17<sup>th</sup> day of February, 2014.

(g) Rural-Exception Seven (RU-E7)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as part of Lot 30, Concession XVIII, geographic Township of Grattan, and zoned as Rural-Exception Seven (RU-E7), the retail sale and repair of sun protection and related recreational products shall be a permitted use.

(h) Rural-Exception Eight (RU-E8)

Notwithstanding the requirements of Section 23.2, on those lands described as part of Lot 22, Concession XX, geographic Township of Grattan, and zoned as Rural-Exception Eight (RU-E8), the minimum required front yard depth shall be 81.0 metres.

(i) Rural-Exception Nine (RU-E9)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as part of Lot 4, Concession XIII, geographic Township of Grattan, and zoned as Rural-Exception Nine (RU-E9), a private airfield shall be a permitted use.

(j) Rural-Exception Ten (RU-E10)

Notwithstanding any other provision of this By-law to the contrary, on those lands zoned as Rural-Exception Ten (RU-E10), no use or development may be permitted, except in accordance with the requirements for Sensitive Lake in Section 3 - General Provisions of this By-law.

(k) Rural-Exception Eleven (RU-E11)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as part of Lot 10, Concession XV, geographic Township of Grattan, and zoned as Rural-Exception Eleven (RU-E11), a paintball recreation establishment shall be a permitted use. For lands zoned Rural-Exception Eleven (RU-E11), a "PAINTBALL RECREATION ESTABLISHMENT" shall mean the use of land for the purpose of paintball games for gain or profit. No buildings or structures shall be permitted, other than an accessory structure for office and related uses which may include washroom facilities and a snack bar. The accessory office and related uses may also be conducted within a permitted dwelling.

(l) Rural-Exception Twelve (RU-E12)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as Part 2, Plan 49R-12465 in part of Lot 20, Concession XX, geographic Township of Grattan, and zoned as Rural-Exception Twelve (RU-E12), a flower shop shall be a permitted use.

(m) Rural-Exception Thirteen (RU-E13)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as part of Lot 16, Concession VIII, geographic Township of South Algona, and zoned as Rural-Exception Thirteen (RU-E13), a shooting range shall be a permitted use.

(n) Rural-Exception Fourteen (RU-E14)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural-Exception Fourteen (RU-E14) and located in Part Lot 10, Concession 3 and Part Lot 10, Concession 4, in the geographic Township of South Algona, on lands known municipally as 24 A & B Marquardt Lane, the following provisions shall apply:

- (i) A garden suite shall be a permitted use subject to the provisions of Section 39 of the Planning Act, R.S.O. 1990, c.P.13.
- (ii) The permitted temporary use of the property for a garden suite shall lapse on the 6<sup>th</sup> day of October, 2013.

(o) Rural-Exception Fifteen (RU-E15)

Notwithstanding any other provision of this By-law to the contrary, on those lands described as part of Lot 12, Concession III, geographic Township of Grattan, and zoned as Rural-Exception Fifteen (RU-E15), a limited service residential dwelling existing on the date of passing of this By-law shall be a permitted use, in accordance with the provisions of Section 12.0 of this By-law.

(p) Rural-Exception Sixteen (RU-E16)

In addition to those uses normally permitted in the Rural (RU) Zone, those lands described as part of Lot 19, Concession XX, geographic Township of Grattan, and zoned as Rural-Exception Sixteen (RU-E16), may also be used for the purposes of a heating contractor's shop in compliance with the provisions of Section 20.2 of this By-law, excepting however, that the minimum lot area shall be 1,800 square metres.

(q) Rural-Exception Seventeen (RU-E17)

In addition to those uses normally permitted in the Rural (RU) Zone, on those lands described as part of Lots 21 and 22, Concession XVII, geographic Township of Grattan, being Part 1 on Plan 49R-2588 and zoned as Rural-Exception Seventeen (RU-E17), a seniors boarding residence shall be a permitted use.

(r) Rural-Exception Eighteen (RU-E18)

Notwithstanding any other provision of this By-law to the contrary, on those lands described as part of Lot 36, Concession XI, geographic Township of Grattan, and zoned as Rural-Exception Eighteen (RU-E18), a mobile home as a second accessory dwelling shall be a permitted use.

