



City of Kawartha Lakes **Rural Zoning By-law**

By-law No. XX-XXX

First Draft (January 2022)



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1.0 Administration and Interpretation

1.1 Title

- .1 This By-law may be cited as the “City of Kawartha Lakes Rural Zoning By-law”.

1.2 Application

- .1 This By-law applies to all lands designated on Schedule “A”.
- .2 The lands subject to this By-law, as delineated on Schedule “A”, are hereinafter referred to as the defined area. The defined area is considered to consist of lands outside of the Urban Settlement Areas of Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and Woodville and outside those lands within the Oak Ridges Moraine Conservation Plan Area.

For lands within the Urban Settlement Areas of Lindsay, Bobcaygeon, Fenelon Falls, Omemee, and Woodville, please consult each community’s Zoning By-law.

1.3 Administration and Validity

1.3.1 Compliance with this By-law

- .1 No person shall use any land, building, or structure, or erect any building or structure, except in accordance with the provisions of this By-law.
- .2 No person shall change the purpose of which any land or building is used or erect any new building or addition to any existing building or sever any lands from an existing parcel if the effect of such action is to cause the original adjoining or remaining buildings or lands to be in contravention of this By-law.

The requirements of this By-law must be met before a building permit is used for the erection, addition to, or alteration of any building or structure.

1.3.2 Inspection of Land, Buildings, and Structures

- .1 The municipal law enforcement officer are hereby authorized to enter at all reasonable hours for the purposes of inspection upon any property or premises.

1.3.3 Compliance with Other Laws and Regulations

- .1 Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other

By-law of the City of Kawartha Lakes or any other applicable regulation of the Province of Ontario or Government of Canada authorities that may otherwise affect the use of any land, building or structure.

1.3.4 Penalties

- .1 Any person or corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the fine(s) as provided in the *Planning Act* and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence.

1.3.5 Severability

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

1.4 Interpretation

1.4.1 Certain Words

- .1 Unless otherwise defined by this By-law, the words and phrases used in this By-law shall have their normal and ordinary meaning.
- .2 The word 'shall' and 'must' are mandatory.
- .3 The word 'use' when used as a verb, 'to use' or 'used' shall have corresponding meanings.
- .4 The word 'used' includes 'arranged, designed, or intended to be used'.
- .5 The word 'alter' includes alteration.
- .6 Words used in the singular include the plural and words used in the plural include the singular.
- .7 Words used in the present tense include the future tense and words used in the future tense include the present tense.

1.4.2 Abbreviations

- .1 The following abbreviations and terms, where used in this By-law, shall have the same meaning as if the word were printed in full:
 - .a 'm' means metres;

- .b 'ha' means hectares;
- .c 'm²' means square metres;
- .d 'min.' means minimum;
- .e 'max.' means maximum; and,
- .f 'FAR' means floor area ratio.

1.4.3 Illustrations, Maps, Notations, and Other Convenience Features

- .1 Illustrations included in this By-law are for convenience purposes only and do not form part of this By-law. Notwithstanding this provision, illustrations, diagrams, tables and maps that are explicitly identified with a Figure or Table number in this By-law shall form an operative part of this By-law.
- .2 This By-law contains margin notations for the purposes of providing convenience and explanation to the reader. Margin notations are shown in grey boxes with black text to the right of the operative parts of this By-law. The margin notations do not form an operative part of this By-law.
- .3 Character styles are provided for convenience purposes only. The usage or omissions of the following shall not be considered to change the intent or meaning of the By-law or any part thereof:
 - .a The terms that are defined in Section 3 of this By-law have been underlined.
 - .b The titles of Federal or Provincial legislation are italicized.

Margin notations contained within grey boxes are provided to explain elements of the By-law and are not an operative part of the By-law.

1.4.4 Technical and Editorial Revisions

- .1 Provided that the purpose, effect, intent, meaning, and permissions of this By-law are in no way changed or altered, the following technical revisions to this By-law are permitted without amendment:
 - .a Corrections to typographic, punctuation, or mathematical errors.
 - .b Additions to and revisions of technical information on the schedules, including but not limited to: topographic information, road labels, notes, legends, colours, shading, title blocks, or zone boundaries abutting new or deleted roads.
 - .c Changes to illustrations, diagrams and margin notations which do not form an operative part of the By-law.

- .d Changes to any reference to legislation or regulations or sections thereof approved by another public authority shall include any amendments or successor legislation.

1.5 Transition

1.5.1 Building Permits

- .1 Nothing in this By-law shall prevent the erection of a building or structure in accordance with a building permit application submitted prior to the date of passing of this By-law, provided the building permit is in accordance with all prior zoning by-laws that affected the lot before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clause .1 of this subsection.

1.5.2 Planning Applications in Process

- .1 Nothing in this By-law shall prevent the erection of a building or structure in accordance with any minor variance or site plan that has been submitted and deemed complete by the Municipality or approved or conditionally approved by the relevant approval authority before the passing of this By-law, provided the application complies with all prior zoning by-laws that affected the lot or block before this By-law came into effect.
- .2 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clause .1 of this subsection.

1.5.3 Lapse of Transition Provisions

- .1 Once a permit or approval referred to under Section 1.5.1 and 1.5.2 has been granted, all provisions of this By-law shall apply.
- .2 Section 1.5 shall lapse and is deemed to be repealed five years from the effective date of this By-law. This provision shall not require an amendment to this By-law to take effect.

1.6 Technical Revisions

- .1 Provided the purpose, effect, intent, and meaning of this By-law are in no way altered or affected, the following technical

revisions to this By-law are permitted without a zoning by-law amendment:

- .a Changes to the numbering, format, arrangement and order of text, tables, schedules and maps.
- .b Additions to and revisions of technical information on the schedules, including but not limited to: topographic information, road labels, notes, legends, colours, shading, and title blocks. For clarity, this provision shall not apply to modifications that would affect the zoning of lands but relates to the modification of zone boundaries for the purposes of clarity.
- .c Corrections to punctuation, grammar, typographic, stylistic, spelling or mathematical calculation errors.
- .d Changes to illustrations and diagrams which do not form an operative part of the By-law.
- .e Changes to any reference to legislation or regulations or sections thereof approved by another public authority which shall include any amendments or successor legislation.

2.0 Establishment of Zones and Schedules

2.1 Establishment of Zones

- .1 Table 2-1 establishes the following zones and places all lands within the defined area of this By-law in one or more of the following zones.
- .2 The zones may be referred to by their Zone Name or by their corresponding Zone Symbol as established in Table 2-1. For convenience purposes only, Table 2-1 describes the purpose of the zone in the third column. The text contained in the third column and describing the zone does not form an operative part of this By-law.

Table 2-1: Establishment of Zones		
Zone Name	Zone Symbol	Zone Description
Residential Zones		
Hamlet Residential One	HR1	Permits <u>single detached dwellings</u> within the Hamlets.
Hamlet Residential Two	HR2	
Hamlet Residential Three	HR3	
Hamlet Residential Four	HR4	
Rural Residential One A	RR1A	Permits <u>single detached dwellings</u> outside the Hamlets.
Rural Residential One B	RR1B	
Rural Residential One C	RR1C	
Rural Residential One D	RR1D	
Rural Residential Two A	RR2A	Permits <u>single detached dwellings</u> , including <u>lots</u> abutting a <u>waterbody</u> .
Rural Residential Two B	RR2B	
Rural Residential Two C	RR2C	
Rural Residential Two D	RR2D	
Rural Residential Three A	RR3A	Permits <u>single detached dwellings</u> , including <u>lots</u> abutting a <u>waterbody</u> .
Rural Residential Three B	RR3B	
Rural Residential Three C	RR3C	
Residential Mobile Home Park One	RMH1	Permits <u>mobile home</u> and <u>mobile home park uses</u> .
Residential Mobile Home Park Two	RMH2	
Residential Mobile Home Park Three	RMH3	
Residential Transition	RT	Permits <u>single detached dwellings</u> on lands within Lindsay, previously

Table 2-1: Establishment of Zones		
Zone Name	Zone Symbol	Zone Description
		subject to the Township of Ops Zoning By-law.
Agriculture Zones		
Agriculture	AG	Permits a range of <u>agricultural uses</u> .
Agriculture Related	AR	Permits a range of agriculture-related <u>uses</u> within prime agricultural areas.
Agriculture Consolidation	AC	Permits a range of <u>agricultural uses</u> , excluding <u>single detached dwellings</u> .
Commercial Zones		
Commercial General	CG	Permits a range of commercial <u>uses</u> within the Hamlets.
Commercial Highway	CH	Permits a wide range of commercial uses, including motor vehicle service <u>uses</u> .
Commercial Rural	CA	Permits commercial <u>uses</u> outside of the Hamlets.
Commercial Recreation	CR	Permits a range of <u>uses</u> suitable for the travelling public.
Commercial Campground	CC	Permits limited camping related <u>uses</u> .
Industrial Zones		
Industrial General	IG	Permits a range of industrial <u>uses</u> within the Hamlets.
Industrial Restricted	IR	Permits a range of industrial uses, excluding <u>outside storage</u> , within the Hamlets.
Industrial Extractive	IX	Permits mineral aggregate extraction <u>uses</u> .
Industrial Disposal	ID	Permits industrial disposal <u>uses</u> .
Industrial Rural	IA	Permits industrial <u>uses</u> outside of the Hamlets.
Environmental Protection & Open Space Zones		
Open Space	OS	Permits open space and park <u>uses</u> .
Open Space Restricted	OSR	Permits a limited range of park <u>uses</u> .
Open Space Special Use	OSS	Permits a broader range of <u>uses</u> within the Longford Reserve.
Environmental Protection	EP	<u>Uses</u> are principally limited to conservation of natural heritage/hazard features.
Community Use Zone		
Community Use	CU	Permits a range of institutional <u>uses</u> .

2.2 Zoning Schedules

- .1 The zones and zone boundaries are shown on the Zoning Maps, which are attached hereto as Schedule “A” and form part of this By-law. Such zones may be referred to by the appropriate zone symbols in Table 2-1.
- .2 Specific requirements are applicable to wellhead protection areas as shown on Schedule “B”, which is attached hereto and forms part of this By-law.

Schedule A applies to all lands within the defined area of this By-law.

Schedule B only applies to certain lands within the City and must be interpreted in conjunction with all other requirements of this By-law.

2.3 Interpretation of Zone Boundaries

The following provisions shall apply when determining the boundary or extent of any zone as shown on Schedule “A” to this By-law:

- .1 Where a zone boundary is shown as following a street or lane, or a public use such as a railway, transmission line or, pipeline the zone boundary shall be the centreline of the applicable feature unless otherwise noted.
- .2 Where a zone boundary is shown as following the shoreline of a waterbody, the zone boundary is the shore lot line.
- .3 Where a zone boundary is shown as approximately following lot lines shown on a registered plan of subdivision or lots registered in the appropriate Registry Office or Land Titles Office, the boundary shall follow such lot lines.
- .4 Where a zone boundary is shown as following the limits of the Municipality, the limits shall be the limits of the Municipality.
- .5 Where none of the above provisions apply, the said zone boundary shall be scaled from the attached Schedules.
- .6 The applicability of the Conservation Authority Regulated Area shall be subject to the interpretation clauses under Section 4.7.

2.4 Interpretation of Zone Symbols

2.4.1 Zone Symbols

- .1 Schedule “A” to this By-law applies the zones for all lands within the defined area of this By-law, represented by a zone symbol as established by Table 2-1. The requirements of any applicable zone(s) are contained in Sections 6 – 11 of this By-law.

- .2 A zone symbol may also be preceded or followed by a combination of a hyphen, letter(s), number(s), to establish special provisions as set out in this By-law. Lands so identified shall be subject to all of the provisions of the parent zone, except as otherwise provided in the special provisions.

2.4.2 Multiple Zones on One Lot

- .1 Where a lot falls into two or more zones, each portion of that lot shall be subject to the applicable permitted uses and standards, excluding the minimum lot area and lot coverage, for the applicable zone applying to that portion of the lot.
- .2 Parking spaces, driveways, and parking aisles required by this By-law may be provided anywhere on a lot that falls into two or more zones, unless otherwise provided.

2.4.3 Holding Symbol

- .1 Where a zone shown on Schedule “A” is followed by a hyphen and the symbol “H”, the lands shall be subject to a holding provision that shall apply until such time that the “H” symbol is lifted by an amendment to this By-law, in accordance with Section 36 of the *Planning Act*.
- .2 The requirements for lifting the holding symbol are indicated in the amending by-law, which are incorporated as an exception zone under Section 12 of this By-law.
- .3 On any lands where a holding symbol is applied, the permitted uses, lot and building requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable zone provisions.

2.4.4 Exception Zones

- .1 Where a zone symbol shown on Schedule “A” is followed by a dash (-) and a number, the affected lands shall be subject to the special provisions of the corresponding exception zone under Section 12 of this By-law.
- .2 An exception zone is a base zone that has been modified by adding, deleting, or otherwise amending any permitted uses, prohibited uses, or other regulations for the lands to which the exception zone applies. The requirements of an exception zone take precedence over all other provisions of this By-law where there is a conflict. By default, the remainder of the provisions of this By-law shall apply unless explicitly stated in the exception zone in Section 12.

3.0 Definitions

In this By-law, unless the context otherwise requires, the following terms when used shall have the meanings assigned to them as follows:

A

Abattoir means the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, further processing, and storing of the product on the premises.

Accessory means incidental, subordinate, and devoted exclusively to a principal use, building or structure, as applicable within the context in which the term accessory is used.

Accessory Use, Mobile Home Park means service, recreational and retail facilities accessory to a mobile home park within an accessory building or structure. Without limiting the generality of the foregoing, this may include an accessory convenience store, laundromat, management office, recreational use, or visitor parking area.

Agri-Tourism Use means farm-related tourism uses that promote the enjoyment, education or activities related to the principal farm operation on a lot, including but not limited to processing demonstrations, pick-your-own produce operations, farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hayrides and sleigh rides, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction.

Agricultural Products Processing Establishment means a premises in which agricultural products are preserved, graded, stored, or processed for consumption by humans or animals, and may include a flour mill, dairy processing, sawmill, egg grading, fruit and vegetable storage, or grain elevator, but does not include an abattoir.

Agricultural Products Warehouse means premises used for the storage of agricultural produce and may include facilities for wholesale distribution.

Agricultural Research Facility means premises for agricultural research and may include related activities and uses accessory to agricultural research.

Agriculture means the growing of crops, including nursery, energy crops, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining farm uses.

Airstrip means any land used for the purpose of landing, taxiing or taking off of private aircraft.

Air Filtration Control means the functional use of industrial grade multi-stage carbon filtration systems or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and size accordingly in comparison to the facility it serves as designed by a qualified person.

Alter means,

- a) When used in reference to a building, structure or part thereof, to change any one or more of the internal or external dimensions, to change the use, to change the number of uses or dwelling units, or to change the elevation of an exterior opening.
- b) When used in reference to a lot, to change any frontage, depth, or area of the lot or to change the frontage, depth, or area of any required yard, setback, lot coverage, landscaped open space or parking area, or to change the use or number of uses on such lot.

Anaerobic Digestion means a process used to decompose organic matter by bacteria in an oxygen-limited environment.

Ancillary means a permitted use that is additional, secondary, and complementary to a permitted principal use, but is not accessory to the permitted principal use.

Animal Hospital means premises in which facilities are provided for the treatment or prevention of disease and injury to animals where shelter may be provided within the building during the period of treatment.

Area of Operation means, in relation to an on-farm diversified use, all areas of use, including associated buildings, outside storage, landscaped areas, berms, well and septic systems, parking areas and new, dedicated

lanes, and shall exclude existing lanes shared with the principal agricultural use on the lot.

Artisan Market means a market held in an open area or in a building or structure where groups of individual sellers display and offer goods for sale to the public.

Artisan Studio means the production, display, exhibition, or sale of hand-made material arts, and may include photographs, paintings, drawings, prints, sculptures, or similar artisan goods.

Assembly Hall means the assembly of persons including assembly for civic, religious, charitable, philanthropic, cultural, recreational or educational purposes.

At Capacity Lake means the status of a waterbody whereby the waterbody cannot support additional development due to degraded water quality as determined by the City of Kawartha Lakes Official Plan.

Attached means a building or structure that is otherwise complete in itself, which has a wall or walls shared in common with an adjacent building or buildings and/or depends upon an adjacent building or buildings for structural support.

Attic means the portion of a building situated wholly or in part within the roof but shall not include a storey or a half storey.

Auction Establishment means premises in which the principal facilities provided are for the storage, display and subsequent sale of goods and articles, including, but not limited to antiques, farm equipment, and livestock by way of auction.

B

Bakery means the preparation, baking, storage, wrapping and packing, and other ancillary activities associated with the sale and distribution of baked goods.

Banquet Hall means a premises used for the purposes of catering to banquets, weddings, receptions and other similar functions for which food and beverages are prepared and served at the premises.

Basement means one or more storeys of a building located below the first storey.

Barrier-Free Access Aisle means an area abutting a barrier-free parking space to provide unobstructed pedestrian access to and from a barrier-free parking space.

Barrier-Free Parking Space means an unobstructed rectangular area for the exclusive use of temporary parking of a motor vehicle for persons with disabilities and displaying a permit granted from the Province but shall not include a driveway or aisle.

Bed and Breakfast means an owner-operated established, operated as an accessory use to a single detached dwelling, where temporary sleeping accommodation and sanitary facilities are made available and where meals are provided to guests. A bed and breakfast shall not include a hotel or motel.

Bicycle Parking Space means an area that is provided and maintained for the purpose of temporary storage of a bicycle.

Boarding or Rooming House means a single detached dwelling containing individual rooms rented, with or without meals, for lodging or sleeping accommodation and includes communal but not individual cooking facilities.

Boathouse means a detached accessory building which is designed or used for the sheltering of a boat or other form of water transportation and/or accessory use for storage of household equipment incidental to the residential occupancy but shall not include habitable rooms.

Building means any structure whether temporary or permanent, consisting of at least three walls and a roof, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

Building Line means the extent of an exterior wall of a building or structure, including all structural or architectural elements essential to the support of a fully enclosed space or roof.

Building, Main means the building in which the principal use of the lot or building is carried out.

Building Supply Outlet means the storage, sale, rental and lease of equipment and supplies used in construction.

Butcher Shop means the preparation or dressing of animal carcasses for either the retail sale of meat products or as a service but shall not include an abattoir or the slaughtering of animals.

C

Cabin, Private means a building used for sleeping, containing no cooking or sanitary facilities and which is an accessory use to a single detached dwelling.

Cabin, Rental means a building within a tourist resort, which may contain cooking facilities or sanitary facilities, rented out for the purposes of the vacationing or travelling public through temporary accommodation.

Campground means premises designed for the temporary seasonal accommodation of the travelling or vacationing public in tents, tourist trailers, recreational vehicles, or other structures and may include an accessory office but shall not include a mobile home park.

Camping Site means a parcel or area of land within a recreational vehicle park and for the exclusive seasonal use of a recreational vehicle or a tent.

Cannabis means a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).