(s) Rural-Exception Nineteen-holding (RU-E19)

Notwithstanding any other provision of this By-law to the contrary, on those lands subject to an existing Shareholder Agreement (Hermitage Lake Corporation) and located in Lots 16, 17, 18, 19 and 20, Concession XIV, geographic Township of Sebastopol, and zoned as Rural-Exception Nineteen (RU-E19), more than one single detached dwelling shall be permitted on an existing lot.

(t) Rural-Exception Twenty (RU-E20) Zone

Notwithstanding any other provision of this By-law to the contrary, on those lands subject to an existing Shareholder Agreement (2688301 Canada Inc. operating as Constan Associates) and located in Lots 8, 9 and 10, Concession IV and Part of Lot 11, Concession V in the geographic Township of Grattan, and zoned as Rural-Exception Twenty (RU-E20), more than one single detached dwelling are permitted on a lot.

(u) Rural-Exception Twenty-One (RU-E21) Zone

Notwithstanding any other provisions of this By-Law to the contrary, for the lands zoned Rural-Exception Twenty-One (RU-E21) and located in Part of Lot 16 and 17, Concession 6, in the geographic Township of Grattan, in the Township of Bonnechere Valley, six dwellings existing as of April 25, 2005, shall be permitted on an existing lot.

(v) Rural-Exception Twenty-Two (RU-E22)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural-Exception Twenty-Two (RU-E22) and located in Part of Lot 50, Range C North, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) The maximum floor area of any new dwelling or upgrades and/or renovations and/or repairs to an existing dwelling, shall be limited to a footprint with a maximum floor area of equivalent or smaller size than the dwelling existing on June 9, 2005;
  - (ii) The location of any future reconstructed or new dwelling shall be no closer to the high water mark of Lake Clear than the setback that existed as of June 9, 2005. All new accessory structures shall be required to meet the minimum water setback of 30 metres and the minimum front yard depth, side yard width and rear yard depth requirements of the Rural (RU) zone;
  - (iii) Any septic system for a new dwelling shall be required to meet the minimum water setback of 30 metres and the minimum front yard depth, side yard width and rear yard depth requirements of the of the RU zone;
  - (iv) A minimum 30 metre wide vegetated buffer should be maintained along the high water mark of Lake Clear. A vegetated buffer shall mean an area to be used only for the purpose of planting and maintaining trees, shrubs, grasses and/or other vegetation to be maintained in its natural state. Any mature trees and undergrowth vegetation present between the existing dwellings and the shoreline of the lake should be left in its current condition as much as possible; and
  - (v) All other applicable provisions of the RU zone and this By-law shall apply to lands zoned Rural-Exception Twenty-Two (RU-E22).
- (w) Rural-Exception Twenty-Three (RU-E23)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural-Exception Twenty-Three (RU-E23) and located in Part of Lot 8, and Part of Lot 9, Concession XIV, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, a three-unit dwelling is a permitted use.

(x) Rural-Exception Twenty-Four (RU-E24)

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Rural Exception Twenty-Four (RU-E24) and located in Part of Lot 30, Concession 9, in the geographic Township of Sebastopol, in the Township of Bonnechere Valley, the following provisions shall apply:

- (i) Notwithstanding any other provision of this By-law to the contrary, permitted uses of the property zoned RU-E24 shall be limited to parking for up to four (4) vehicles for the purpose of access to lands located within part of Island “D” (Turner Island), Lake Clear, geographic Township of Sebastopol, in the Township of Bonnechere Valley, and more particularly described as Part 1 on Plan 49R-12254;
- (ii) No dwellings or septic systems shall be permitted on the property;
- (iii) No structures other than a pit privy, a garage/boat storage building and/or boat docking and launching facilities shall be permitted on the property. The submission of a site plan will be required to establish the location of the pit privy and garage which shall be located as close as possible to the existing road, while complying with the setback requirements of the RU zone.
- (iv) All buildings and/or structures shall occupy an area no larger than 10% of the total lot area, and shall act as accessory structures only to the permitted use of the site as parking for mainland access. No sleeping cabins or boat houses are permitted.
- (v) A minimum setback of 30 metres from the high water mark of Lake Clear shall be required.
- (vi) A minimum 30 metre wide vegetated buffer should be maintained along the high water mark of Lake Clear. A vegetated buffer shall mean an area to be used only for the purpose of planting and maintaining trees, shrubs, grasses and/or other vegetation to be maintained in its natural state. Any mature trees and undergrowth vegetation present between the existing dwellings and the shoreline of the lake should be left in its current condition, with the exception of areas for boat docking and launching facilities and access to those areas; and
- (vii) All other applicable provisions of the Rural (RU) zone and this By-law shall apply to lands zoned Rural Exception Twenty-Four (RU-E24).