Cannabis Production and Processing Facility means premises used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act*, SC 1996, c 19, as amended from time to time, or any successors thereto.

Carport means a covered and unenclosed structure designed and used for the parking of motor vehicle(s) containing a minimum of 2 open sides.

Cemetery means land used for the interment of human remains and includes a mausoleum, crematorium, columbarium or other structure intended for the interment of human remains.

Centreline means an imaginary line on a feature that is located equidistant to the boundary or extent of that feature.

Clinic means premises used for the examination, diagnosis and/or treatment of outpatients by regulated health professionals as well as

accessory uses such as associated laboratories, facilities and equipment, drug and optical dispensing to outpatients, and the accessory sales of medical supplies and equipment.

Club means premises used as a meeting place for members of an organization and includes a lodge, athletic or recreational club, social club, a fraternity or sorority house, legion and a labour union hall, which may include cooking facilities.

Commercial Greenhouse means premises used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse but are sold directly from the lot either at wholesale or retail and may include the sale of incidental seasonal merchandise.

Commercial Vehicle means a motor vehicle having attached to it a truck or delivery body, and without limiting the generality of the forgoing, may include a food truck, bus, cube van, tow truck, tilt and load trucks or trailers, dump trucks, tractor trailers, semitrailers, or construction equipment that is self-propelled or designed to be towed.

Community Facility means premises used for indoor and outdoor recreational, institutional, social, or cultural activities, and may include a community centre, arena, library, or museum.

Community Garden means a communal garden provided for the use of the public to produce flowers, herbs, fruits or vegetables and activities associated with gardening, but does not include any processing or packaging, commercial sales, or the raising of livestock or animals including poultry.

Concrete and Asphalt Plant means premises used for the batching and production of asphalt or concrete, or asphalt or concrete products, and dispatching of concrete and asphalt trucks, equipment storage and maintenance, office and administrative activities and the receiving and outside storage of materials, casting and concrete and asphalt products, and shall also include the processing of aggregate material through a crushing and sorting operation, but does not include the retail sale of finished asphalt or concrete products.

Conservation Authority means the Conservation Authority having jurisdiction, or any successors thereto.

Conservation Use means the preservation, protection, and improvement of any feature of the natural environment through a program of

maintenance and management administered by a Conservation Authority, public authority, private groups or individuals.

Contractor's Shop means premises used by a general contractor, landscaper, or any building trade, such as sheet metal, plumbing, heating, electrical, drywall, carpentry or masonry, for the assembly, welding, fabrication, repair or storage of building components or for the repair, maintenance or storage of machinery, equipment and materials used in the building trade.

Contractor's Yard means premises used for a trade, contractor, construction, or landscaping company for the storage and maintenance of equipment and materials, and which may include an accessory office.

Council means the Municipal Council of the Corporation of the City of Kawartha Lakes.

Correctional Facility means a building or part of a building used as a secure facility for people who are on remand, serving a sentence or awaiting transfer to another correctional facility and is owned, operated, funded or supervised by the Province but does not include a group home.

Crematorium means a building that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of Provincial legislation and includes everything necessarily incidental and ancillary to that purpose.

Custom Workshop means premises used by a person or persons with a trade, craft or guild or other skilled labour for the repair, custom fabrication, or custom assembly of articles, items or things. A custom workshop may include a machine shop, a pattern shop, a sheet metal shop, a wood working shop, a cabinetwork shop or other similar operation.

D

Day Care Centre means premises used to provide for the temporary supervision or care of children or adults for a portion of a day not exceeding 24 hours and is licensed by the Province of Ontario, as may be required.

Day Care, Home Based means a home occupation where the temporary care of no more than five children is provided for a portion of a day not exceeding 24 hours.

Defined Area means all lands subject to this By-law as delineated on Schedule “A”.

Dense Non-Aqueous Phase Liquid (DNAPLS) means chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLS tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and cleanup. Commonly used DNAPLS include, but are not limited to paint strippers, varnishes, aerosols, and pharmaceuticals.

Dock means a structure which is designed or used for the mooring of a boat or other form of water transportation which stretches along the side of or projects into a waterbody.

Dog Kennel means premises, whether enclosed or not, where dogs are kept for purposes of breeding, boarding or commercial purposes.

Drinking Water Threat means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water and includes an activity or condition that is prescribed by the regulations as a drinking water threat. Refer to the *Clean Water Act* for the prescribed 22 drinking water threats.

Driveway means a vehicular accessway providing access from a street to a building or property, a loading space, a parking area, carport or a private garage.

Drive-Through means land and associated structures used to take orders or provide a service to patrons while remaining in their motor vehicle.

Drugless Practitioner means a drugless practitioner within the meaning of the *Drugless Practitioners Act*, as amended.

Dwelling means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, including boarding or rooming houses but not including motels, hotels, tents, truck campers, recreational vehicles, or mobile camper trailers.

Dwelling Unit means one or more habitable rooms designed or intended for occupation by one household exclusively as an independent and

separate unit in which separate kitchen and sanitary facilities are provided for the exclusive use of the household with a private entrance from outside the building or from a common hallway or stairway inside the building but does not include a tent, private cabin, recreation vehicle, or a room in a hotel or motel.

Dwelling Unit, Accessory means a dwelling unit that is accessory to a non-residential use on a lot.

Dwelling Unit, Additional Residential means a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the principal dwelling unit. The additional residential dwelling unit includes a separate entrance, kitchen facilities, washroom facilities, and living space from the principal dwelling unit.

Dwelling Unit, Principal means a single detached dwelling for the purpose of the definition of additional residential dwelling unit.

Dwelling, Single Detached means a completely detached dwelling unit but shall not include a mobile home.

E

Emergency Service means fire, ambulance, police and similar facilities operated by a public authority.

Enlargement means any alteration or change to an existing structure resulting in an increase in the existing floor area. Enlarge and enlarged shall have a corresponding meaning.

Erect means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, draining or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Established Building Line means the average setback from the street line or high-water mark of existing buildings when at least two buildings have been erected on any one side of the same street prior to the date of the final passing of this By-law.

Existing means legally existing as of the date of the passing of this By-law.

F

Fairground means premises intended for uses on a temporary basis, including but not limited to, exhibitions of farm, educational, household and manufactured products and displays and/or activities for entertainment, recreational, hobby, charitable or estate purposes, including eating establishments, auctions and retail sales.

Farm Micro-Brewery means premises used on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and fruit grown primarily as part of the principal agriculture use, and may include a tasting and hospitality area, retail sales of the products produced on site, and an ancillary restaurant.

Farm Implement Sales and Service Establishment means premises where farm implements and related equipment are serviced, repaired, and sold.

Farm Produce Outlet means a use accessory to an agricultural use which consists of the retail sale of agricultural products, raised, grown or processed by the property owner or an agricultural operation conducted on the farm.

Farm Supply Outlet means premises used for the sale, processing, and storage of seed, feed, chemicals, input supplies, materials and fertilizers for use on a farm, and includes a tack shop.

Farmer's Market means the retail sale of agricultural, food, art and craft projects including produce and value-added products where the majority of vendors are primary producers.

Feed Mill means a premises where farm commodities such as cereal grain, corn, and soybeans are brought, stored, dried, processed and sold, and also includes the drying, processing, and elevation for storage of farm commodities.

Film Production means filming, videotaping, photography, or any other form of visual recording for a feature film, documentary, commercial music video, educational film or other purpose outside a film studio, but does not include street interviews, newscasts, press conferences, or visual recordings for personal purposes only.

Financial Institution means premises where services are provided to patrons for the depositing, lending, exchange, or investment of money.

Finished Grade means, with reference to a building or structure, the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment. When used with reference to a street, road or highway, finished grade means the elevation of the street, road or highway established by the Municipality or other public authority.

Flood and Erosion Control means land use practices or structures deemed necessary by a public authority for the reduction or prevention of flooding.

Floor Area means the total habitable floor area within a building measured from the outside of the exterior walls or the centreline of a common or party wall, but excluding any basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, stairwell, vehicle and bicycle parking areas, loading spaces located above or below finished grade.

Floor Area, Gross means the aggregate of the floor areas of all the storeys of a building including the floor area of any basement, where the floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding parking areas within the building.

Forestry means the management, development and cultivation of timber resources exclusive of the actual processing of such timber resources.

Fuel Depot means premises where petroleum, gasoline, fuel oil, gas propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private vehicles.

Funeral Services means a building with facilities for the care and preparation of human remains, the co-ordination and provision of rites and ceremonies with respect to dead human bodies and the provision of such other services but does not include a cemetery or a crematorium.

G

Garage, Private means a building or part of a building used or intended for the temporary parking or storage of a motor vehicle, commercial vehicle, and/or recreational vehicle as accessory to a dwelling unit and includes a carport.

Garden and Nursery Supplies means the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or other vegetation which is sold to the public and shall also include the sale or rental of such goods, products or equipment normally associated with gardening or landscaping.

Garden Suite means a one unit detached residential structure, containing a bathroom and kitchen facilities, that is ancillary to an existing residential structure and that is designed to be portable and is capable of meeting the standards of the Ontario Building Code and is used for temporary accommodation.

Golf Course means premises operated for the purpose of playing golf and which may include ancillary uses such as a clubhouse, pro shop, restaurant, meeting rooms, banquet hall, driving range, putting green and maintenance facilities.

Group Home means a single housekeeping unit as the sole use within a single detached dwelling licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. A group home shall not have any correctional purpose.

H

Habitable Room means any room used or intended for human habitation except a bathroom, hallway, stairwell, laundry, or storage room.

Hazardous Lands means property or lands that could be unsafe for development due to naturally occurring processes.

Hazardous Sites means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards, including unstable soils or unstable bedrock.

Height means,

- a) The vertical distance on a principal building or structure between the finished grade and the highest point of the roof surface, or the parapet, whichever is the greater, of a flat roof; or
- b) The vertical distance on a principal building or structure or accessory building and structure between the finished grade and

the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof.

Heavy Equipment Rental, Sales, and Service means a premises used for the rental, sales, hire, and service of heavy machinery and equipment.

High-Water Mark means the highest elevation of the water surface of a body of water or a waterbody, including seasonal flooding, as evidenced by changes in shoreline vegetation or residual water marks left on buildings, structures, vegetation or other shoreline features as a result of flood events.

Home-Based Food Processing means a business in which a residential kitchen is permitted to process food that is not time or temperature controlled and is packaged and is offered for sale.

Home Industry means an ancillary use that is operated for gain or profit that may include uses such as a carpentry shop, machine shop, welding shop, repair shop for appliances and vehicles, electrical, plumbing and building contractor shops, but shall not include heavy equipment rental, sales, and service.

Home Occupation means a business or occupation that is operated as an accessory use to a dwelling unit and conducted entirely within a dwelling unit or permitted accessory building and in accordance with the provisions of this By-law.

Hotel means premises used for the temporary sleeping accommodation of the public, and may include accessory uses such as a restaurant, retail store, meeting rooms, exercise room and other amenities for guests and ancillary cooking facilities. The guest rooms of a hotel are accessed by common corridors, and direct access to the rooms is not provided from the outside.

Hunt Camp means a building or structure consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation, on a temporary basis, for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law. If located on Crown land, hunt camps are subject to Provincial requirements.

I

Incidental Volume means standard size containers that are used for personal or domestic activities. This excludes larger volumes used in activities, such as hobbies and home businesses.

Industrial Use, Dry means premises used for manufacturing, processing, fabrication, assembly, treatment, packaging and incidental storage of goods and materials which does not require the consumption or use of water or the discharge of industrial liquid wastes, wash or cooling water or process waste as part of the industrial process and which requires the disposal of only the domestic wastes of employees.

Intake Protection Zone means the vulnerable area delineated around surface water intakes for municipal drinking water systems and is comprised of subzones:

- a) IPZ-1: The area immediately adjacent to the intake and is considered the most vulnerable area due to its proximity to the intake. IPZ-1 is the area within a 1,000.0 m radius when centered on the intake, and where IPZ-1 extends onto or touches land, land within a 120.0 m setback of the high-water mark.
- b) IPZ-2: A secondary protection area that is located upstream of the IPZ-1 and represents the extent to which a contaminant could travel to the municipal intake within 2 hours of its release into the environment (due to a spill or leak).

Island means a piece of land surrounded by water having no access to the mainland via a causeway, bridge or any other physical connection capable of transferring motor vehicles.

J

K

L

Landscaped Open Space means land situated at grade which is unoccupied and unobstructed by any enclosed space within a building or structure, used for any or a combination of the following elements, and which may include any land forming part of a required planting strip:

- a) **Soft Landscaping**, which means vegetation such as trees, shrubs, hedges, ornamental plantings, grass, and ground cover.
- b) **Hard Landscaping**, which means non-vegetative materials such as unit pavers, patio stones, brick, rock, stone, concrete, tile, but excluding driveways, curbing, parking areas, and outside storage areas.
- c) **Architectural Elements**, which means decorative fencing, unenclosed swimming pools, recreational or play areas, fishponds, green roofs, fountains.

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.

Legal Non-Complying means a legally existing lot, building or structure which does not comply with one or more of the provisions of this By-law as of the date of the final passing thereof.

Legal Non-Conforming means a legally existing use, building or structure which does not conform to the permitted uses of this By-law as of the date of the final passing thereof.

Livestock Facility means a barn, building or structure with livestock occupied portions intended for keeping or housing of livestock. A livestock facility shall also include all manure or material storages and anaerobic digesters.

Loading Space means an unencumbered area of land which is provided and maintained on the same lot upon which the principal use is located, and which area is provided for the temporary parking of one commercial vehicle while merchandise or materials are being loaded or unloaded from such vehicle.

Long-Term Care Home means a facility which provides care and services for persons who are no longer able to live independently or who

require on-site nursing care, 24-hour supervision or personal support and licensed under the *Long-Term Care Homes Act, 2007*, as amended.

Lot means a parcel or tract of land, the title of which is legally conveyable as a separate parcel pursuant to the provisions of the *Planning Act*, but shall not include a right-of-way, easement, or reserve.

- a) **Corner Lot** means a lot situated at the intersection of two streets or two parts of the same street of which the two adjacent sides upon the street line or street lines includes an angle of not more than 135 degrees or where such adjacent sides are curved, the angle included by the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines drawn through the extremities of the interior lot lines.
- b) **Interior Lot** means a lot other than a corner lot or through lot.
- c) **Island Lot** means a lot fronting onto and accessed only via a navigable waterway being part of or encompassing the whole island, whether or not occupied by a building or structure.
- d) **Through Lot** means a lot bounded on two opposite sides by streets provided, however, that if any lot qualifies as being both a corner lot and a through lot as defined by this By-law, such lot shall be deemed to be a corner lot for the purposes of this By-law.

Lot Area means the total horizontal area within the lot lines of a lot excluding the horizontal area of such lot below the normal water level of any abutting waterbody as determined by an Ontario Land Surveyor.

Lot Coverage means the percentage of the lot area covered by all buildings, covered structures located above grade, and as measured to the building line, or in the case of a covered structure, to the outer limits of that covered structure.

Lot Depth means the horizontal distance between the front lot line and rear lot line. If the front lot line and rear lot line are not parallel, lot depth means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the converging point of the side lot lines.

Lot Frontage means the horizontal distance, abutting a street, between the side lot lines of a lot measured along the front lot line determined as follows:

- a) Where there are no side lot lines, such as a peninsula, the greatest distance between any point on the front lot line and any point on the rear lot line.
- b) Where there are no side lot lines and no rear lot line, such as on an island lot, the greatest distance between any two points.
- c) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is to be measured by a line equal to the minimum front yard measured back from and parallel to the chord of the lot frontage. For the purpose of this By-law, the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line, and a sight triangle shall be considered part of the lot for the purposes of calculating the lot frontage.
- d) In the case of a corner lot the shorter of the lot lines abutting a street shall be deemed the lot frontage.

Lot Line means any boundary of a lot.

Lot Line, Exterior means a side lot line which abuts the street on a corner lot.

Lot Line, Front means,

- a) Except in the case of a corner lot, through lot, or island lot, the lot line dividing the lot from the street.
- b) In the case of a corner lot with two street lines of unequal length, the shorter lot line abutting the street shall be deemed to be the front lot line. Where each of such lot lines are of equal length, the front lot line shall be deemed to be the front lot line as established by the Municipality.
- c) In the case of a through lot, the front lot line shall be deemed to be the front lot line as established by the Municipality.
- d) In the case of an island lot, the shore lot line shall be deemed to be the front lot line.

Lot Line, Rear means,

- a) The lot line farthest from or opposite to the front lot line.
- b) In the case of a through lot, the rear lot line shall mean the rear lot line as established by the Municipality.

Lot Line, Shore means any lot line or portion thereof which abuts a waterbody or the unopened original shore road allowance along the waterbody.

Lot Line, Interior Side means a lot line, other than a front lot line or rear lot line.

M

Manufacturing or Processing Facility means the manufacturing, assembly, processing, packaging, treatment, altering, treating, repair of products, materials or goods.

Marina means premises containing docking facilities and located on a navigable waterway where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale and where ancillary facilities for the sale of marine fuels and lubricants may be provided.

Marina, Dry Land means premises where boats and boat accessories are stored, serviced, repaired or kept for sale.

Micro-Brewery means premises used for the small-scale production of beer, wine, cider, or spirits produced for consumption off-premises, or on-site consumption when located in combination with a permitted restaurant.

Mobile Home means a prefabricated building which is designed to be towed or moved on its own chassis (notwithstanding that its running gear is or may be removed) and is designed and equipped for year-round occupancy and contains facilities for cooking or for the installation of cooking equipment, and sanitary facilities.

Mobile Home Park means land or premises under single ownership designed and used exclusively for two or more mobile homes but does not include a recreational vehicle park.

Mobile Home Site means a parcel of land within a mobile home park used to accommodate one mobile home and for the exclusive use of the lessee or tenant of such area.

Modular Home means a single detached dwelling which has been fabricated in two or more sections which cannot function independently from one another and are designed for transportation on streets on a

flatbed or other trailer. Upon arrival at the site, the sections are placed on a foundation and are assembled to form one complete dwelling unit.

Motel means premises to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals. The guest rooms of a motel are accessed directly from the outside and may or may not be accessed from common corridors and which may include a restaurant, banquet hall, meeting rooms, an exercise room and other amenities for use by guests and which are accessory to the motel.

Motor Vehicle means an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power.

Motor Vehicle Body Repair means premises used as a motor vehicle repair shop including auto body repairs and spray painting and where motor vehicle fuels or lubricants may be stored or kept for sale and where mechanical repairs may be carried on and which may include a motor vehicle washing establishment as an accessory use. A motor vehicle body repair garage shall not include the sale of motor vehicles.

Motor Vehicle Rental Establishment means premises where motor vehicles, including commercial vehicles, are kept for short-term rent or hire under a contract for compensation, and may include an office use for administrative purposes, or accessory facilities for the regular cleaning or incidental maintenance of such services, but shall not include any motor vehicle body repair or motor vehicle repair use.

Motor Vehicle Repair means premises used for the mechanical repair of motor vehicles is carried out and where the provision of fuels or lubricants is incidental to the principal use and which may include a motor vehicle washing establishment as an accessory use.

Motor Vehicle Sales Establishment means premises where motor vehicles are displayed, sold and leased.

Motor Vehicle Service Station means premises used for the retail sale of lubrication oils, motor fuels, electric motor vehicle power, motor vehicle accessories and may include the servicing and minor repairing essential to the actual operation of motor vehicles but excluding a motor vehicle washing establishment or motor vehicle sales establishment.

Motor Vehicle Washing Establishment means a building or part thereof used for the operation of motor vehicle washing equipment which is automatic, semi automatic and/or coin operated.

Municipal Drinking Water System means a drinking water system or part of a drinking water system,

- a) That is owned by a municipality or by a municipal service board established under the *Municipal Act*, 2001, as amended;
- b) That is owned by a corporation established under Sections 9, 10, and 11 of the *Municipal Act*, 2001, as amended in accordance with Section 203 of the Act;
- c) From which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or,
- d) That is in a prescribed class.

Municipal Law Enforcement Officer means an official or an employee of the Municipality from time to time charged by the Municipality with the duty of administering and enforcing the provisions of all municipal by-laws.

Municipality means the Corporation of the City of Kawartha Lakes.

N

Navigable Waterway means a waterbody that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation or commerce considered navigable by law.

Nursery means premises where young trees or other plants are grown for transplanting and/or for sale.

O

Obnoxious Use means a use which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, contaminants or objectionable odours, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material, but nothing herein shall be deemed to prohibit animal waste disposed of in accordance with normal farming practices and in accordance with the requirements of the Province.

Office means a building or part of a building where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration.

On-Farm Diversified Use means a type of use that is secondary to the principal agricultural use on a lot and is limited in area.

Outdoor Display Area means an area located outside of a building and on the same lot as a commercial retail use for the purpose of displaying finished merchandise for sale.

Outdoor Patio means any unenclosed seating area accessory to a restaurant, micro-brewery, farm micro-brewery, or small-scale farm café or shop where food or beverages are served for consumption on the patio.

Outside Storage means an open area of land used for the storage of materials, equipment, or finished goods which are associated with the principal use of the lot.

P

Park, Private means any open space or recreational area, other than a public park, containing therein one or more swimming pools, wading pools, refreshment rooms, tennis courts, bowling greens, gardens, downhill or cross-country ski areas, or similar open space uses.

Park, Public means any open space or recreational area, owned or controlled by a public authority and may include therein neighbourhood, community, regional and special parks or areas and may contain one or more athletic fields, field houses, bleachers, swimming pools, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, refreshment rooms, or similar uses.

Parking Aisle means that portion of a parking area which is provided and maintained to be used by vehicles to access individual parking spaces.

Parking Area means an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area comprises all parking spaces of at least the minimum number required according to the provisions of the By-law, and all driveways, parking aisles, maneuvering areas, entrances, exists, and similar areas

used for the purpose of gaining access to or egress from said parking spaces.

Parking Lot means the principal use of a lot for the purposes of providing public motor vehicle parking, whether or not for gain or profit.

Parking Space means an area exclusive of driveways or parking aisles, for the temporary parking or storage of motor vehicles and which has adequate access to permit ingress or egress of a motor vehicle to and from a street by means of driveways, parking aisles, manoeuvring areas or similar areas, no part of which is used for the temporary parking or storage of one or more motor vehicles.

Person means an individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under the *Condominium Act*, as amended, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service means premises where direct and consultative services are provided and administered for personal and household needs, including hair care, aesthetics, health and beauty treatment, body art, body piercings, tanning salon, dressmaking, tailoring, shoe repair, laundromat, laundry depot, dry cleaning, interior design, event planning, photographer studio, travel agency, and other similar services. A personal service shall include retail only as an accessory use.

Pit or Quarry means any opening, quarrying or excavation in the ground for the purpose of removing soil, rock, sand, gravel, earth, clay or limestone, and may include the processing thereof such as screening, sorting, washing, crushing, and other similar operations including required buildings and structures. A pit or quarry shall not include a wayside pit or quarry, portable asphalt plant, or concrete and asphalt plant.

Place of Entertainment means premises used to provide entertainment, amusement or social and leisure time activities to patrons and may include a theatre, concert hall, arcade, billiard hall, indoor miniature golf, axe throwing, escape room, bingo hall, bowling alley, paintball, race car track, electronic games, or similar indoor gaming facility, which may include incidental preparation and sales of food and beverages on the premises.

Place of Worship means a building dedicated to religious worship and may include such accessory uses as a nursery school, convent, monastery or hall or auditorium.

Planting Strip means an area used exclusively for soft landscaping. A planting strip shall only be permitted to be crossed or encroached by an aisle providing access to a walkway or driveway.

Portable Asphalt Plant means a temporary facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt-paving material and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not a permanent installation but is designed to be dismantled at the completion of the construction project.

Post Office means any government run premises where the principal use is for the collection and distribution of parcels. A post office may include the sales of stamps, packaging materials and other items necessary for the postal system to operate.

Premises means the land, buildings, or structures occupied, used or intended to be occupied or used. In a multiple tenancy building, occupied by more than one business or dwelling unit, each area shall be considered a separate premises.

Principal means primary or predominant.

Printing and Publishing Establishment means premises used for the primary purpose of printing, lithographing, duplicating or publishing.

Private Recreation means premises, whether it be an incorporated association of persons by some common interests or a camp, and includes the premises owned or occupied by the members or participants for gain or profit.

Public Authority means Federal, Provincial, or Municipal agencies, and includes any commission, board, authority or department established by such agency.

Public Use means a use of land, buildings or structures for infrastructure by or on behalf of a public authority. Without limiting the generality of the foregoing, a public use may include uses such as public highways, railways and related facilities, gas and oil pipelines, public sewage and water service systems and lines, bridges, interchanges, stations, public works yards, and related buildings and structures, above or below ground, that are required for the facilities listed above, and associated rights-of-way.

Q

R

Recreational Equipment Rental means premises wherein the principal use is the rental of recreational machinery, equipment, and fixtures and other goods, including boats and recreational vehicles, but shall not include motor vehicles.

Recreational Use means the use of land for public parks or private parks, playgrounds, tennis and pickle ball courts, basketball courts, soccer fields, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, picnic areas, swimming pools and similar uses, together with necessary and accessory buildings and structures which may include a refreshment booth and pavilion. A recreational use does not include a golf course or driving range.

Recreational Use, Passive means outdoor recreational activities such as nature observation, a beach, walking trails, hiking, canoeing or kayaking that require minimum facilities or development and that have minimal impact on the environment.

Recreational Vehicle means a vehicle designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven, towed, transported or relocated from time to time whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA), and may also include a truck camper, tent trailer, fifth-wheel trailer, and park model trailer and motorized recreation equipment including a snowmobile, off-road vehicle, boats, and other marine craft.

Recreational Vehicle Park means an establishment under single ownership, licenced by a public authority, providing seasonal overnight or short-term accommodation for recreational vehicles or tents.

Recreational Vehicle Sales and Service means premises used for the sale or service of recreational vehicles and, notwithstanding the definition of a recreational vehicle, may also include the sale and service of trailers or mobile homes.

Recreational Vehicle Storage means a commercial premises used for the seasonal storage of recreational vehicles.

Recycling Depot means premises where recyclable material is received from a generator of waste for the purpose of sorting and consolidating, and resale or delivery to another location. Notwithstanding any other provision of this By-law, the outside storage of recyclable material is not permitted.

Regional Storm Flood Elevation means the contour elevation based upon the Geodetic Survey of Canada to which a waterbody will rise during a Regional Storm as defined by the Province.

Restaurant means premises where food is prepared and offered for sale or sold to the public for consumption on or off the premises.

Restaurant, Take-out means a restaurant where food is intended principally for consumption off the premises.

Retail means premises where goods, wares, merchandise, substances, articles or things are offered and kept for sale directly to the public.

Retail, Convenience means a retail use that does not exceed 140.0 m² of gross floor area on a single lot.

Riding Stable or Equestrian Centre means premises used for the boarding of horses, exercising of horses, the training of horses and riders, and the staging of equestrian events, but shall not include the racing of horses.

Risk Management Official means the person appointed under Part IV of the *Clean Water Act*, 2006 and who is responsible for making decisions about risk management plans and risk assessments and must meet the prescribed criteria in the regulations under the *Clean Water Act*, 2006.

S

Salvage Yard means premises where goods and materials are processed for further use and stored wholly or partly in the open and may include storing, dismantling, crushing, demolishing motor vehicles or heavy equipment or parts thereof.

School, Commercial means premises where instruction or training is provided to students for gain or for profit.

School, Private means a school other than a public school or commercial school.

School, Public means a public or separate school, a high school, a continuation school, a technical school, a college or university or any other school established and maintained by a public authority.

Scrap Yard means premises used for the storage and/or handling of scrap, which may include wastepaper, rags, bones, bottles, bicycles, vehicles, tires, metal and/or other scrap material.

Seasonal Farm Help Dwelling means a building or structure for the temporary housing of farm employees of the main agriculture use for no more than ten months per seasonal worker, but in no event shall be used for year-round occupancy.

Self-Storage Units means a compartmentalized building where individual storage areas are made available to the public on rental for storage of personal goods.

Sensitive Land Use means, in relation to cannabis production and processing facilities, a premises where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the built or natural environment including residential uses, day care centres, schools and health centres.

Septic System means a leaching bed system and/or a tertiary treatment system as defined by the Ontario Building Code.

Services means:

- a) **Services, Communal** means a lot serviced with a communal sanitary sewage facilities and/or water supply owned privately or by the Municipality that provide water and wastewater treatment to clusters of dwellings and/or businesses.
- b) **Services, Full** means a lot serviced with a sanitary sewage system and water supply provided by the Municipality.
- c) **Services, Partial** means a lot serviced with either a sanitary sewage facilities or water supply provided by the Municipality.
- d) **Services, Private** means a lot serviced with private individual sanitary sewage facilities and domestic water supply.

Service or Repair Shop means premises used for the servicing or repair of personal articles, appliances and equipment, but shall not include any repairs to motor vehicles and heavy equipment.

Setback means the distance between a lot line and the building line of any building, structure, excavation or outside storage use on the lot.

Shipping Container means a new or used standardized metal commercial shipping or cargo container that is fully enclosed and designed to be used interchangeably between two or more modes of transportation for the shipment of goods and material. A shipping container does not include a motor vehicle.

Shoreline Activity Area means an area of land in the required shoreline naturalization buffer of a lot that abuts the shore lot line may contain shoreline structures, pathways to the shore lot line, and native vegetation.

Shoreline Naturalization Buffer means all lands within the water setback maintained in its natural predevelopment state for the purpose of protecting natural habitat and minimizing the visual impact of buildings and structures on a lot.

Shoreline Structure means any building or structure such as a boathouse, boat port, outdoor sauna or hot tub, pump house, dock or wharf, gazebo, storage shed, or viewing deck and access stairs or ramps in any yard abutting a waterbody and includes buildings and structures that are attached to the land that forms the bed of a navigable waterway.

Sight Triangle means a triangular area of land abutting a corner lot formed between the extension of the two street lines to a point of intersection and the diagonal lot line connecting the two extended street lines.

Sign means a sign within the meaning of the Municipality's Sign By-law.

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

Significant Drinking Water Threat, Existing means a significant drinking water threat where an activity that has been engaged in prior to the date that the Source Protection Plan took effect and continues to occur; an agricultural activity that has been engaged in at sometime within the 10-year period prior to the date that the Source Protection Plan takes effect; an activity that is related to a development proposal where an application was made under the *Planning Act*, *Condominium Act*, or *Building Code*

Act on a day before the source protection plan takes effect; or an activity that is related to an application made for the issuance or amendment of a prescribed instrument on a day before the source protection plan takes effect.

Significant Drinking Water Threat, Expansion means an increase in the scale of an activity that is considered an existing significant drinking water threat on a property. The increase in scale may include, but is not limited to:

- a) Increasing the area of land where an activity is taking place;
- b) Increasing the amount of effluent or discharge from an activity;
- c) Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d) Increasing the quantity of chemical or pathogen containing material applied.

Significant Drinking Water Threat, Future means an activity that is considered a significant drinking water threat that is proposed to commence after the date the applicable Source Protection Plan takes effect and is not an existing activity.

Small-Scale Farm Café and Shop means a café or commercial retail space that is accessory to the permitted agriculture uses on the lot and shall primarily include the sale of value-added products produced by the farm.

Solar Energy Device means a device or structural design feature, a substantial purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, electrical generation, or water heating.

Source Material, Agricultural means a variety of materials that may be sources of nutrients or pathogens, such as:

- a) Manure produced by farm animals, including bedding materials
- b) Runoff from farm-animal yards and manure storages;
- c) Wash water that has not been mixed with human body waste;
- d) Organic materials produced by intermediate operations that process the above materials (e.g., mushroom compost);

- e) Anaerobic digestion output that does not include sewage biosolids or human body waste; and
- f) Regulated compost that is derived from compost containing dead farm animals.

Source Material, Non-Agricultural means a variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm, such as: pulp and paper biosolids, sewage biosolids, anaerobic digestion output where less than 50% of the total material is on-farm anaerobic digestion materials, and any other material that is not from an agricultural source (i.e., materials from dairy product or animal food manufacturing).

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

Stacking Space means an area within a stacking lane devoted to a single motor vehicle.

Storey means that portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above it, provided that any portion of a building partly below the established grade shall not be deemed a storey.

Storey, First means the storey that has its floor closest to the established grade and having its ceiling 1.2 m or more above the established grade.

Storey, Half means the portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 m below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 m over a floor area equal to at least 50% of the area of the floor next below.

Street means a public highway, public road, or open road allowance owned by the Municipality or the Province, and shall include a street on a registered plan of subdivision, where the street has not yet been assumed by the Municipality but is being maintained pursuant to a subdivision agreement with a developer entered into pursuant to Section 50 of the *Planning Act*, as amended, and the developer is not in default of its obligations thereunder.

Street, Improved Public means a street, assumed by the Municipality or Province which has been constructed in such a manner so as to permit its

use by normal vehicular traffic and maintained to provide year-round access.

Street Line means the dividing line between a lot and a street.

Structure means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground. For the purposes of this By-law, minor structures such as those associated with hard landscaping, architectural elements, or a fence shall not be considered a structure.

Swimming Pool means a structure which creates an artificial body of water above or below grade, used for bathing, swimming or diving but shall not include ponds.

T

Tent means a temporary shelter made of canvas, nylon or other such material, including associated, poles, pegs, and ropes, that may be disassembled and easily moved, and that is not permanently affixed to the camping site and shall not include a recreational vehicle, or any other structure otherwise defined in this By-law.

Tourist Information Centre means premises used for the dispensing of promotional information, including virtual information kiosks, or the providing of information to the travelling public.

Tourist Resort means premises used for the accommodation of the travelling or vacationing public in a rental cabin, a motel, or a hotel, owned and managed as one establishment. A tourist resort may include accessory uses, services, equipment or facilities, including a restaurant, normally incidental to such accommodation. A tourist resort does not include a dwelling unit except for one dwelling unit for the owner or operator, or staff quarters that are accessory to the principal use.

Trailer means any vehicle that is at any time drawn upon a highway by a motor vehicle and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, except when used on a farm, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway.

Transportation Terminal means premises for storing, parking or dispatching of buses, trucks, tractors, trailers, or other commercial vehicles and may include accessory servicing or repair within an enclosed building, but excludes recreational vehicle storage.

U

Use means, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof is designed, arranged, intended, occupied or maintained and "uses" shall have corresponding meanings.

V

Value-Added Farm Use means the alteration of the original agricultural product or commodity grown as part of the farm operation and may be supplemented by off-farm inputs, and may include bagging, packaging, grain drying and milling, bio-product production, bundling, pre-cutting, cooking and baking and marketing activities by a farm operator.

Vulnerable Area means wellhead protection areas and intake protection zones around municipal drinking water sources where activities may be a significant drinking water threat now or in the future.

W

Warehouse means a building used for the storage and distribution of goods and equipment including self-storage units but shall not include a retail store.

Waste Disposal Site means, within the meaning of Part V of the *Environmental Protection Act*:

- a) Any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- b) Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause a).

Waste Storage Enclosure means an area of land used in conjunction with a use on the lot to store waste in bins or other receptacles.

Waste Transfer Station means a premises for the temporary storage of garbage and waste materials awaiting transfer to a permanent waste disposal site.

Waterbody means a body of water or the natural channel for a permanent or intermittent stream of water, including a river, spring, stream or lake, and which may include a navigable waterway.

Water Setback means the horizontal distance from the high-water mark of a waterbody, to the building line of any building, structure, septic system or outside storage use on the lot.

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

Wellhead Protection Area means the vulnerable area delineated around groundwater wells. The delineation helps to identify the length of time it would take most contaminants to travel from the location of a spill or leak to the associated well.

- a) WHPA-A: The area within a 100.0 m radius from a wellhead, considered the most vulnerable area for groundwater intakes.
- b) WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years.
- c) WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years.
- d) WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years.
- e) WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water.

X

Y

Yard means an open, uncovered space on a lot appurtenant to a building and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

Yard, Exterior Side means the side yard of a corner lot which extends from the front yard to the rear yard between the exterior lot line and the nearest building line of any main building or structure. The minimum exterior side yard means the minimum depth of an exterior side yard on a lot between the exterior side lot line and the nearest building line of any main building or structure on the lot.

Yard, Front means a yard extending across the full width of a lot between the front lot line and the nearest building line of any building or structure on the lot. The minimum front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest building line of any main building or structure on the lot.

Yard, Rear means a yard extending across the full width of a lot between the rear lot line and the nearest building line of any building or structure on the lot. The minimum rear yard means the minimum depth of a rear yard on a lot between the rear lot line and the nearest building line of any main building or structure on the lot.

Yard, Interior Side means a side yard other than an exterior side yard.

Yard, Side means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest building line of any building or structure on the lot. The minimum side yard means the minimum width of a side yard on a lot between a side lot line and the nearest building line of any main building or structure on the lot.

Z

Zone means a designated area of land use shown on Schedule “A” and established and designated by this By-law for the purposes of a specific use or uses that are erected and maintained in accordance with the provisions of this By-law.

Zone Boundary means the spatial extent of a zone, as shown on Schedule “A” of this By-law.

4.0 General Provisions

4.1 Accessory Uses, Buildings and Structures

4.1.1 General

- .1 Where this By-law provides for a permitted use, that use shall include any accessory uses, buildings, or structures.
- .2 The following uses of an accessory building or structure shall be prohibited, unless otherwise expressly permitted by this By-law:
 - .a The use of an accessory building or structure for human habitation; and
 - .b The use of an accessory building or structure to a dwelling for gain or for profit.
- .3 A building or structure shall not be interpreted as an accessory building or structure if it is attached to the principal building in any way. Without limiting the scope of the foregoing statement, an attached private garage is not considered an accessory building and is not subject to the requirements of this Section.
- .4 An accessory building or structure shall not be permitted to be erected or used prior to the issuance of a building permit by the Municipality that authorizes construction of the principal building to which it is accessory, except for the following:
 - .a A fully enclosed shed not exceeding 10.0 m² in total floor area.
 - .b A dock on a lot accessible only by water.
- .5 On a vacant lot, recreational vehicles used as seasonal dwellings are not permitted.
- .6 In any Residential zone, the maximum number of accessory buildings shall be limited to three (3).
- .7 Notwithstanding subsection .6, a detached private garage and carport shall be permitted as an additional accessory building where there is no attached private garage on a lot.