(d) Rural-Exception Twenty-Five (RU-E25)

Notwithstanding any provisions of this By-law to the contrary, for the lands zoned the Rural-Exception Twenty-Five (RU-E25) on Jack’s Island on Golden Lake, a

limited service dwelling may be permitted on an island subject to the following provisions shall apply:

- (i) The island shall be served by a water access point on the mainland which shall be zoned to permit parking, boat launching and/or docking facilities for the island. The water access point shall be located on lands fronting along the shoreline of Golden Lake and be held in the same ownership as the island or otherwise secured by a right-of-way or easement.
- (ii) All other applicable provisions of this By-law shall apply to lands zoned Rural-Exception Twenty-Five (RU-E25).

#### 24.4 Holding Provisions

(a) Rural-Exception Nineteen-holding (RU-E19-h)

Until such time that the holding (h) symbol is removed from land zoned Rural-Exception Nineteen-holding (RU-E19-h) on lands located in Lots 16, 17, 18, 19 and 20, Concession XIV, geographic Township of Sebastopol, no person shall use land or erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- existing residential uses in existing locations
- all other uses permitted in the Rural (RU) Zone.

(ii) Conditions for Removal of Holding (h) Symbol

The conditions that must be satisfied prior to the removal of the holding (h) symbol are:

1. That a site plan, hydrogeological assessment and/or planning justification report be provided to support any application for building permit for any new dwellings.

(b) Rural-Exception Twenty-holding (RU-E20-h)

Until such time that the holding (h) symbol is removed from the land zoned Rural-Exception Twenty-holding (RU-E20-h) on lands located within Lots 8, 9 and 10, Concession IV and Part of Lot 11, Concession V in the geographic Township of Grattan, no person shall use land or erect or use a building or structure except in accordance with the following:

(i) Permitted Uses

- eight (8) existing single detached dwellings on an existing lot.
- all other uses permitted in the Rural (RU) Zone.

(ii) Conditions for Removal of the Holding (h) Symbol

- That a site plan, hydrogeological assessment and/or planning justification report be provided to support any application for building permit for any new dwellings.

## **SECTION 25.0 - REQUIREMENTS FOR COMMUNITY FACILITY (CF) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Community Facility Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 25.1 Permitted Uses

#### (a) Residential Uses

- senior citizen's home
- nursing home
- home for the aged

#### (b) Non-Residential Uses

- religious education facility
- assembly hall
- community centre
- hospital
- clinic
- cemetery
- church
- museum
- nursing home
- passive recreation uses
- place of entertainment
- place of worship
- private club
- public building
- public utility
- public park
- public garage
- school
- tourist information centre

Uses, buildings and structures accessory to the foregoing.

### 25.2 Zone Provisions

- |     |                            |                 |
|-----|----------------------------|-----------------|
| (a) | Lot Area (minimum)         | 4050 sq. metres |
| (b) | Lot Frontage               | 46 metres       |
| (c) | Front Yard Depth (minimum) | 10.5 metres     |

- (d) Side Yard Width (minimum)
  - (i) interior 5 metres or ½ the height of the building whichever is greater
  - (ii) exterior 10.5 metres or ½ the height of the building whichever is greater.
- (e) Rear Yard Depth (minimum) 15 metres
- (f) Lot Coverage (maximum) 40%
- (g) Building Height (maximum) 10.5 metres

(h) Accessory Uses, Buildings and Structures

In accordance with the provisions for Accessory Uses, Buildings and Structures in Section 3 General Provisions of this By-law.

(i) Parking and Loading Spaces

Parking spaces shall be provided in accordance with Section 3 of this By-law.