4.1.2 Construction Uses

- .1 On a vacant lot within an Agricultural or Residential zone where a building permit for a principal dwelling unit has been issued, a mobile home, recreation vehicle, or tourist trailer may be used for human habitation until the sooner of:
 - .a the completion of construction; or
 - .b the expiration of the building permit.

4.1.3 Location of Accessory Uses, Buildings, and Structures

- .1 In any zone, the minimum distance between an accessory building or structure and the principal building(s) on a lot shall be 2.0 m.
- .2 In any zone, the minimum distance between two accessory buildings or structures on a lot shall be 1.5 m.
- .3 Where a lot abuts on a navigable waterway, a private garage shall be permitted between the principal building on the lot and the street line, provided such private garage complies with the front yard setback of the applicable zone.
- .4 Notwithstanding .3, a mutual private garage or a mutual boathouse can be erected on the common lot line between two lots.
- .5 In any Residential zone, the following requirements shall apply with respect to the location of accessory buildings or structures:
 - .a An accessory building or structure shall only be located in an interior side yard or rear yard.
 - .b An accessory building or structure shall not be located closer than 1.0 m to the interior side lot line or rear lot line.
 - .c An accessory building or structure shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot, except where explicitly permitted by this By-law.
 - .d The minimum separation distance between two accessory structures used for mobile home park accessory uses shall be 1.0 m.
- .6 In all zones other than a Residential zone, the following requirements shall apply:
 - .a An accessory building or structure shall be subject to the minimum yard requirements for the principal building, as indicated in the applicable zone.

- .b An accessory building or structure shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot, except where explicitly permitted in this By-law. This provision shall not apply in any Agriculture zone.

4.1.4 Lot Coverage and Height

- .1 The maximum lot coverage of all accessory buildings and structures shall not exceed 10% of the total lot area or 225.0 m², whichever is less.
- .2 Except as provided by Section 4.14, the height of an accessory building or structure, in a Residential zone or in conjunction with a residential use, shall not exceed 5.0 m.
- .3 In all other zones, the maximum height of any accessory building or structure shall be the maximum height permitted in the applicable zone.

4.1.5 Permitted Encroachments into Required Yards

- .1 Unless otherwise expressly required by this By-law, no portion of any required yard shall be permitted to be encroached or otherwise obstructed by any building, structure, or feature or part thereof except where a portion of a building, structure, or feature is permitted to encroach into a required yard, in accordance with Table 4-1. Where a type of yard is not identified in Column 2 of Table 4-1, an encroachment is not permitted in that yard.

The intent of this section is to provide some flexibility for structures and features that are both common and incidental to a range of land uses and buildings without having to amend or seek variance from the requirements of this By-law.

Table 4-1: Permitted Yard and Setback Encroachments		
Permitted Uses	Yard	Permitted Encroachment into a Minimum Required Yard
Architectural elements including sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, dormers, pilasters or parapets	Any required <u>yard</u>	0.7 m
Balconies, canopies, unenclosed porches or decks, steps or patios, with a floor height of 1.2 m or less as measured from any point from <u>finished grade</u>	<u>Front yard</u> , <u>rear yard</u> , and <u>exterior side yard</u>	1.5 m
	<u>Interior side yard</u>	1.5 m, but no closer than 1.5 m from the <u>interior side lot line</u>
Balconies, canopies, unenclosed porches or decks, steps or patios, with a floor <u>height</u> greater than	Any required <u>yard</u>	The required minimum <u>yard</u> in accordance with the <u>zone</u> and all other provisions of this By-law.

Table 4-1: Permitted Yard and Setback Encroachments

Permitted Uses	Yard	Permitted Encroachment into a Minimum Required Yard
1.2 m as measured from any point from <u>finished grade</u>		
Barrier-free ramp or wheelchair lift	Any required <u>yard</u>	Up to 0.0 m from any <u>lot line</u>
Eaves, eavestroughs, and gutters	Any required <u>yard</u>	0.6 m
Rain barrels and cisterns	Any required <u>yard</u>	1.5 m
Unenclosed Emergency Escape	Any required <u>yard</u>	1.5 m
Sewage leaching bed or sewage system shed	Any required <u>yard</u> , excluding any minimum <u>water setback</u>	Up to 1.0 m from any <u>lot line</u>
<u>Outdoor patio</u>	<u>Front yard</u> , <u>rear yard</u> or <u>exterior side yard</u>	Up to 0.0 m from the <u>front lot line</u> or <u>exterior lot line</u>

- .2 Notwithstanding the yard and setback provisions of this By-law, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, satellite dishes, signs erected in accordance with the provisions of the Municipality's By-law regulating signs, or other similar accessory structures and vegetation shall be permitted in any required yard or in the area between the road or street line and the required setback.

4.1.6 Private Cabins

Where permitted by this By-law, a private cabin shall be subject to the following provisions:

- .1 A private cabin shall be limited to a maximum floor area of 30 m².
- .2 A maximum of one private cabin shall be permitted on a lot.
- .3 A private cabin shall only be permitted on a lot which conforms to the requirements of the applicable zone for minimum lot area and minimum lot frontage.
- .4 A private cabin shall be subject to the applicable minimum front yard, rear yard and side yard setbacks.

4.1.7 Recreational Vehicles

Where permitted by this By-law, a deck and/or enclosed structure may be added to a recreational vehicle within a campground, provided:

- .1 The floor area of the recreational vehicle is not increased by more than 30.0 m²;
- .2 The deck and/or enclosed structure does not extend beyond the dimensions of the longest walls of the existing recreational vehicle;
- .3 The deck and/or enclosed structure does not extend more than 3.0 m from the recreational vehicle; and
- .4 The deck and/or enclosed structure does not exceed the height of the recreational vehicle by more than 0.3 m.

4.1.8 Accessory Dwelling Units

Where permitted by this By-law, an accessory dwelling unit shall be subject to the following provisions:

- .1 A maximum of one accessory dwelling unit shall be permitted per lot.
- .2 Services shall be shared with the main building on the lot.
- .3 An accessory dwelling unit shall be permitted in a separate accessory building, including a modular home, provided that:
 - .a The building shall be located no closer than 3.0 m to any other non-residential building on the lot.
 - .b The building shall be located in accordance with the setback requirements for the main building on the lot, as established in the zone provisions.
- .4 An accessory dwelling unit shall be permitted as part of the main building on the lot, provided that:
 - .a The accessory dwelling unit shall be located either on the second storey of the main building, or at the rear of such building if the accessory dwelling unit is located within the first storey.
- .5 The accessory dwelling unit shall have an independent building entrance that is separate from the building entrance provided for the non-residential use.
- .6 The gross floor area of the accessory dwelling unit shall not exceed 50% of the gross floor area of all other non-residential uses on the lot.

Accessory dwelling units are dwelling units that are associated with a non-residential use.

- .7 The accessory dwelling unit shall have a separate parking space as provided in parking requirements of Section 5.
- .8 An accessory dwelling unit shall not be permitted on the same lot as a motor vehicle service station or motor vehicle body repair use.
- .9 A maximum of one dwelling unit accessory to a place of worship shall be permitted.
- .10 A dwelling unit accessory to a place of worship shall be located on the same lot as the principal use.
- .11 A dwelling unit accessory to a place of worship shall be subject to the lot and building requirements of the zone in which the principal use is located.

4.1.9 Accessory Shoreline Structures

- .1 Shoreline structures may be permitted as accessory structures to the principal use located on a lot with frontage on a waterbody.
- .2 Shoreline structures are permitted to be erected at or near the shore lot line in the required yard located between the shore lot line and the main building.
- .3 A boathouse or dock located within the minimum water setback, including any boat launching ramp or boat rail system, shall not be permitted to project beyond the shore lot line if such projection will obstruct or interfere with access to the water from an adjacent lot.
- .4 Notwithstanding any other yard or setback provisions of this By-law, a boathouse or dock may not be erected any closer than 4.0 m from any side lot line or projection of said lot line into the waterbody.
- .5 A boathouse shall be subject to the following provisions:
 - .a A boathouse shall only be permitted where a lot abuts a navigable waterway.
 - .b A maximum of one (1) boathouse may be permitted on a lot.
 - .c A boathouse may contain a flat roof used as a private open sitting area provided it does not extend beyond the walls of the boathouse.
 - .d The maximum height of a boathouse shall be 4.5 m. For the purposes of a boathouse, the finished grade shall be the normal high-water mark for the adjacent waterbody.

- .e Notwithstanding subsection .3, a boathouse may not be erected so that any portion of it extends beyond the high-water mark, on any lot with a shore lot line abutting Four Mile Lake.
- .6 A pump house may be erected and used in the required yard of a lot abutting a shoreline provided it complies with the minimum required side yard. A free-standing pump house shall not exceed a height of 2.0 m or an area of 9.0 m².

4.2 Additional Residential Dwelling Units

Where permitted by this By-law, an additional residential dwelling unit shall be in accordance with the following provisions:

- .1 A maximum of two additional residential dwelling units per lot shall be permitted, one within the same building as the principal dwelling unit and one within an accessory building or structure to the principal dwelling unit.
- .2 Notwithstanding Section 4.13 a lot may have an additional residential dwelling unit in addition to a garden suite, approved through a Temporary Use By-law.
- .3 An additional residential dwelling unit shall be in accordance with requirements of the applicable zone.
- .4 An additional residential dwelling unit shall be in accordance with parking requirements of Section 5 of this By-law.
- .5 An additional residential dwelling unit located in an accessory building or structure shall be in accordance with the provisions for accessory buildings or structures contained in this By-law. Notwithstanding, accessory building or structure containing an additional residential dwelling unit located on an upper storey shall have a maximum height of 10.0 m and be erected no closer than 1.2 m to the side lot line and rear lot line.
- .6 An additional residential dwelling unit shall only be permitted on a lot has frontage on an improved public street, maintained year-round.
- .7 An additional residential dwelling unit shall only be permitted on a lot with a minimum lot area of 0.4 ha on private services.
- .8 The floor area of an additional residential dwelling unit shall be equal to, or less than, the gross floor area, excluding attached private garage, of the principal dwelling unit without any modification to the bulk or massing of the building.

Additional residential dwelling units are dwelling units that are associated with a primary residential dwelling unit on a lot.

- .9 An additional residential dwelling unit shall not be permitted on a lot which contains an existing bed and breakfast.
- .10 An additional residential dwelling unit or part thereof shall not be within the Environmental Protection (EP) zone, floodplain, or minimum water setback.
- .11 An additional residential dwelling unit shall be accessed from the street via a driveway or by a hard landscaping surface walkway.
- .12 An additional residential dwelling unit shall comply with the provisions of the Ontario Building Code, Fire Code, and all other relevant Municipal and provincial standards.
- .13 An additional residential dwelling unit shall be registered in accordance with the Municipality's Additional Residential Dwelling Unit By-law.

4.3 At Capacity Lakes

- .1 Notwithstanding the minimum water setback provisions of this By-law, where a lot abuts an at capacity lake the minimum water setback shall be 300.0 m.
- .2 For the purposes of this By-law, at capacity lakes include:
 - .a Big Trout Lake (Longford)
 - .b South Anson Lake (Longford)
- .3 A boathouse shall be prohibited on at capacity lakes.

4.4 Bed and Breakfasts

Where permitted by this By-law, a bed and breakfast shall be subject to the following provisions:

- .1 A bed and breakfast shall only be permitted in a single detached dwelling.
- .2 The bed and breakfast shall be operated by the person or persons whose principal residence is in the single detached dwelling.
- .3 Parking shall be provided in accordance with Section 5.
- .4 A bed and breakfast shall be limited to a maximum of five (5) guest rooms.

4.5 Boarding or Rooming Houses

Where permitted by this By-law, a boarding or rooming house shall be subject to the following provisions:

- .1 The single detached dwelling shall be occupied by the proprietor and shall provide accommodation for up to six individuals, excluding the owner or primary occupants.
- .2 A boarding or rooming house shall not provide respite care or accommodation to the traveling public.
- .3 A boarding or rooming house does not include a hotel, motel, or bed and breakfast.
- .4 A boarding or rooming house shall be serviced by full services or communal services.

4.6 Cannabis Production and Processing Facilities

Where permitted by this By-law, a cannabis production and processing facility shall be subject to the following provisions:

- .1 A cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.
- .2 A cannabis production and processing facility equipped with air filtration control shall not be located closer than 70.0 m to a sensitive land use.
- .3 A cannabis production and processing facility without air filtration control shall not be located closer than 300.0 m to a sensitive land use.
- .4 Notwithstanding any other provision of this By-law, the minimum setback required by .2 and .3 shall be measured from the building line or crop line of the cannabis production and processing facility to the nearest building line of the sensitive land use.

4.7 Conservation Authority Regulated Area & Burnt River Flood Plain

4.7.1 Conservation Authority Regulated Area

- .1 Lands within the Regulated Area as shown on Schedule “A” shall be subject to the following:

- .a Any lands located within the Regulated Area as shown on Schedule “A” shall be subject to the regulation of the applicable Conservation Authority under Section 28 of the *Conservation Authorities Act*, as amended, for any development (including site alteration), any interference with wetlands, and alterations to shore lot lines and waterbodies.
 - .b The Regulated Area may differ from those lands shown on Schedule “A”, as the boundaries may be subject to change. Where there is conflict between this By-law and the description of the regulated areas in the text of the regulation, the description of the areas in the regulation shall prevail. Where there is conflict between the boundaries of the Regulated Area identified in this By-law and the boundaries determined by the Conservation Authority, the boundaries of the Regulated Area shall be determined by the Conservation Authority.
 - .c Development as defined in the *Conservation Authorities Act* within the Regulated Area as shown on Schedule “A” is subject to Conservation Authority review and may require a permit pursuant to the Conservation Authority’s regulation, prior to any works taking place.
- .2 The following uses shall be prohibited in lands identified as hazardous lands or hazardous sites, as determined by the Municipality in consultation with the Conservation Authority:
- .a Community uses, including a home based day care, day care centre, long-term care home, and private school or public school;
 - .b Emergency services and electrical substations; and,
 - .c Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.7.2 Burnt River Flood Plain

Note to First Draft Zoning By-law: Subject to further review and study in Second Draft Rural Zoning By-law.

4.8 Community Gardens

Where permitted by this By-law, a community garden shall be subject to the following provisions:

- .1 The number of buildings and enclosed structures associated with the community garden shall be limited to 2 and shall include only a maximum of one accessory storage shed and a maximum of one accessory greenhouse.
- .2 The maximum combined gross floor area of all permitted buildings and enclosed structures shall be 70.0 m².
- .3 All buildings and structures associated with the community garden shall be subject to the yard requirements for main buildings in accordance with the applicable zone provisions, except that:
 - .a In no case shall a building or an enclosed structure be located closer than 3.0 m to any lot line.
 - .b In no case shall a building or structure be greater than 4.0 m in height.

4.9 Dog Kennels

Where permitted by this By-law, a dog kennel shall be subject to the following provisions:

- .1 A dog kennel shall only be permitted on a lot having a minimum lot area of 2.0 ha or greater.
- .2 Any portion of a dog kennel shall be located a minimum 150.0 m from a dwelling unit located on a separate lot.
- .3 The portion of the lot used for dog kennel purposes shall be fenced from adjoining lots.
- .4 A dog kennel shall be subject to the City of Kawartha Lakes Kennel Licensing By-law.

4.10 Drive-Through

Where permitted by this By-law, a drive-through shall be provided in accordance with the following provisions:

- .1 A drive-through shall include a minimum of 25 designated stacking spaces for a drive-through associated with a restaurant, and a minimum of 10 designated stacking spaces for a drive-through associated with any other use.

- .2 A stacking space shall be a minimum of 5.5 m in length and 3.0 m in width.
- .3 Stacking spaces shall not be included in the calculation of required parking and shall not be located within any street, parking aisle, loading space, or driveway.
- .4 A stacking lane shall not be permitted within 20.0 m of a Residential zone.

4.11 Established Building Line

- .1 Notwithstanding the minimum front yard provisions of this By-law, where a permitted building or structure is to be erected on a lot, where there is an existing building on either side of the lot, such permitted building or structure may be erected closer to the street line, than required by this By-law provided such permitted building or structure is not erected closer to the street line than the established building line. This provision does not apply to any lot abutting a waterbody.
- .2 Notwithstanding the minimum water setback provisions of this By-law and subsection .1, for lots which abut a waterbody:
 - .a Where a permitted building or structure is to be erected or enlarged on a lot abutting a waterbody where there is an existing building on either side of the lot, such building or structure may encroach into the minimum water setback provided such building or structure is not erected or enlarged closer to the shore lot line than the established building line.
 - .b Where a building or structure is erected in accordance with an established building line and the setback is between 15.0 m and 30.0 m from the high-water mark, a 15.0 m shoreline naturalization buffer shall be provided in accordance with Section 4.34.
 - .c In no case shall a new building or structure be erected closer than 15.0 m from the high-water mark on a lot.
 - .d The above provisions shall not apply to lots with a lot depth greater than 55.0 m.
- .3 Where a lot fronts onto a Provincial Highway, the provisions of Section 4.11.1 and 4.11.2 shall not apply unless the lot is located within a Commercial General (CG) zone.

4.12 Frontage on a Public Street

- .1 In addition to all other provisions of this By-law, no person shall be permitted to erect any building or structure on any lot in any zone unless the lot has frontage on an improved public street.
- .2 Notwithstanding Section 4.12.1, a building or structure may be erected and used on the following lots which do not have lot frontage on an improved public street:
 - .a An island lot or water access lot in a Residential zone category;
 - .b An existing lot within a registered plan of subdivision in which the street has not been assumed by the Municipality but in which the street is to be assumed under the terms of a subdivision agreement; and
 - .c An existing lot with access by way of a legal private right-of-way.

4.13 Garden Suites

A garden suite may only be permitted as an accessory use in any Residential or Agriculture zone by way of a temporary use by-law pursuant to Section 39 of the *Planning Act*, and in accordance with the following provisions:

- .1 A garden suite may only be established for a maximum duration of 20 years, calculated from the date of issuance of a building permit.
- .2 A maximum of one garden suite may be permitted on a lot.
- .3 A garden suite shall be located on the same lot as a principal single detached dwelling.
- .4 The maximum floor area of a garden suite shall not exceed 70.0 m².
- .5 A garden suite shall only be permitted on a lot which has frontage on an improved public street.
- .6 Services shall be shared with the principal dwelling on the lot.
- .7 Parking shall be provided in accordance with the provisions of this By-law.