(j) Sensitive Lakes

In accordance with the provisions for Sensitive Lakes in Section 3 - General Provisions of this By-law.

(k) Separation Distances

In accordance with the provisions for Separation Distances in Section 3 - General Provisions of this By-law.

(l) Setbacks

In accordance with the provisions for Setbacks in Section 3 - General Provisions of this By-law

25.3 Exception Zones

(a) Community Facility-Exception One (CF-E1) Zone:

Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned Community Facility-Exception One and located in Part of Lot 20, Concession 20, geographic Township of Grattan, in the Township of Bonnechere Valley, the following zone provisions shall apply:

- (i) A maximum thirty (30)-bed senior citizens home shall be a permitted use on lands zoned Community Facility-Exception One (CF-E1);
- (ii) Lot Frontage (minimum) 20 metres;
- (iii) Parking requirement (minimum) Senior citizens home One (1) parking space for every one (1) bed, and
- iv) All other applicable provisions of this By-law and the Community Facility (CF) zone shall apply to lands zoned Community Facility-Exception One (CF-E1).

**SECTION 26.0 - REQUIREMENTS FOR ENVIRONMENTAL PROTECTION (EP) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Environmental Protection Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

26.1 Permitted Uses

(a) Residential Uses

- a single detached dwelling existing at the time of passing of this By-law

(b) Non-Residential Uses

- existing farms excluding additional dwelling associated with a farm use
- existing forestry
- limited farm
- public park
- private park
- passive recreation areas

Accessory uses, buildings and structures to permitted uses listed in 26.1 (a) and b) above are permitted provided such accessory buildings and structures shall not exceed nine and three-tenths (9.3) square metres.

26.2 Zone Provisions

(a)	Front Yard Depth (minimum)	7.5 metres
(b)	Side Yard Width (minimum)	
	(i) interior	3 metres
	(ii) exterior	6 metres
(c)	Rear Yard Depth (minimum)	15 metres
(d)	Lot Coverage (maximum)	1%
(e)	Building Height (maximum)	7.5 metres

## 26.3 Exception Zones

### (a) Environmental Protection-Exception One (EP-E1)

Notwithstanding any other provision of this By-law to the contrary, for the lands within the Environmental Protection-Exception One (EP-E1) zone, being a 120 metre buffer from a Provincially Significant Wetland as shown on Schedules A-1, A-2 and A-3 to this By-law, the permitted uses shall be existing buildings and structures, single detached residential development on existing lots of record, existing limited farm, existing forestry, passive recreation, open space, conservation, accessory uses and structures, dams or other water control structures and erosion control structures. Other development and site alteration in accordance with the provisions of the Rural Zone in Section 24.0 of this By-law, may be permitted if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Council shall consult with the Ministry of Natural Resources and the County of Renfrew regarding development and its possible impacts, and may require an Environmental Impact Study in considering development proposals.

### (b) Environmental Protection-Exception Two (EP-E2)

Notwithstanding any other provision of this By-law to the contrary, for the lands within the Environmental Protection-Exception Two (EP-E2) zone, being the McGrath Meltwater ANSI and a 50 metre buffer from the boundaries of the ANSI as shown on Schedule A-3 to this By-law, the permitted uses shall be existing buildings and structures, single detached residential development on existing lots of record, existing limited farm, existing forestry, passive recreation, open space, conservation, accessory uses and structures, dams or other water control structures and erosion control structures. Other development and site alteration in accordance with the provisions of the Rural Zone in Section 24.0 of this By-law, may be permitted if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Council shall consult with the Ministry of Natural Resources and the County of Renfrew regarding development and its possible impacts, and may require an Environmental Impact Study in considering development proposals.

### (c) Environmental Protection-Exception Three (EP-E3)

Notwithstanding any other provisions of this By-Law to the contrary, for the lands zoned Environmental Protection-Exception Three (EP-E3) and located in Part of Lot 16 and 17, Concession 6, in the geographic Township of Grattan, in the Township of Bonnechere Valley, six dwellings existing as of April 25, 2005, shall be permitted on an existing lot. Other permitted uses shall be existing buildings and structures, existing farm, limited farm, passive recreation, open space, conservation, accessory uses and structures, dams or other water control structures and erosion control structures.

(d) Environmental Protection-Exception Four (EP-E4)

Notwithstanding any other provisions of this By-Law to the contrary, for the lands zoned Environmental Protection-Exception Four (EP-E4) and located in Part of Lot 16 and 17, Concession 6, in the geographic Township of Grattan, in the Township of Bonnechere Valley, six dwellings existing as of April 25, 2005, shall be permitted on an existing lot. All other applicable provisions of the Environmental Protection (EP) zone shall apply to lands zoned Environmental Protection-Exception Four (EP-E4).

**SECTION 27.0 - REQUIREMENTS FOR OPEN SPACE (OS) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in an Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

27.1 Permitted Uses

(a) Residential Uses

- prohibited

(b) Non-Residential Uses

- public park
- passive recreational uses
- private park

27.2 Zone Provisions

- |     |                            |            |
|-----|----------------------------|------------|
| (a) | Lot Area (minimum)         | NIL        |
| (b) | Front Yard Depth (minimum) | NIL        |
| (c) | Side Yard Width (minimum)  | 5 metres   |
| (d) | Rear Yard Depth (minimum)  | 15 metres  |
| (e) | Building Height (maximum)  | 5.0 metres |

27.3 Exception Zones

**SECTION 28.0 - REQUIREMENTS FOR DEVELOPMENT (D) ZONE**

No person shall hereafter use any lands or erect, alter, enlarge or use any building or structure in a Development (D) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

28.1 Permitted Uses

(a) Residential Uses

- existing dwellings

(b) Non-Residential Uses

- passive recreational uses
- existing farms, but not including an intensive farm, as described herein and excluding any additional dwellings associated with a farm use.
- accessory buildings and structures provided such accessory building and structures shall not exceed nine and three tenths (9.3 square metres).

28.2 Zone Provisions

- |     |                            |             |
|-----|----------------------------|-------------|
| (a) | Front Yard Depth (minimum) | 10.5 metres |
|     | (i) interior               | 3 metres    |
|     | (ii) exterior              | 6 metres    |
| (b) | Side Yard Width (minimum)  | 5 metres    |
| (c) | Rear Yard Depth (minimum)  | 15 metres   |
| (d) | Building Height (maximum)  | 5 metres    |

28.3 Exception Zones

ENACTMENT

This by-law shall become effective on the date of passing by Council.

This by-law read a FIRST and SECOND time this \_\_\_\_\_ day of \_\_\_\_\_ 2006

This by-law read a THIRD time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_ 2006

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CAO/CLERK

## METRIC CONVERSION

### NOTES ON METRIC MEASURES

This By-law is written wholly using metric measures. In compliance with standards of the Metric Commission, all metric units are written in international abbreviations, SI (Systems International). The symbols to this By-law are as follows:

m	-	metre or metres
m <sup>2</sup>	-	square metre or square metres
ha	-	hectare or hectares

A conversion table for the metric measures used in this By-law is provided below, showing their imperial equivalents.

### LINEAR MEASURES:

General conversion factors:

feet	=	metres ÷ 0.3048; or
feet	=	metres x 3.2808
metres	=	feet x 0.3048

### AREA MEASURES:

General conversion factors:

Square feet	=	square metres ÷ 0.0929; or
Square feet	=	square metres x 10.7643
acres	=	hectares ÷ .4047; or
acres	=	hectares x 2.471
hectares	=	acres x 0.4047

### DENSITY MEASURES

General Conversion Factors:

Units/hectare	=	units per acre x 2.471
Units/acre	=	units per hectare ÷ 2.471

### EQUIVALENTS

1 hectare	=	10,000 square metres
1 acre	=	43,560 square feet

NOTES ON METRIC MEASURES (CON'T)

SPECIFIC LINEAR CONVERSIONS:

<u>Measurement</u>		<u>Exact</u>	<u>Approximate</u>	<u>Measurement</u>	<u>Exact</u>	<u>Approximate</u>
0.3 m	=	0.98 ft.	1 ft.	15.0 m	=	49.21 ft. 50 ft.
0.5 m	=	1.64 ft.	20 inches	18.0 m	=	59.06 ft. 60 ft.
0.6 m	=	1.97 ft.	2 ft.	22.0 m	=	72.18 ft. 72 ft.
0.7 m	=	2.30 ft.	28 inches	30.0 m	=	98.43 ft. 100 ft.
0.9 m	=	2.95 ft.	3 ft.	35.0 m	=	114.83 ft. 115 ft.
1.0 m	=	3.28 ft.	39 inches	38.0 m	=	124.67 ft. 125 ft.
1.5 m	=	4.92 ft.	5 ft.	40.0 m	=	131.23 ft. 133 ft.
2.0 m	=	6.56 ft.	6.5 ft.	46.0 m	=	150.92 ft. 150 ft.
2.5 m	=	8.20 ft.	8 ft.	50.0 m	=	164.04 ft. 165 ft.
2.7 m	=	8.86 ft.	9 ft.	53.0 m	=	173.88 ft. 175 ft.
3.0 m	=	9.84 ft.	10 ft.	60.0 m	=	196.85 ft. 200 ft.
4.0 m	=	13.12 ft.	13 ft.	75.0 m	=	246.06 ft. 250 ft.
5.5 m	=	18.04 ft.	18 ft.	90.0 m	=	295.28 ft. 300 ft.
6.0 m	=	19.69 ft.	20 ft.	100.0 m	=	328.08 ft. 330 ft.
7.5 m	=	24.61 ft.	25 ft.	120.0 m	=	393.70 ft. 400 ft.
9.0 m	=	29.53 ft.	30 ft.	150.0 m	=	492.13 ft. 500 ft.
10.0 m	=	32.81 ft.	33 ft.	180.0 m	=	590.55 ft. 600 ft.
10.5 m	=	34.45 ft.	35 ft.	200.0 m	=	656.17 ft. 660 ft.
12.0 m	=	39.37 ft.	40 ft.	750.0 m	=	2460.63 ft. 2500 ft.

SPECIFIC AREA CONVERSIONS:

<u>Measurement</u>	<u>Exact</u>	<u>Approximate</u>
1 m <sup>2</sup>	= 10.76 sq. ft.	11 sq. ft.
9 m <sup>2</sup>	= 96.88 sq. ft.	100 sq. ft.
51 m <sup>2</sup>	= 548.98 sq. ft.	550 sq. ft.
65 m <sup>2</sup>	= 699.68 sq. ft.	700 sq. ft.
75 m <sup>2</sup>	= 807.32 sq. ft.	800 sq. ft.
93 m <sup>2</sup>	= 1001.08 sq. ft.	1000 sq. ft.
185 m <sup>2</sup>	= 1991.39 sq. ft.	2000 sq. ft.
300 m <sup>2</sup>	= 3229.28 sq. ft.	
700 m <sup>2</sup>	= 7534.98 sq. ft.	
900 m <sup>2</sup>	= 9687.84 sq. ft.	
1400 m <sup>2</sup>	= 15069.97 sq. ft.	
1450 m <sup>2</sup>	= 15608.18 sq. ft.	
1500 m <sup>2</sup>	= 16146.39 sq. ft.	
2000 m <sup>2</sup>	= 21528.53 sq. ft.	
2025 m <sup>2</sup>	= 21797.63 sq. ft.	0.5 ac.
2300 m <sup>2</sup>	= 24757.80 sq. ft.	
2750 m <sup>2</sup>	= 29601.72 sq. ft.	
2800 m <sup>2</sup>	= 30139.94 sq. ft.	
3035 m <sup>2</sup>	= 32669.54 sq. ft. (0.75 ac.)	N/A
3250 m <sup>2</sup>	= 34983.85 sq. ft.	0.8 ac.
4000 m <sup>2</sup>	= 43057.05 sq. ft.	
4047 m <sup>2</sup>	= 43562.97 sq. ft. (1.0 ac.)	N/A
1 ha	= 2.47 ac.	2.5 ac.
1.5 ha	= 3.71 ac.	
2.0 ha	= 4.94 ac.	5.0 ac.
10.0 ha	= 24.71 ac.	25.0 ac.
20.0 ha	= 49.42 ac.	50.0 ac.
24 ha	= 59.30 ac.	60.0 ac.
40 ha	= 98.84 ac.	100.0 ac.
80 ha	= 197.68 ac.	200.0 ac.