4.14 Height Exceptions

- .1 The height requirements of this By-law shall not apply to the following structures:
 - .a a flagpole;
 - .b an air conditioner duct;
 - .c a belfry;
 - .d a clock tower;
 - .e a chimney;
 - .f ornamental architectural features, such as but not limited to, cupolas, dormers, skylights, and weathervanes;
 - .g a barn for a permitted agriculture use;
 - .h an elevator equipment room or rooftop mechanical equipment;
 - .i a grain elevator, silo, grain bin, fertilizer tower, or other accessory structures related to an agriculture use;
 - .j a light standard;
 - .k a radio, communications, or television tower or antenna;
 - .l a spire or steeple associated with a place of worship;
 - .m a water tank or water tower; and,
 - .n a wind turbine used within an Agricultural zone.
- .2 A roof-mounted solar energy device shall be permitted to exceed the maximum height required in any zone by 0.30 m. For clarity, a ground-mounted solar energy device shall comply with the requirements for accessory buildings and structures.
- .3 A wind turbine within any zone, except an Agriculture zone, shall be subject to the provisions for accessory structures.

4.15 Home Industries

Where permitted by this By-law, a home industry shall be subject to the following provisions:

- .1 A home industry shall only be permitted as an accessory use to the principal use of a lot.

- .2 A home industry shall only be wholly located within an accessory building or structure.
- .3 A home industry shall not be permitted on a lot abutting a waterbody.
- .4 A home industry shall only be permitted where the minimum lot area is 0.4 ha or greater
- .5 Parking spaces shall be provided in accordance with Section 5 of this By-law.
- .6 A home industry shall have a maximum of three employees, where at least one employee shall be a resident of the principal dwelling unit.
- .7 An accessory building or structure used for a home industry shall be subject to the general provisions for accessory buildings and structures of this By-law.
- .8 A home industry shall not occupy more than 2% of the lot area or have a gross floor area greater than 80.0 m², whichever is less.
- .9 Advertising or signs shall not be permitted to be displayed on a lot, except in accordance with the Municipality's Signage By-law where it relates specifically to home industries.
- .10 Outside storage and an outdoor display area accessory to a home industry shall be prohibited.
- .11 A home industry that includes an obnoxious use shall be prohibited.

4.16 Home Occupations

Where permitted by this By-law, a home occupation shall be subject to the following provisions:

- .1 A home occupation shall include the following uses:
 - .a Artisan studio;
 - .b Drugless practitioner;
 - .c Home based day care;
 - .d Personal service;
 - .e Home-based food processing;
 - .f Office; and,
 - .g Instruction, including personal fitness, music, dance, tutoring, cooking, and similar activities.

- .2 A home occupation shall be operated solely by the person or persons whose principal residence is the dwelling in which the home occupation is operated.
- .3 A home occupation shall not occupy more than 25% of the gross floor area of the dwelling unit or have a gross floor area greater than 45.0 m², whichever is less.
- .4 An accessory building or structure, or any part thereof, shall not be used for a home occupation. However, an attached private garage shall be permitted to be used for a home occupation, provided that the minimum number of parking spaces as required by this By-law are complied with.
- .5 Parking spaces shall be provided in accordance with Section 5 of this By-law.
- .6 Outside storage of goods or materials associated with the home occupation is prohibited.
- .7 Advertising or signs shall not be permitted to be displayed on a lot, except in accordance with the Municipality's Signage By-law where it relates specifically to home occupations. For clarity, illuminated signs, or signs greater than 0.5 m² in area shall not be permitted.
- .8 The home occupation shall not create or become a public nuisance due to noise, dust, traffic or parking.
- .9 Other than art, crafts and antiques, or goods produced or repaired on site, there shall be no goods, wares or merchandise offered or exposed for sale, or sold or kept for sale in the dwelling, and no mechanical or other equipment used or kept except those customarily employed in a residential dwelling for domestic or household purposes or for use by those uses deemed a home occupation.

4.17 Hunt Camps

Where permitted by this By-law, a hunt camp shall be subject to the following provisions:

- .1 A hunt camp shall have a maximum floor area of 45 m².

4.18 Legal Non-Conformity and Legal Non-Compliance

4.18.1 Legal Non-Compliance

- .1 A legal non-complying building or structure may be enlarged, repaired, replaced or renovated provided that:

- .a The use is permitted by this By-law.
 - .b The enlargement, repair, replacement, or renovation does not further encroach into a required yard or into a required shoreline naturalization buffer or water setback.
 - .c The enlargement, repair, replacement, or renovation does not cause non-compliance with any other provision of this By-law.
- .2 Notwithstanding Section 4.18.1.1, a foundation shall be permitted to be enlarged to a maximum height of 1.2 m, provided the same does not allow for human habitation.
- .3 Notwithstanding Section 4.18.1.1, the roof of a legal non-complying building or structure may be enlarged to a maximum 1.2 m above the maximum permitted height of the zone provided the same does not increase the usable space of the building or structure and does not allow for human habitation.
- .4 A lot in existence prior to the effective date of this By-law that does not meet the lot area and/or lot frontage requirements of the applicable zone, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the buildings or structures comply with all of the other provisions of this By-law.
- .5 Where a lot, building, structure or required parking space is deemed to be deficient of any requirement of this By-law, and that deficiency is expressly the result of acquisition or expropriation of land by a public authority, the lot, building, structure or required parking space shall be deemed to comply with the requirements of this By-law.
- .6 Where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law and, as a result of a consent, is increased in size but continues to have less lot area and/or lot frontage than required herein, Section 4.18.1.5 shall continue to apply.

4.18.2 Legal Non-Conformity

- .1 Nothing in this By-law applies to prevent the use of any land, building, or structure for any purpose prohibited by this By-law if such land, building, or structure was lawfully used for such purpose on the effective date of this By-law, provided it continues to be used for that purpose.

4.19 Lindsay Airport Height Restrictions

Note to First Draft Zoning By-law: Subject to further review and study in Second Draft Rural Zoning By-law.

4.20 Location Adjacent to Railroad

- .1 No part of any dwelling unit shall be located closer than:
 - .a 9.0 m to any abandoned railroad right-of-way;
 - .b 30.0 m to any main line railroad right-of-way; or
 - .c 15.0 m to any other railroad right-of-way.

4.21 Minimum Distance Separation – MDS I and II

4.21.1 MDS I – New Non-Farm Uses

- .1 Notwithstanding any other yard or setback provisions of this By-law, no Residential, Community Facility, Commercial, or Industrial use, located on a separate lot and permitted within an Agriculture zone or any zone in which agriculture uses are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation One (MDS I) setback from a livestock facility, calculated using the formulas published by the Province, as may be amended from time to time.
- .2 Subsection .1 shall not apply to lots existing as of the date of passing of this By-law, which have a lot area less than 4.0 ha.
- .3 No bed and breakfast or agri-tourism use which includes overnight accommodation located on a separate lot shall be permitted unless the dwelling, building, or structure in which the use is located complies with the Minimum Distance Separation One (MDS I) formulae.

4.21.2 MDS II – New or Expanding Livestock Facilities and Manure Storage Facilities

- .1 Notwithstanding any other yard and setback provisions of this By-law, no livestock facility shall be erected or enlarged on a lot except in accordance with the requirements of the Minimum Distance Separation Two (MDS II) setback, calculated using the formulas published by the Province, as may be amended from time to time.

4.22 Mobile Home Parks and Mobile Home Sites

Where permitted by this By-law, a mobile home park shall be in accordance with the following provisions:

- .1 Each mobile home site shall be clearly and permanently defined by stakes, fencing, or hedges and will be provided with a concrete apron or basement upon which the mobile home will be located.
- .2 Skirtings shall be provided to screen the undercarriages of all mobile homes.
- .3 A roadway with a minimum width of 7.5 m which provides access to every mobile home site shall be asphalted before being used.
- .4 Accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory prefabricated or constructed to an equivalent standard to maintain or enhance the character of the mobile home.
- .5 The mobile home park shall be serviced by a municipal or communal water and sewage disposal system.
- .6 The mobile home park shall have only one communal antenna and no individual antennas.

4.23 Motor Vehicle Service Stations

Where permitted by this By-law, a motor vehicle service station shall be in accordance with the following provisions:

- .1 No portion of any fuel pump associated with a motor vehicle service station shall be located closer than 6.0 m from any front lot line, exterior lot line, or sight triangle and 12.0 m from any other lot line.
- .2 A weather canopy associated with the fuel pumps of a motor vehicle service station shall be permitted to encroach into the required minimum front yard and exterior side yard by up to 3.0 m.
- .3 The maximum width of a driveway at the street line shall be not more than 9.0 m and the minimum width not less than 7.5 m.
- .4 The minimum interior angle of a driveway to a street line shall be forty-five (45) degrees and the maximum interior angle of a driveway to a street line shall be ninety (90) degrees.

- .5 The minimum distance between access driveways shall be 9.0 m.
- .6 The area included between driveways or between driveways and a street line or any lot line as required by this By-law shall not be used for any purpose other than landscaping.
- .7 All other requirements of the applicable zone shall apply, including the required minimum required yards.

4.24 Number of Uses and Buildings on a Lot

- .1 Unless expressly prohibited by this By-law, more than one building shall be permitted on a lot, and each building shall be subject to all requirements of this By-law.
- .2 Any land or building may be used for more than one permitted use, provided that all provisions of this By-law relating to each use are complied with.
- .3 Not more than one single detached dwelling shall be erected on any lot unless otherwise explicitly permitted in accordance with the provisions of this By-law.

4.25 On-Farm Diversified Uses

4.25.1 General

Where permitted by this By-law, an on-farm diversified use shall be in accordance with the following provisions:

- .1 The on-farm diversified use is located on the same lot accessory to an agriculture use.
- .2 The area of operation for an on-farm diversified use shall not exceed a combined total of 1.0 ha (10,000 m²) or 2% of the lot area on which the use is proposed, whichever is less.
 - .a In calculating the area of operation, 100% of the area needed for parking spaces and outside storage for the on-farm diversified use shall be included.
 - .b In calculating the area of operation, where an on-farm diversified use uses an existing access laneway, or parking area, the area of the laneway or parking area shall not be included.
- .3 All outside storage for an on-farm diversified use shall be in accordance with the outside storage provisions of this By-law.

- .4 The services required for the proposed on-farm diversified use are provided on the same lot, to the satisfaction of the Municipality.

4.25.2 Agri-Tourism Uses

Any agri-tourism use shall be subject to the following additional provisions:

- .1 Large-scale, recurring events that are beyond the scale of agri-tourism uses and occur more than two times per calendar year shall only be permitted on a temporary basis by way of a temporary use by-law pursuant to Section 39 of the *Planning Act*.
- .2 Lands used for agriculture and simultaneously used as part of the agri-tourism use shall not be included in the calculation of the area of operation in accordance with Section 4.25.1.2.

4.26 Outdoor Display Area

4.26.1 General

Where permitted by this By-law, an outside display area shall be in accordance with the following provisions:

- .1 The outdoor display area is accessory to a permitted use on a lot.
- .2 The outdoor display area shall be permitted in any yard, except an interior side yard.
- .3 The outdoor display area shall not exceed 20% of the lot area.
- .4 The outdoor display area shall not be located within:
 - .a A required yard or minimum setback;
 - .b A required planting strip;
 - .c A required parking space or loading space;
 - .d A driveway or stacking lane; or
 - .e A sight triangle.

4.26.2 Seasonal Outdoor Display Area

- .1 Notwithstanding Section 4.26.1.4, an outdoor display area operated on a seasonal basis for a period not exceeding 120

days during each calendar year, may occupy up to 10% of the required parking spaces.

4.27 Outdoor Patios

Where permitted by this By-law, an outdoor patio shall be in accordance with the following provisions:

- .1 An outdoor patio shall not be permitted in any yard abutting a Residential zone.
- .2 The area used for an outdoor patio shall be included in the calculation of lot coverage.
- .3 Parking shall be provided for an outdoor patio in accordance with the provisions of Part 5 of this By-law.
- .4 Notwithstanding subsection .3, an outdoor patio that is operated on a seasonal basis for no longer than 8 consecutive months within a calendar year shall not be required to provide additional parking above that required for the principal use on the lot.
- .5 Where an outdoor patio covers a portion of a parking area, it shall not result in a deficiency in meeting the minimum required parking for existing uses on the lot.

4.28 Outside Storage

Where permitted by this By-law, outside storage shall be in accordance with the following provisions:

- .1 Outside storage shall only be permitted as an accessory use where it is permitted by this By-law. For the purposes of clarity and without limiting the generality of the foregoing, outside storage shall not be permitted on a vacant lot.
- .2 Outside storage shall only be permitted within a rear yard and comply with the minimum front yard and exterior side yard requirements.
- .3 Outside storage shall not be permitted closer than:
 - .a 5.0 m to an interior side lot line where the lot line abuts a lot within a Commercial, or Industrial zone;
 - .b 10.0 m of a rear lot line or interior side lot line of a lot zoned other than Agriculture, Commercial, or Industrial; or,

- .c Within an Agriculture zone, 1.0 m to an interior side lot line where the lot line abuts a lot within an Agriculture zone.
- .4 Outside storage shall be subject to the maximum lot coverage requirements as set out in this By-law.
- .5 Where an outside storage area is visible from any street, any lot within a Residential zone and/or public park, the outside storage area shall be screened by a visual screen containing an opaque fence, wall, or evergreen hedgerow not less than 2.0 m in height.
- .6 Outside storage shall not obstruct any required loading space or parking aisle.

4.29 Recreational Vehicle Park

Where permitted by this By-law, a recreational vehicle park shall be in accordance with the following provisions:

- .1 The use of a recreational vehicle park for permanent human habitation shall be prohibited in all zones.
- .2 Where permitted by this By-law, a recreational vehicle park shall be required to close and be vacated for a period not less than 60 consecutive days commencing January 1 of each calendar year.

4.30 Reduction of Rear Yard Requirements

- .1 Notwithstanding the minimum rear yard requirements in the Residential zones, where the rear lot line shares a common lot line with a public allowance which abuts a waterbody and the aforementioned allowance is not a street, then the minimum rear yard shall be 1.0 m.
- .2 Where the rear lot line of a lot adjoins any portion of a lane, one half of the width of that portion of such lane may be considered part of the lot for the purpose of calculating the lot area and the rear yard depth of the lot.

4.31 Relocated Buildings

- .1 In all zones, no buildings shall be moved within the defined area of this By-law or shall be moved into the limits of the defined area of this By-law without a permit from the Chief Building Official.

4.32 Seasonal Farm Help Dwellings

Where permitted by this By-law, a seasonal farm help dwelling shall be in accordance with the following provisions:

- .1 A seasonal farm help dwelling shall only be permitted as accessory to an agricultural use.
- .2 A seasonal farm help dwelling shall not be permitted within the same building or structure used to shelter livestock or farm animals.
- .3 Access to a seasonal farm help dwelling shall be from a shared driveway.
- .4 The maximum floor area of a seasonal farm help dwelling shall be 150.0 m².
- .5 A garden suite, mobile home or recreational vehicle may be used for a seasonal farm help dwelling.
- .6 A covenant shall be registered on title that the building will be used only for a seasonal farm help dwelling.
- .7 The use of a seasonal farm help dwelling shall not exceed ten months per seasonal worker in each calendar year.

4.33 Shipping Container

Where permitted by this By-law, a shipping container shall be in accordance with the following provisions:

- .1 A shipping container shall be considered an accessory structure and subject to the maximum lot coverage requirements, locational and setback requirements for accessory structures as set out in this By-law.
- .2 A shipping container shall be located a minimum distance of 10.0 m from any lot line abutting a Residential zone or any lot used for a residential use.
- .3 On lands in any Agriculture zone, a shipping container shall be subject to the following additional requirements:
 - .a A shipping container shall only be permitted where the minimum lot area is 0.4 ha or greater.
 - .b A shipping container shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot.
 - .c The maximum number of shipping containers on a single lot shall be 2.

- .4 Notwithstanding any other provision of this By-law, a shipping container may be temporarily placed on a lot in any zone:
- .a For a period of not more than 10 days for loading and unloading of the shipping container;
 - .b For a period of not more than 1-year for the storage of supplies and equipment during construction for which a building permit has been issued by the Municipality.

4.34 Shoreline Naturalization and Setbacks

4.34.1 Shoreline Naturalization Buffer

Where required by this By-law, a shoreline naturalization buffer shall be maintained in accordance with the following provisions:

- .1 The shoreline naturalization buffer shall be maintained within the entirety of the minimum water setback.
- .2 No building, structure, septic system, or use shall be erected, expanded, or otherwise altered within a required shoreline naturalization buffer except in accordance with the provisions of this section.
- .3 A minimum of 90% of lands within the shoreline naturalization buffer shall consist of native vegetation and plant species. For clarity, within the remaining 10% of the shoreline naturalization buffer, minor encroachments such as a pedestrian pathway may be permitted.
- .4 Notwithstanding subsection .2, a portion of the shoreline naturalization buffer may be used for a shoreline activity area.
- .5 The maximum cumulative width of shoreline activity areas shall not exceed the following:
 - .a 25% of the shore lot line to a maximum of 23.0 m within a Residential zone;
 - .b 33% of the shore lot line within the Commercial Recreation (CR) zone; or,
 - .c 50% of the shore lot line where a marina is the principal use of the lot within the Commercial Recreation (CR) zone.

4.34.2 Shoreline Setback Requirements

- .1 The minimum water setback for each building, structure, and septic system on a lot which are considered legal non-complying, excluding shoreline structures, shall be the water setback which existed on the day this By-law was passed, or a minimum of 15.0 m, whichever is greater.
- .2 A building, structure, and septic system having an existing legal non-complying water setback less than 15.0 m may be permitted to be replaced on the same footprint, subject to the following criteria:
 - .a The portion of a building, structure, or septic system which is setback less than 15.0 m from the shore lot line may only be replaced provided that no increase in the gross floor area, width, or height, or further encroachments within the water setback shall be permitted.
 - .b The portion of a building, structure, or septic system which is setback greater than 15.0 m from the shore lot line may only be enlarged in accordance with the provisions of subsection .3.
 - .c No portion of any enlargement shall be permitted to encroach further into the existing legal non-complying water setback.
- .3 A building, structure, and septic system having an existing legal non-complying water setback less than 30.0 m may be enlarged, extended, reconstructed, or otherwise structurally altered at their existing water setback or a minimum of 15.0 m, whichever is greater, provided the following is complied with:
 - .a The gross floor area resulting from enlargement, extension, reconstruction, or alteration of the portion of a legally existing portion of a building or structure within 15.0 m and 30.0 m of the high-water mark shall not exceed 25% of the gross floor area of the portion of the existing building or structure within 15.0 m to 30.0 m of the high-water mark.
 - .b The height of the legally existing building or structure shall be permitted to increase by 1.2 m to improve the foundation, provided the height does not exceed the maximum height requirements in the applicable zone.

- .c The minimum shoreline naturalization buffer requirements shall be met to a minimum depth of 15.0 m.
- .d For clarity, the enlargement, extension, reconstruction, or alteration of the portion of a legally existing building, structure, or septic system setback greater 30.0 m shall not be subject to the requirements of subsections .a, .b, and .c.

4.35 Sight Triangle

- .1 On any corner lot, a sight triangle shall be provided as follows:

Table 4-2: Minimum Sight Triangles	
Intersection	Minimum Sight Triangle (All Zones)
Local Road and Local Road	9.0 m by 9.0 m
Local Road and Collector Road	9.0 m by 12.0 m
Collector Road and Collector Road	12.0 m by 12.0 m
Collector Road and Arterial Road	12.0 m by 12.0 m
Arterial Road and Arterial Road	12.0 m by 12.0 m

- .2 Notwithstanding any other provision of this By-law, buildings, structures and signage are prohibited within the sight triangle.
- .3 The land within a sight triangle shall not be used for any purpose other than landscaping, provided that the maximum height of landscaping shall be 0.5 m measured from the adjacent street line elevation.

4.36 Source Water Protection

- .1 All development will comply with the *Clean Water Act* through the applicable Source Protection Plans, as amended from time to time.
- .2 Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) are identified as an overlay layer on Schedule "B" and include all levels of vulnerability for municipal water sources serving the Municipality.
 - .a In the case of WHPAs the extent of the vulnerable area encompasses WHPA-A through WHPA-E.
 - .b In the case of IPZs the extent of the vulnerable area encompasses subzones IPZ-1 and IPZ-2.

- .3 Notwithstanding the uses permitted by the underlying zone category in this By-law, the following land use activities shall be prohibited in the vulnerable areas identified on Schedule “B” to this By-law where they would constitute a future significant drinking water threat under the *Clean Water Act*, unless stated otherwise in the applicable Source Protection Plans:
- .a Waste disposal sites
 - .b On-site sewage systems (in excess of 10,000 L)
 - .c The application, storage or management of agricultural source material
 - .d The application, handling or storage of non-agricultural source material
 - .e The application, handling or storage of commercial fertilizer
 - .f The application, handling or storage of pesticide
 - .g The handling or storage of road salt
 - .h The storage of snow
 - .i The handling or storage of fuel
 - .j The handling or storage of a dense non-aqueous phase liquid
 - .k The handling or storage of an organic solvent
 - .l The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard
- .4 Notwithstanding the list of prohibited land use activities in subsection .4, a Risk Management Official may issue a written decision enabling the Municipality to determine that a site-specific land use activity is permitted in accordance with Section 58 and Section 59 of the *Clean Water Act* based on location, amount and extent of the threat.
- .5 Within the vulnerable area illustrated on Schedule “B”, as it applies to dense non-aqueous phase liquids, subsection .4 shall not apply to incidental volumes used as part of a residential use.
- .6 Where a conflict may arise between Source Water Protection provisions in this By-law and any other provisions herein, the provision(s) that afford the greatest protection to surface and groundwater shall prevail to the extent necessary to resolve the conflict.

4.37 Swimming Pools

- .1 A swimming pool shall be permitted as an accessory use to any permitted residential use.
- .2 A swimming pool shall not be permitted in the minimum required front yard or exterior side yard.
- .3 A swimming pool shall be permitted the rear yard or interior side yard of any lot provided that no part of such swimming pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building on such lot.
- .4 A swimming pool shall not be permitted to encroach within any required minimum water setback or shoreline naturalization buffer.
- .5 Every swimming pool erected in any zone shall comply with the provisions of the Municipality's Swimming Pools and Swimming Pool Fences By-law.
- .6 Notwithstanding any other provision of this By-law, a swimming pool shall be excluded in the calculation of lot coverage.

4.38 Through Lots

- .1 A through lot shall be subject to the front yard setback and other requirements contained herein on each street in accordance with the provisions of the zone or zones in which such through lot is located.
- .2 In the case of a through lot having boundaries dividing the lot from the streets of equal length, accessory buildings or structures may be located in one or the other yard adjoining a street, but no closer to the street line than the minimum front yard requirement.

4.39 Uses Permitted in All Zones

- .1 The provisions of this By-law shall not apply to the use of any land and zone, or to the erection or use of any building or structure for the purpose of a public use, conservation use, flood and erosion control, film production, wayside pit and quarry and/or portable asphalt plant used by the Municipality, and/or any public authority, provided that where such land, building, or structure is located:

- .a No outside storage shall be permitted unless specifically permitted in the zone in which the public use is located.
 - .b The lot coverage, yard setbacks, parking and loading requirements, and height provisions shall be complied with.
 - .c Any accessory use to a public use shall be clearly incidental and accessory to the permitted public use.
- .2 Notwithstanding subsection .1, a wayside pit and quarry and portable asphalt plant shall not be permitted within any Residential, Community Use, Open Space, or Environmental Protection zone.
- .3 Temporary buildings and structures normal and incidental to construction shall be permitted in all zones, such as a construction camp or other such temporary work camp, a tool shed, a scaffold, provided that a valid building permit has been issued where a building permit is required, and that these uses shall only be permitted so long as the same are necessary for any work in progress which has been neither finished nor abandoned for a period of 60 days.
- .4 A temporary sales or rental office or trailer shall be permitted in all zones subject to the applicable parking requirements in Section 5.0

4.40 Waste Storage

The storage of garbage, recycling, and other waste shall be in accordance with the following provisions:

- .1 In any Commercial General (CG) or Industrial (IG) or Industrial Restricted (IR) zone, garbage, recycling and other waste shall only be stored in a fully enclosed waste storage enclosure, with or without a roof, within a wholly enclosed building, or within an in-ground refuse container.
- .2 Notwithstanding subsection .1, in-ground refuse containers are not required to be within a fully enclosed waste storage enclosure or wholly enclosed within a building.
- .3 A waste storage enclosure shall only be permitted in an interior side yard or rear yard.
- .4 A waste storage enclosure, where required, shall be setback a minimum of 3.0 m from any abutting Residential zone and shall be subject to all other provisions for accessory structures.

- .5 A waste storage enclosure shall not be permitted within any required planting strip and must not obstruct a required parking space, parking aisle, stacking lane, or driveway.
- .6 The provisions of this section shall not apply to any temporary waste disposal structure used in conjunction with a temporary construction use. The provisions shall also not apply to prevent any temporary storage for the purposes of any scheduled removal.

5.0 Parking and Loading Facilities

5.1 Off Street Parking Space Requirements

- .1 Where a building or structure is erected or used in any zone, the required parking spaces shall be provided in accordance with **Table 5-1**.

Table 5-1: Parking Requirements	
Permitted Uses	Minimum Number of Parking Spaces Required
RESIDENTIAL USES	
<u>Accessory Dwelling Unit</u>	1.0 space, in addition to the parking required for the non-residential <u>uses</u>
<u>Additional Residential Dwelling Unit</u>	1.0 space for the first <u>additional residential dwelling unit</u> , which may be provided in tandem; no requirement for the second <u>additional residential dwelling unit</u>
<u>Bed and Breakfast</u>	1.0 space per guest room, in addition to the parking required for the <u>principal</u> residential <u>dwelling</u>
<u>Boarding or Rooming House</u>	1.0 space per guest room, in addition to the parking required for the <u>principal dwelling</u> .
<u>Converted Dwelling</u>	1.0 spaces per <u>dwelling unit</u>
<u>Garden Suite</u>	1.0 space per <u>garden suite</u>
<u>Group Home</u>	1.0 spaces per <u>dwelling unit</u>
<u>Home Occupation</u>	No requirement beyond the minimum requirement for the <u>dwelling</u> .
<u>Mobile Home Park</u>	1.0 space within each <u>mobile home site</u> and 1.5 spaces per <u>mobile home site</u> within a <u>mobile home park</u>
<u>Modular Home</u>	2.0 space per <u>modular home</u>
<u>Single Detached Dwelling</u>	2.0 spaces per <u>dwelling unit</u>
AGRICULTURAL USES	
<u>Abattoir</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Agriculture</u>	No minimum requirement. Where applicable, parking for a <u>single detached dwelling</u> shall be provided.
<u>Agricultural Products Processing Establishment</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Agricultural Products Warehouse</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Agricultural Research Facility</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>

Table 5-1: Parking Requirements

Permitted Uses	Minimum Number of Parking Spaces Required
<u>Airstrip</u>	No minimum requirement. Where applicable, parking for <u>accessory buildings</u> and <u>structures</u> shall be provided.
<u>Contractor's Yard</u>	1.0 space per 50.0 m ² of <u>gross floor area</u>
<u>Custom Workshop</u>	1.0 space per 50.0 m ² of <u>gross floor area</u>
<u>Dog Kennel</u>	1.0 spaces per 30.0 m ² of <u>gross floor area</u> dedicated to any <u>office use</u>
<u>Farm Implement Sales and Service Establishment</u>	1.0 space per 40.0 m ² of <u>gross floor area</u>
<u>Farm Supply Outlet</u>	1.0 space per 40.0 m ² of <u>gross floor area</u>
<u>Farmer's Market</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Nursery</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>On-Farm Diversified Uses</u>	No minimum requirement.
<u>Riding Stable or Equestrian Centre</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Seasonal Farm Help Dwelling</u>	1.0 space per 2 beds
<u>Value-Added Farm Use</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
COMMERCIAL USES	
<u>Animal Hospital</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Artisan Market</u>	1.0 space per 10.0 m ² of <u>gross floor area</u>
<u>Artisan Studio</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Auction Establishment</u>	1.0 space per 10.0 m ² of <u>gross floor area</u>
<u>Bakery</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Building Supply Outlet</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Campground</u>	1.0 space for each site plus 1.0 space per 100 m ² of <u>gross floor area</u> used for commercial purposes accessible by the public
<u>Clinic</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Club</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Commercial Greenhouse</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Commercial School</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Dry Land Marina</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Financial Institution</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Fuel Depot</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Funeral Services</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Garden and Nursery Supplies</u>	1.0 space per 20.0 m ² of <u>gross floor area</u> devoted to <u>office uses</u> or <u>retail</u> display of materials, and 1.0 space per 30.0 m ² devoted to warehouse uses for storage of materials that are not on display for sale
<u>Hotel</u>	1.0 space per suite or guest room. For any <u>uses</u> provided as an <u>accessory use</u> to the <u>hotel</u> and are open to the public, such as a <u>restaurant</u> , parking requirements shall be calculated separately for each

Table 5-1: Parking Requirements

Permitted Uses	Minimum Number of Parking Spaces Required
	use in accordance with Section 5.2.2. For clarity, any <u>accessory uses</u> provided for use by guests only shall not be subject to an additional parking requirement, such as a fitness facility provided for use by hotel guests.
<u>Motel</u>	1.0 space per suite or guest room
<u>Motor Vehicle Rental Establishment</u>	1.0 spaces per 30.0 m ² of <u>gross floor area</u> plus 1.0 space per service bay
<u>Marina</u>	1.0 space per 20.0 m ² of <u>gross floor area</u> of commercial space, plus 1 space per boat slip
<u>Office</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Outdoor Patio</u>	1.0 space per 9.0 m ² of <u>outdoor patio area</u>
<u>Parking Lot</u>	No minimum requirement. Where applicable, 1.0 space shall be provided for a parking attendant.
<u>Personal Service</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Place of Entertainment</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Recreational Equipment Rental</u>	1.0 space per 30.0 m ² of <u>gross floor area</u> plus 1.0 space per service bay
<u>Recreational Vehicle Park</u>	1.0 space per <u>camping site</u>
<u>Recreational Vehicle Sales and Service</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Rental Cabin</u>	1.0 space for each cabin plus 1.0 space per 100 m ² of <u>gross floor area</u> used for commercial purposes accessible by the public
<u>Restaurant</u>	1.0 space per 9.0 m ² of <u>gross floor area</u>
<u>Restaurant, Take-Out</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Retail</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Retail, Convenience</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Service or Repair Shop</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Taxi Stand</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Tourist Resort</u>	1.0 space per cabin or guest room
<u>Tourist Information Centre</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
INDUSTRIAL USES	
<u>Cannabis Production and Processing Facility</u>	1.0 space per 40.0 m ² of <u>gross floor area</u>
<u>Concrete and Asphalt Plant</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Contractor's Shop</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Contractor's Yard</u>	1.0 space per 100.0 m ² of <u>gross floor area</u> or <u>outside storage area</u>
<u>Correctional Facility</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Custom Workshop</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Heavy Equipment Sales and Service</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>

Table 5-1: Parking Requirements

Permitted Uses	Minimum Number of Parking Spaces Required
<u>Manufacturing or Processing Facility</u>	1.0 space per 40.0 m ² of <u>gross floor area</u>
<u>Motor Vehicle Body Repair</u>	4.0 spaces per service bay
<u>Motor Vehicle Repair</u>	4.0 spaces per service bay
<u>Motor Vehicle Sales Establishment</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Motor Vehicle Service Station</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Motor Vehicle Washing Establishment</u>	1.0 space per 30.0 m ² of <u>gross floor area</u> plus 1.0 space per service bay
<u>Pit or Quarry</u>	10.0 spaces, or 1.0 space for each 20.0 m ² of gross floor area, whichever is greater
<u>Printing or Publishing Establishment</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Recycling Depot</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Salvage Yard</u>	1.0 space per 500.0 m ² of <u>gross floor area</u> or <u>outside storage area</u>
<u>Scrap Yard</u>	1.0 space per 500.0 m ² of <u>gross floor area</u> or <u>outside storage area</u>
<u>Service and Repair Shop</u>	1.0 space per 20.0 m ² of <u>gross floor area</u>
<u>Recreational Vehicle Storage</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Transportation Terminal</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
<u>Waste Disposal Site</u>	1.0 space per 30.0 m ² of <u>accessory office space</u>
<u>Waste Transfer Station</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Warehouse</u>	1.0 space per 100.0 m ² of <u>gross floor area</u>
ENVIRONMENTAL PROTECTION AND OPEN SPACE USES	
<u>Community Garden</u>	No minimum requirement.
<u>Conservation Use</u>	No minimum requirement.
<u>Fairground</u>	No minimum requirement. For any facilities or buildings provided as an accessory use to the <u>fairground</u> , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
<u>Forestry</u>	No minimum requirement.
<u>Golf Course</u>	2.0 spaces per hole, plus 1.0 space per 100.0 m ² for an <u>accessory use</u>
<u>Hunt Camp</u>	No minimum requirement.
<u>Passive Recreational Use</u>	No minimum requirement. For any facilities or buildings provided as an accessory use to the <u>passive recreational use</u> , parking requirements shall be calculated separately for each use in accordance with Section 5.2.2.
<u>Private Park</u>	No minimum requirement. For any facilities or buildings provided as an <u>accessory use</u> to the <u>private park</u> , parking requirements shall be

Table 5-1: Parking Requirements

Permitted Uses	Minimum Number of Parking Spaces Required
	calculated separately for each <u>use</u> in accordance with Section 5.2.2.
<u>Private Recreation</u>	No minimum requirement. For any facilities or <u>buildings</u> provided as an <u>accessory use</u> to the <u>private recreation use</u> , parking requirements shall be calculated separately for each <u>use</u> in accordance with Section 5.2.2.
<u>Public Park</u>	No minimum requirement. For any facilities or <u>buildings</u> provided as an <u>accessory use</u> to the <u>public park</u> , parking requirements shall be calculated separately for each <u>use</u> in accordance with Section 5.2.2.
COMMUNITY USES	
<u>Assembly Hall</u>	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of <u>gross floor area</u> devoted to public use, whichever is greater
<u>Banquet Hall</u>	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of <u>gross floor area</u> devoted to public use, whichever is greater
<u>Cemetery</u>	2.0 spaces
<u>Charitable or Service Club</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Club</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Community Facility</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Day Care Centre</u>	1.0 space per 40.0 m ² of <u>gross floor area</u>
<u>Emergency Service</u>	1.0 space per 30.0 m ² of <u>gross floor area</u>
<u>Flood and Erosion Control</u>	No requirement.
<u>Hospital</u>	1.0 space per 4 beds or 1.0 space per 100.0 m ² of <u>gross floor area</u> , whichever is greater
<u>Long-Term Care Home</u>	1.0 space for every 4 beds
<u>Parking Lot</u>	No requirement.
<u>Place of Entertainment</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Place of Worship</u>	1.0 space per 5 fixed seats, 1.0 space per 3.0 m of bench seating, or 1.0 space per 9.0 m ² of <u>gross floor area</u> devoted to public use, whichever is greater
<u>Post Office</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>
<u>Public School</u>	Elementary School: 1.5 spaces for each teaching classroom Secondary School: 4.0 spaces for each teaching classroom
<u>Private School</u>	Elementary School: 1.5 spaces for each teaching classroom Secondary School: 4.0 spaces for each teaching classroom
<u>Recreational Use</u>	1.0 space per 18.0 m ² of <u>gross floor area</u>

Table 5-1: Parking Requirements

Permitted Uses	Minimum Number of Parking Spaces Required
OTHER USES	
Any other <u>use</u> permitted by this by-law other than those listed above	1.0 space per 30.0 m ² of <u>gross floor area</u>

- .2 The parking space requirements of this By-law shall be provided for and located on the same lot as the use for which the parking space(s) is required.

5.2 Calculation of Required Parking Spaces

5.2.1 Rounding

- .1 Where the calculation of the minimum parking spaces required results in a fraction, the applicable requirement shall be rounded up to the next whole number.

5.2.2 Multiple Uses on a Lot

- .1 When a building or structure accommodates more than one (1) type of use, as defined in this By-law, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses, including any accessory uses with a defined parking requirement under Section 5.1.

5.2.3 Driveway Used as Parking Areas

- .1 On a lot with a dwelling unit, a private driveway or carport devoted to the dwelling unit and located on the lot may be included in the calculation of parking spaces.

5.2.4 Building Additions

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

5.3 Parking Area and Driveway Requirements

5.3.1 Parking Space Dimensions and Requirements

- .1 A parking space shall be rectangular in shape having a minimum width of 3.0 m and a minimum length of 5.8 m.
- .2 The minimum dimensions of a parallel parking space shall be 2.4 m by 7.0 m.
- .3 The parking area shall have visible boundaries.
- .4 In any zone except an Agriculture or Industrial zone, parking spaces clearly defined with the layout of spaces appropriately marked on the ground or signed.
- .5 Unless otherwise provided for elsewhere in this By-law, all parking shall be located on the same lot as the use for which it is intended to serve.

5.3.2 Driveways

- .1 The minimum distance between a driveway and intersection of street lines measured along the street line intersected by such driveway shall be 10.0 m. Notwithstanding this provision, in any Residential zone, the minimum distance between a driveway and intersection of street lines shall be the lesser of 6.0 m or the minimum required exterior side yard plus 3.0 m.

5.3.3 Parking Area Aisles

- .1 Each parking space shall be accessed either directly by a driveway or a parking aisle.
- .2 The width of the aisle in a parking area shall be based on the angle of the parking spaces to the aisle. If the angle of parking is different on each side of the aisle, then the aisle width shall be based on the parking spaces requiring the widest aisle width. The parking aisle requirements are as follows in Table 5-2:

Table 5-2: Aisle Requirements	
Angle of Parking Space to Aisle	Minimum Parking Aisle Width
Parallel parking or less than 30 degrees	3.5 m
Equal to or greater than 30 degrees but less than 50 degrees	4.0 m
Equal to or greater than 50 degrees but less than 70 degrees	5.5 m
Equal to or greater than 70 degrees but less than or equal to 90 degrees	7.0 m

- .3 Notwithstanding subsection .1, tandem parking spaces, which abut end to end, are permitted for any dwelling.
- .4 Where a parking aisle is designed to provide one-way traffic only, and the parking spaces are provided at an angle not exceeding 45 degrees measured at the parking aisle, the minimum width shall be 4.5 m.

5.3.4 Parking Area Surface

- .1 Parking spaces, parking areas and driveways connecting the parking spaces to a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust.
- .2 In all zones, except an Agriculture or Industrial zone, parking spaces, parking areas and driveways shall, before being used, be constructed of crushed stone, gravel, asphalt, brick, concrete, permeable paving, interlocking brick, or similar material.

5.3.5 Parking Area Location

- .1 If the use of a lot is for an assembly hall or banquet hall the parking area may be located on a separate lot not more than 150.0 m from the location it is intended to serve.

5.3.6 Parking of Vehicles in Residential Zones

The parking of vehicles on a lot in a Residential zone shall be subject to the following:

- .1 A maximum of one (1) commercial vehicle shall be permitted to be parked, stored or kept in a driveway or private garage, provided the commercial vehicle and any attached equipment does not exceed 2.0 m in height above grade and 5.6 m in length. A commercial vehicle shall not be permitted in any other location on the lot.
- .2 A maximum of one (1) recreational vehicle, trailer or boat shall be permitted to be parked, stored or kept in the interior side yard or rear yard, provided that a minimum setback of 0.6 m to the nearest lot line shall be required.
- .3 One (1) additional recreational vehicle, trailer or similar vehicle shall be permitted to be parked, stored or kept in a private garage. A recreational vehicle, trailer or similar vehicle shall not be permitted in any other location on the lot.
- .4 A parked, stored or kept recreational vehicle, trailer or boat shall not exceed 7.5 m in length, excluding any hitch or tongue, and the height shall not exceed 3.4 m.

5.3.7 Use of Parking Spaces and Areas

- .1 No gasoline pumps or other service station equipment shall be located or maintained in any parking area. Stations for charging electric vehicles shall be permitted in any parking area.
- .2 A structure, not more than 4.5 m in height and not more than 15.0 m² in gross floor area shall be permitted in any parking area for the purpose of accommodating a parking area attendant.

5.4 Barrier-Free Parking Space Requirements

5.4.1 General Provisions for Barrier-Free Parking Spaces

- .1 A barrier-free parking space shall be included in the calculation of the total parking space requirements of this By-law.
- .2 Barrier-free parking spaces shall not be required within any Residential zone.
- .3 A barrier-free parking space shall be accessible by a barrier-free access aisle and shall be free of any encroachment.
- .4 Barrier-free parking spaces shall be designated from the parking spaces located closest to the principal building entrance that is accessible from the parking area.
- .5 A barrier-free access aisle shall be permitted to be shared between two barrier-free parking spaces.

5.4.2 Barrier-Free Parking Space Dimensions

The minimum dimensions of a barrier-free parking space shall be provided in accordance with Table 5-3.

Table 5-3: Barrier-Free Parking Space Dimensions		
Minimum Dimension	Type A Space	Type B Space
Minimum Width (m)	3.65	2.7
Minimum Length (m)	5.7	5.7
Minimum Vertical Clearance (m)	2.75	2.75
Minimum <u>Barrier-Free Access Aisle</u> Width (m)	1.5	1.5
Minimum <u>Barrier-Free Access Aisle</u> Length (m)	5.8	5.8

5.4.3 Barrier-Free Parking Space Rates

- .1 The minimum number of barrier-free parking spaces shall be in accordance with Table 5-4.

Table 5-4: Barrier-Free Parking Space Rates	
Total Required Parking Spaces	Required Barrier-Free Parking Spaces
12 or less	1
13 – 100	4% of total required <u>parking spaces</u>
101 – 200	3% of total required <u>parking spaces</u>
201 – 1,000	2% of total required <u>parking spaces</u>
Over 1,000	1, plus 1% of total required <u>parking spaces</u>

- .2 In calculating the total minimum barrier-free parking space requirement, the total number of barrier-free parking spaces shall be interpreted in accordance with the following:
- .a Where an even number of barrier-free parking spaces are required, an equal number of Type A and Type B barrier-free parking spaces shall be provided.
 - .b Where an odd number of barrier-free parking spaces are required, the number of barrier-free parking spaces must be divided equally between Type A and Type B barrier-free parking spaces, with the remainder provided as a Type B barrier-free parking space.

5.5 Off Street Loading Space Requirements

Where a building or structure is erected or used in any zone, the required loading spaces shall be provided in accordance with Table 5-5.

Table 5-5: Loading Space Requirements	
Floor Area of Buildings	Minimum Number of <u>Loading Spaces</u>
Less than 300.0 m ²	0
300.0 m ² to 2000.0 m ²	1
Greater than 2001.0 m ²	2

- .1 A loading space shall be at least 4.0 m by 12.0 m, with a minimum 4.5 m height clearance.
- .2 A loading space shall be unobstructed, and free of any structures and encroachments.

- .3 The required loading spaces shall be provided on the lot occupied by the building, structure or use for which such loading spaces are required and shall not form a part of any street, lane, parking space or delivery space.
- .4 Access to loading spaces shall be by means of a driveway at least 3.5 m wide contained within the lot on which the loading spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.
- .5 The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, they shall be constructed of one or more of the following: crushed stone, slab, gravel, permeable pavers, crushed brick (or tile) cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 0.15 m and with provisions for drainage facilities.
- .6 No loading space or platform or loading door shall be located in any yard or wall of any building or structure which adjoins or faces a street. In addition to motor vehicle parking areas, a parking area for the use of commercial vehicles shall be provided but shall not be located in any yard flanking a street.
- .7 No portion of any loading space shall be located closer to any street line than the minimum front yard setback for such building, structure or use in the zone where it is located.
- .8 When a building or structure accommodates more than one type of use, as defined in this By-law, the loading space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses, including any accessory uses with a defined loading space requirement under Section 5.5.

5.6 Bicycle Parking Requirements

5.6.1 General

- .1 The owner or occupant of any lot, building, or structure erected in conjunction with select uses shall provide and maintain bicycle parking spaces in accordance with Table 5-6.

Table 5-6: Bicycle Parking Space Requirements	
Use	Minimum Number of Required Bicycle Parking Spaces
<u>Agri-Tourism Use</u>	4.0 spaces
<u>Farm micro-brewery</u>	4.0 spaces

5.6.2 Rounding

- .1 Where the calculation of the required number of bicycle parking spaces under 5.6.1 results in a fraction, the value shall be rounded up to the next whole number.

5.6.3 Multiple Uses on a Lot

- .1 When a building or structure accommodates more than one (1) type of use, as defined in this By-law, the bicycle parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses.

5.6.4 Building Additions

- .1 When a building or use has an insufficient number of bicycle parking spaces at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition or expansion may be built, however, and no change of use may occur, the effect of which would be an increase in that deficiency.

6.0 Residential Zones

6.1 List of Residential Zones

For convenience, Table 6-1 lists the Residential zones established in Section 2 of this By-law.

Table 6-1: List of Residential Zones	
Zone Name	Zone Symbol(s)
Hamlet Residential	HR1, HR2, HR3, HR4
Rural Residential One	RR1A, RR1B, RR1C, RR1D
Rural Residential Two	RR2A, RR2B, RR2C, RR2D
Rural Residential Three	RR3A, RR3B, RR3C, RR3D
Mobile Home Park	RMH1, RMH2, RMH3
Residential Transition	RT

6.2 Permitted Uses in the Residential Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 6-2. Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 6-2.

Table 6-2: Permitted Uses in the Residential Zones						
Permitted Use	Zone					
	HR	RR1	RR2	RR3	RMH	RT

RESIDENTIAL USES

<u>Additional Residential Dwelling Unit</u>	✓	✓	✓	✓		✓
<u>Boarding or Rooming House</u>	✓					✓
<u>Group Home</u>	✓					✓
<u>Mobile Home</u>					✓	
<u>Mobile Home Park</u>					✓	
<u>Single Detached Dwelling</u>	✓	✓	✓	✓		✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

<u>Accessory Dwelling</u>					✓	
<u>Bed and Breakfast</u>	✓	✓	✓	✓		✓
<u>Community Garden</u>	✓	✓	✓	✓	✓	✓
<u>Home Industry</u>	✓	✓	✓	✓		✓
<u>Home Occupation</u>	✓	✓	✓	✓		✓
<u>Mobile Home Park Accessory Uses</u>					✓	

Table 6-2: Permitted Uses in the Residential Zones

Permitted Use	Zone					
	HR	RR1	RR2	RR3	RMH	RT
Private Cabin			✓	✓		

6.3 Lot and Building Requirements in the Hamlet Residential Zones

No person shall within any Hamlet Residential zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-3.

Table 6-3: Lot and Building Requirements in the Hamlet Residential Zones

Standard	Zones			
	HR1	HR2	HR3	HR4
Minimum Lot Area (m²)	-	-	-	-
Full Services	460	-	-	-
Partial Services – Wastewater	830	-	-	-
Communal Services	1400	-	-	-
Partial Services – Water	1400	1400	-	-
Private Services	2000	2000	2050	2000
Minimum Lot Frontage (m)	-	-	-	-
Full Services	15	-	-	-
Partial Services – Wastewater	17	-	-	-
Partial Services – Water	25	25	-	-
Private Services	30	38	30	90
Minimum Front Yard (m)	7.5	7.5	7.5	7.5
Minimum Rear Yard (m)	7.5	7.5	6	7.5
Minimum Exterior Side Yard (m)	7.5	7.5	7.5	7.5
Minimum Interior Side Yard (m)	3 ⁽¹⁾	3 ⁽¹⁾	3 ⁽¹⁾	3
Minimum Water Setback (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Shoreline Naturalization Buffer	Section 4.34 applies to lots abutting a waterbody.			
Maximum Lot Coverage	30%	30%	20%	30%
Maximum Building Height (m)	11	11	11	11
Minimum Landscaped Open Space	25%	25%	30%	-

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.3 on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.34.2.

6.4 Lot and Building Requirements in the Rural Residential One Zones

No person shall within any Rural Residential One zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-4.

Table 6-4: Lot and Building Requirements in the Rural Residential One Zones

Standard	Zones			
	RR1A	RR1B	RR1C	RR1D
Minimum <u>Lot Area</u> (m ²)	2800	4000	4000	2000
Minimum <u>Lot Frontage</u> (m)	38	45	38	38
Minimum <u>Shore Lot Line</u> (m)	30	30	30	30
Minimum <u>Front Yard</u> (m)	6	7.5	7.5	15
Minimum <u>Interior Side Yard</u> (m)	3 ⁽¹⁾	3	5	6
Minimum <u>Rear Yard</u> (m)	6	7.5	7.5	6
Minimum <u>Exterior Side Yard</u> (m)	6	7.5	7.5	15
Minimum <u>Water Setback</u> (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
<u>Shoreline Naturalization Buffer</u>	Section 4.34 applies to lots abutting a waterbody.			
Maximum <u>Lot Coverage</u>	30%	30%	30%	25%
Maximum <u>Building Height</u> (m)	11	11	11	11
Minimum <u>Landscaped Open Space</u>	30%	30%	30%	30%

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.3 m on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.34.2.

6.5 Lot and Building Requirements in the Rural Residential Two Zones

No person shall within any Rural Residential Two zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-5.

Table 6-5: Lot and Building Requirements in the Rural Residential Two Zones				
Standard	Zones			
	RR2A	RR2B	RR2C	RR2D
Minimum <u>Lot Area</u> (m ²)	-	-	-	-
<u>Full Services</u>	-	-	460	-
<u>Partial Services</u> – Wastewater	-	-	830	-
<u>Communal Services</u> – Water	-	-	1700	-
<u>Partial Services</u> – Water	1400	1400	1400	1400
<u>Private Services</u>	2000	2000	2000	2000
Minimum <u>Lot Frontage</u> (m)	-	-	-	-
<u>Full Services</u>	-	-	15	-
<u>Partial Services</u> – Wastewater	-	-	17	-
<u>Communal Services</u> – Water	-	35	25	-
<u>Partial Services</u> – Water	25	25	30	-
<u>Private Services</u>	-	35	30	-
<u>Private Services</u> (No Shore Lot Line)	30	30	25	38
Minimum <u>Shore Lot Line</u> (m)	30	30	30	30
Minimum <u>Front Yard</u> (m)	7.5	7.5	6	15
Minimum <u>Rear Yard</u> (m)	7.5	7.5	6	6
Minimum <u>Exterior Side Yard</u> (m)	7.5	7.5	6	15
Minimum <u>Interior Side Yard</u> (m)	3	3 ⁽¹⁾	3 ⁽¹⁾	3
Minimum <u>Water Setback</u> (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
<u>Shoreline Naturalization Buffer</u>	Section 4.34 applies to lots abutting a waterbody.			
Maximum <u>Lot Coverage</u>	30%	30%	30%	30%
Maximum <u>Building Height</u> (m)	11	11	11	11
Minimum <u>Landscaped Open Space</u>	25%	25%	25%	25%

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.2 on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.34.2.

6.6 Lot and Building Requirements in the Rural Residential Three Zones

No person shall within any Rural Residential Three zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-6.

Table 6-6: Lot and Building Requirements in the Rural Residential Three Zones			
Standard	Zones		
	RR3A	RR3B	RR3C
Minimum Lot Area (m²)	-	-	-
<u>Partial Services – Water</u>	1400	1400	1400
<u>Private Services</u>	1850	2000	2000
Minimum Lot Frontage (m)	-	-	-
<u>Partial Services – Water</u>	25	24	30
<u>Private Services</u>	30	30	38
Minimum Front Yard (m)	7.5	7.5	-
<u>Partial Services – Water</u>	-	0.5	15
<u>Private Services</u>	-	7.5	15
Minimum <u>Shore Lot Line</u> (m)	30	30	30
Minimum <u>Front Yard</u> (m)	7.5	7.5	15
Minimum <u>Interior Side Yard</u> (m)	3 ⁽¹⁾	3 ⁽¹⁾	3
Minimum <u>Rear Yard</u> (m)	7.5	7.5	6
Minimum <u>Exterior Side Yard</u> (m)	7.5	7.5	15
Minimum <u>Water Setback</u> (m)	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
<u>Shoreline Naturalization Buffer</u>	Section 4.34 applies to lots abutting a waterbody.		
Maximum <u>Lot Coverage</u>	30%	30%	30%
Maximum <u>Building Height</u> (m)	11	11	11
Minimum <u>Landscaped Open Space</u>	30%	30%	30%

Notes

1. The minimum interior side yard is 3.0 m on one side and 1.2 on the other side.
2. The minimum water setback shall be subject to the provisions of Section 4.34.2.

6.7 Lot and Building Requirements in the Residential Mobile Home Park Zones

No person shall within any Residential Mobile Home Park zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-7.

Table 6-7: Lot and Building Requirements in the Residential Mobile Home Park Zones			
Standard	Zone		
	RMH1	RMH2	RMH3
MOBILE HOME PARK REQUIREMENTS			
Minimum <u>Lot Area</u> (ha.)	4	4	5
Minimum <u>Lot Frontage</u> (m)	100	100	150
Minimum <u>Front Yard</u> (m)	15	15	15
Minimum <u>Interior Side Yard</u> (m)	8	15	15
Minimum <u>Exterior Side Yard</u> (m)	15	15	15
Minimum <u>Rear Yard</u> (m)	8	8	18
Minimum <u>Water Setback</u> (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾
<u>Shoreline Naturalization Buffer</u>	Section 4.34 applies to lots abutting a <u>waterbody</u> .		
Maximum <u>Building Height</u> (m)	11	11	10.5
Maximum <u>Lot Coverage</u>	30%	30%	-
Minimum <u>Landscaped Open Space</u>	30%	-	-
MOBILE HOME REQUIREMENTS			
Minimum <u>Mobile Home Site Area</u> (m ²)	-	460	1400
Minimum <u>Mobile Home Site Frontage</u> (m)	-	12	30
Minimum <u>Front Yard</u> (m)	-	5	-
Minimum <u>Rear Yard</u> (m)	-	4	-
Minimum <u>Interior Side Yard</u> (m)	-	1.2	-
Minimum <u>Exterior Side Yard</u> (m)	-	3	-
Maximum <u>Site Coverage</u>	-	40%	-
Minimum Separation Between <u>Mobile Homes</u> (m)	4	3	9
Maximum Number of <u>Mobile Home Sites</u>	25 per hectare of <u>lot area</u>	-	6 per hectare of <u>lot area</u>
Minimum <u>Landscaped Open Space</u> (m ²)	-	-	186.0 m ² per each <u>mobile home site</u> or portion thereof

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.34.2.

6.8 Lot and Building Requirements in the Residential Transition Zone

No person shall within any Residential Transition zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 6-8.

Table 6-8: Lot and Building Requirements in the Residential Transition Zone	
Standard	Zones
	RT
Minimum <u>Lot Area</u> (m ²) – <u>Full Services</u>	700
Minimum <u>Lot Frontage</u> (m) – <u>Full Services</u>	18
Minimum <u>Front Yard</u> (m)	7.5
Minimum <u>Rear Yard</u> (m)	9
Minimum <u>Exterior Side Yard</u> (m)	6
Minimum <u>Interior Side Yard</u> (m)	2
Maximum <u>Lot Coverage</u>	25%
Maximum <u>Building Height</u> (m)	11
Minimum <u>Landscaped Open Space</u>	30%

7.0 Agriculture Zones

7.1 List of Agriculture Zones

For convenience, Table 7-1 lists the Agriculture zones established in Section 2 of this By-law.

Table 7-1: List of Agriculture Zones	
Zone Name	Zone Symbol
Agriculture	AG
Agriculture Related	AR
Agriculture Consolidation	AC

7.2 Permitted Uses in the Agriculture Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 7-2. Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 7-2.

Where the symbol “E” is shown in Table 7-2, the use shall only be permitted on a lot in the corresponding zone if the use was legally existing and used on the lot on the effective date of this By-law.

Table 7-2: Permitted Uses in the Agriculture Zones			
Permitted Use	Zone		
	AG	AR	AC

AGRICULTURE AND AGRICULTURE-RELATED USES

<u>Abattoir</u>	E	✓	
<u>Agriculture</u>	✓	✓	✓
<u>Agricultural Products Processing Establishment</u>	E	✓	✓
<u>Agricultural Products Warehouse</u>	E	✓	✓
<u>Agricultural Research Facility</u>	E	✓	
<u>Airstrip</u>	E	✓	✓
<u>Animal Hospital</u>	E	✓	
<u>Auction Establishment</u>	E	✓	
<u>Cannabis Production and Processing Facility</u>	✓	✓	✓
<u>Cemetery</u>	✓	✓	✓
<u>Commercial Greenhouse</u>		✓	

Table 7-2: Permitted Uses in the Agriculture Zones

Permitted Use	Zone		
	AG	AR	AC
<u>Contractor's Yard</u>	E	✓	
<u>Custom Workshop</u>	E	✓	
<u>Dog Kennel</u>		✓	
<u>Farm Implement Sales and Service Establishment</u>	E	✓	
<u>Farm Supply Outlet</u>	E	✓	
<u>Farmer's Market</u>	E	✓	
<u>Feed Mill</u>	E	✓	
<u>Forestry</u>	✓	✓	✓
<u>Nursery</u>	✓	✓	✓
<u>Riding Stable or Equestrian Centre</u>	✓	✓	✓
<u>Seasonal Farm Help Dwelling</u>	✓	✓	

RESIDENTIAL USES

<u>Additional Residential Dwelling Unit</u> (Subject to the provisions of Section 4.0)	✓	✓	
<u>Single Detached Dwelling</u>	✓	✓	

ON-FARM DIVERSIFIED USES

Subject to the provisions of Section 4.0.

<u>Agri-Tourism Use</u>	✓	✓	✓
<u>Butcher Shop</u>	✓	✓	✓
<u>Commercial Greenhouse</u>	✓		✓
<u>Farm Micro-Brewery</u>	✓		✓
<u>Farm Produce Outlet</u>	✓	✓	✓
<u>Outdoor Patio</u>	✓ (1)	✓ (1)	✓ (1)
<u>Small-Scale Farm Café and Shop</u>	✓		✓
<u>Value-Added Farm Use</u>	✓	✓	✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

<u>Ancillary Retail</u>		✓	
<u>Bed and Breakfast</u>	✓	✓	
<u>Home Industry</u>	✓	✓	
<u>Home Occupation</u>	✓	✓	
<u>Outside Storage</u>	✓	✓	✓
<u>Shipping Container</u>	✓	✓	✓

Notes

1. This use shall only be permitted as an accessory use to a small-scale farm café and shop and farm micro-brewery.

7.3 Lot and Building Requirements in the Agriculture Zones

No person shall within any Agriculture zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 7-3.

Table 7-3: Lot and Building Requirements in the Agriculture Zones			
Standard	Zone		
	AG	AR	AC
Minimum <u>Lot Area</u> (ha)	40	0.4	40
Minimum <u>Lot Frontage</u> (m)	120	60	120
Minimum <u>Front Yard</u> (m)	30	15	30
Minimum <u>Interior Side Yard</u> (m)	9	6	9
Minimum <u>Exterior Side Yard</u> (m)	15	15	15
Minimum <u>Rear Yard</u> (m)	30	15	30
Minimum <u>Water Setback</u> (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾
Maximum <u>Lot Coverage</u>	-	25%	-
Maximum <u>Building Height</u> (m)	11	11	11
Minimum <u>Landscaped Open Space</u>	-	10%	-

Certain agricultural structures such as barns are exempt from the height requirements per Section 4.0 of this By-law.

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.34.2.

8.0 Commercial Zones

8.1 List of Commercial Zones

For convenience, Table 8-1 lists the Commercial zones established in Section 2 of this By-law.

Table 8-1: List of Commercial Zones	
Zone Name	Zone Symbol(s)
Commercial General	CG
Commercial Highway	CH
Commercial Rural	CA
Commercial Recreation	CR
Commercial Campground	CC

8.2 Permitted Uses in the Commercial Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 8-2. Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 8-2.

Table 8-2: Permitted Uses in the Commercial Zones					
Permitted Use	Zone				
	CG	CH	CA	CR	CC
<u>Agriculture</u>			✓		
<u>Agricultural Products Processing Establishment</u>			✓		
<u>Agricultural Products Warehouse</u>			✓		
<u>Animal Hospital</u>	✓	✓	✓		
<u>Artisan Market</u>		✓			
<u>Artisan Studio</u>	✓	✓			
<u>Assembly Hall</u>	✓				
<u>Auction Establishment</u>		✓	✓		
<u>Bakery</u>	✓				
<u>Banquet Hall</u>	✓				
<u>Bed and Breakfast</u>	✓	✓		✓	
<u>Building Supply Outlet</u>		✓			
<u>Campground</u>				✓	✓
<u>Clinic</u>	✓				
<u>Club</u>	✓				

Table 8-2: Permitted Uses in the Commercial Zones					
Permitted Use	Zone				
	CG	CH	CA	CR	CC
<u>Commercial Greenhouse</u>		✓	✓		
<u>Commercial School</u>	✓				
<u>Community Facility</u>	✓				
<u>Community Garden</u>	✓		✓	✓	✓
<u>Contractor's Yard</u>		✓	✓		
<u>Custom Workshop</u>		✓	✓		
<u>Dry Land Marina</u>		✓			
<u>Farm Implement Sales and Service Establishment</u>		✓	✓		
<u>Farmer's Market</u>			✓		
<u>Feed Mill</u>			✓		
<u>Financial Institution</u>	✓				
<u>Fuel Depot</u>		✓			
<u>Funeral Services</u>	✓				
<u>Garden and Nursery Supplies</u>		✓		✓	
<u>Golf Course</u>				✓	
<u>Hotel</u>		✓			
<u>Micro-Brewery</u>	✓				
<u>Motel</u>		✓			
<u>Motor Vehicle Service Station</u>	✓	✓			
<u>Motor Vehicle Sales Establishment</u>	✓	✓			
<u>Motor Vehicle Rental Establishment</u>	✓	✓			
<u>Motor Vehicle Repair</u>		✓			
<u>Motor Vehicle Washing Establishment</u>		✓			
<u>Marina</u>				✓	
<u>Office</u>	✓				
<u>Parking Lot</u>	✓	✓			
<u>Personal Service</u>	✓				
<u>Place of Entertainment</u>	✓				
<u>Post Office</u>	✓				
<u>Private Park</u>				✓	
<u>Public Park</u>	✓	✓		✓	✓
<u>Recreational Equipment Rental</u>		✓		✓	
<u>Recreational Vehicle Park</u>				✓	✓
<u>Recreational Vehicle Sales and Service</u>		✓		✓	

Table 8-2: Permitted Uses in the Commercial Zones

Permitted Use	Zone				
	CG	CH	CA	CR	CC
<u>Rental Cabin</u>				✓	
<u>Restaurant</u>	✓	✓		✓	
<u>Restaurant, Take-Out</u>	✓	✓		✓	
<u>Retail</u>	✓	✓ ⁽¹⁾			
<u>Retail, Convenience</u>		✓ ⁽¹⁾			
<u>Service or Repair Shop</u>	✓	✓			
<u>Tourist Resort</u>		✓		✓	
<u>Tourist Information Centre</u>		✓			

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

<u>Accessory Dwelling Unit</u>	✓	✓		✓	✓
<u>Drive-Through</u>		✓			
<u>Office</u>		✓		✓	
<u>Outdoor Display Area</u>		✓	✓		
<u>Outdoor Patio</u>	✓	✓		✓	
<u>Outside Storage</u>	✓	✓	✓		
<u>Retail</u>			✓	✓	✓

Notes

1. The maximum gross floor area on each lot for all uses subject to this provision shall be 2,000.0 m².

8.3 Lot and Building Requirements in the Commercial Zones

No person shall within the Commercial zones use any lot, or erect, alter, or use any building or structure except in accordance with Table 8-3.

Table 8-3: Lot and Building Requirements in the Commercial Zones

Standard	Zone				
	CG	CH	CA	CR	CC
Minimum Lot Area (ha)	-	0.4	0.4	5.5	4
<u>Full Services</u>	0.14	-	-	-	-
<u>Private Services</u>	0.4	-	-	-	-
Minimum <u>Lot Frontage</u> (m)	25	45	45	166	30
Minimum <u>Front Yard</u> (m)	0	6	15	150	10
Minimum <u>Interior Side Yard</u> (m)	1.5	12	15	25	4.5
Minimum <u>Exterior Side Yard</u> (m)	6	12	15	25	10
Minimum <u>Rear Yard</u> (m)	9	12	15	45	4.5
Minimum <u>Water Setback</u> (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾

Table 8-3: Lot and Building Requirements in the Commercial Zones

Standard	Zone				
	CG	CH	CA	CR	CC
<u>Shoreline Naturalization Buffer</u>	-	-	-	Section 4.34 applies to <u>lots</u> abutting a <u>waterbody</u> .	
Maximum <u>Lot Coverage</u>	30%	30%	40%	30%	30%
Maximum <u>Building Height</u> (m)	11	11	11	11	11
Minimum <u>Landscaped Open Space</u>	10%	20%	10%	-	25%
Minimum Required <u>Planting Strip</u> on a <u>Lot Line</u> Abutting Any Other <u>Zone</u> (m)	6	-	-	-	-
CAMPING SITE REQUIREMENTS					
Minimum <u>Camping Site Area</u> (m ²)	-	-	-	-	200
Minimum <u>Camping Site Frontage</u> (m)	-	-	-	-	10
Minimum <u>Camping Site Front Yard</u> (m)	-	-	-	-	3
Minimum <u>Camping Site Interior Side Yard</u> (m)	-	-	-	-	1.5
Minimum <u>Camping Site Rear Yard</u> (m)	-	-	-	-	1.5
Maximum Number of <u>Camping Sites</u> per Hectare	-	-	-	-	20
Maximum <u>Camping Site Coverage</u> (m ²)	-	-	-	-	93
Maximum Number of <u>Accessory Structures</u> (exclusive of deck or <u>attached enclosed structure</u>)	-	-	-	-	1

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.34.2.

9.0 Industrial Zones

9.1 List of Industrial Zones

For convenience, Table 9-1 lists the Industrial zones established in Section 2 of this By-law.

Table 9-1: List of Industrial Zones	
Zone Name	Zone Symbol(s)
Industrial General	IG
Industrial Restricted	IR
Industrial Extractive	IX
Industrial Disposal	ID
Industrial Rural	IA

9.2 Permitted Uses in the Industrial Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 9-2. Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 9-2.

Table 9-2: Permitted Uses in the Industrial Zones					
Permitted Use	Zone				
	IG	IR	IX	ID	IA
<u>Agriculture</u>			✓		✓
<u>Agricultural Products Warehouse</u>	✓				✓
<u>Agricultural Products Processing Establishment</u>	✓				✓
<u>Agricultural Research Facility</u>	✓				✓
<u>Animal Hospital</u>	✓				✓
<u>Auction Establishment</u>	✓				✓
<u>Building Supply Outlet</u>	✓	✓			
<u>Fuel Depot</u>	✓				
<u>Cannabis Production and Processing Facility</u>	✓				✓
<u>Concrete and Asphalt Plant</u>	✓				
<u>Contractor's Shop</u>	✓				
<u>Contractor's Yard</u>	✓	✓			
<u>Correctional Facility</u>	✓				

Table 9-2: Permitted Uses in the Industrial Zones

Permitted Use	Zone				
	IG	IR	IX	ID	IA
<u>Custom Workshop</u>	✓	✓			
<u>Dry Land Marina</u>	✓	✓			
<u>Farm Implement Sales and Service Establishment</u>	✓				✓
<u>Farmer's Market</u>	✓				✓
<u>Farm Supply Outlet</u>	✓				✓
<u>Feed Mill</u>					✓
<u>Forestry</u>			✓		✓
<u>Heavy Equipment Sales and Service</u>	✓				
<u>Manufacturing and Processing Facility</u> ⁽¹⁾	✓	✓			
<u>Micro-Brewery</u>	✓				
<u>Motor Vehicle Body Repair</u>	✓	✓			
<u>Motor Vehicle Repair</u>	✓	✓			
<u>Motor Vehicle Sales Establishment</u>	✓	✓			
<u>Motor Vehicle Service Station</u>	✓	✓			
<u>Motor Vehicle Washing Establishment</u>	✓	✓			
<u>Pit or Quarry</u>			✓		
<u>Printing or Publishing Establishment</u>	✓	✓			
<u>Recreational Vehicle Sales and Service</u>	✓				
<u>Recycling Depot</u>	✓			✓	
<u>Salvage Yard</u>				✓	
<u>Scrap Yard</u>				✓	
<u>Service and Repair Shop</u>	✓				
<u>Recreational Vehicle Storage</u>	✓				
<u>Transportation Terminal</u>	✓				
<u>Waste Disposal Site</u>				✓	✓
<u>Waste Transfer Station</u>				✓	
<u>Warehouse</u>	✓	✓			✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

<u>Accessory Office</u>	✓	✓	✓		✓
<u>Ancillary Retail</u> ⁽²⁾	✓	✓		✓	✓
<u>Shipping Container</u>	✓		✓	✓	✓
<u>Outside Storage</u>	✓				✓

Notes

1. Where water services are not provided by the Municipality, only dry industrial uses shall be permitted.
3. The total gross floor area of all ancillary retail uses on any one lot shall not exceed 15% of the total gross floor area of all buildings on the same lot.

9.3 Lot and Building Requirements in the Industrial Zones

No person shall within any Industrial zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 9-3.

Table 9-3: Lot and Building Requirements in the Industrial Zones					
Standard	Zone				
	IR	IG	IX	ID	IA
Minimum <u>Lot Area</u> (ha.)	0.4	0.4	10	-	0.4
Minimum <u>Lot Area</u> (ha.) for any <u>waste disposal site</u>	-	-	-	10.0	-
Minimum <u>Lot Area</u> (ha.) for any <u>waste transfer station</u>	-	-	-	1.0	-
Minimum <u>Lot Frontage</u> (m)	30	30	-	-	30
Minimum <u>Lot Frontage</u> (ha.) for any <u>waste disposal site</u>	--	-	-	150	-
Minimum <u>Lot Frontage</u> (ha.) for any <u>waste transfer station</u>	-	-	-	60	-
Minimum <u>Front Yard</u> (m)	15	15	30	30	15
Minimum <u>Interior Side Yard</u> (m)	6 ⁽¹⁾	6 ⁽¹⁾	15	30	6
Minimum <u>Exterior Side Yard</u> (m)	15	15	30	30	15
Minimum <u>Rear Yard</u> (m)	15	12	15	30	15
Minimum <u>Setback</u> (m) of any <u>building</u> or <u>structure</u> or <u>outside storage</u> to any Residential <u>zone</u>	-	-	90	-	-
Minimum <u>Water Setback</u>	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾	30 ⁽²⁾
Maximum <u>Lot Coverage</u>	25%	25%	10%	-	30%
Maximum <u>Building Height</u> (m)	11	11	11	11	11
Minimum <u>Landscaped Open Space</u>	20%	20%	15%	20%	10%

Notes

1. The minimum interior side yard may be reduced to 3.0 m where a lot abuts another Industrial zone.
2. The minimum water setback shall be subject to the provisions of Section 4.34.2.

10.0 Environmental Protection & Open Space Zones

10.1 List of Environmental Protection and Open Space Zones

For convenience, Table 10-1 lists the Environmental Protection and Open Space zones established in Section 2 of this By-law.

Table 10-1: List of Environmental Protection and Open Space Zones	
Zone Name	Zone Symbol(s)
Open Space	OS
Open Space Restricted	OSR
Open Space Special Use	OSS
Environmental Protection	EP

10.2 Permitted Uses in the Environmental Protection and Open Space Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 10-2.

Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 10-2.

Table 10-2: Permitted Uses in the Environmental Protection and Open Space Zones				
Permitted Use	Zone			
	OS	OSR	OSS	EP
<u>Agriculture</u>				✓ ⁽¹⁾
<u>Cemetery</u>	✓			
<u>Community Garden</u>	✓			
<u>Conservation Use</u>	✓	✓		✓
<u>Fairground</u>	✓			
<u>Forestry</u>	✓	✓	✓	✓ ⁽¹⁾
<u>Golf Course</u>	✓			
<u>Hunt Camp</u>		✓	✓	
<u>Parking Lot</u>	✓			
<u>Passive Recreational Use</u>	✓	✓		
<u>Private Park</u>	✓		✓	
<u>Private Recreation</u>			✓	

Table 10-2: Permitted Uses in the Environmental Protection and Open Space Zones

Permitted Use	Zone			
	OS	OSR	OSS	EP
Public Park	✓	✓		✓ ⁽¹⁾
Recreational Use	✓			
Single Detached Dwelling			✓	

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Dock		✓		✓
Private Cabin			✓	

Notes

1. No buildings or structures shall be permitted.

10.3 Lot and Building Requirements in the Environmental Protection and Open Space Zones

No person shall within any Environmental Protection or Open Space zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 10-3.

Table 10-3: Lot and Building Requirements in the Environmental Protection and Open Space Zones

Standard	Zone			
	OS	OSR	OSS	EP
Minimum <u>Lot Area</u> (ha.)	-	-	-	-
Minimum <u>Lot Frontage</u> (m)	-	-	-	-
Maximum <u>Lot Coverage</u> (%)	10	10	-	-
Minimum <u>Front Yard</u> (m)	7.5	1.2	-	-
Minimum <u>Interior Side Yard</u> (m)	7.5	1.2	-	-
Minimum <u>Rear Yard</u> (m)	3	3	-	-
Maximum <u>Height</u> (m)	11	11	-	-
Minimum <u>Water Setback</u> (m)	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	-
<u>Shoreline Naturalization Buffer</u>	-	-	Section 4.34 applies to <u>lots</u> abutting a <u>waterbody</u> .	-
Minimum Distance Between <u>Buildings</u> (m)	-	-	7.0	-
Minimum <u>Setback</u> from a <u>Zone Boundary</u> (m)	-	-	15.0	-
Minimum Separation Distance Between <u>Hunt Camps</u> (m)	-	-	400.0	-

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.34.2.

11.0 Community Use Zone

11.1 List of Community Use Zones

For convenience, Table 11-1 lists the Community Use zones established in Section 2 of this By-law.

Table 11-1: List of Community Use Zones	
Zone Name	Zone Symbol(s)
Community Use	CU

11.2 Permitted Uses in the Community Use Zone

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 11-2.

Permitted uses are denoted by the symbol “✓” in the column applicable to that zone and corresponding with the row for a permitted use in Table 11-2.

Table 11-2: Permitted Uses in the Community Use Zone	
Permitted Use	Zone
	CU
Assembly Hall	✓
Cemetery	✓
Club	✓
Community Facility	✓
Community Garden	✓
Conservation Use	✓
Day Care Centre	✓
Emergency Service	✓
Farmer's Market	✓
Parking Lot	✓
Place of Worship	✓
Post Office	✓
Public Park	✓
Public School	✓
Private Park	✓
Private School	✓
Recreational Use	✓

SPECIFIED ACCESSORY USES

Subject to the provisions of Section 4.0.

Ancillary Retail	✓
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11.3 Lot and Building Requirements in the Community Use Zone

No person shall within the Community Use zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 11-3.

Table 11-3: Lot and Building Requirements in the Community Use Zone	
Standard	Zone
	CU
Minimum <u>Lot Area</u> (m ²)	-
<u>Full Services</u>	650
<u>Private Services</u>	4000
Minimum <u>Lot Frontage</u> (m)	-
<u>Full Services</u>	15
<u>Private Services</u>	45
Minimum <u>Front Yard</u> (m)	10
Minimum <u>Rear Yard</u> (m)	10
Minimum <u>Interior Side Yard</u> (m)	6
Minimum <u>Exterior Side Yard</u> (m)	10
Minimum <u>Water Setback</u> (m)	30 ⁽¹⁾
Maximum <u>Lot Coverage</u>	40%
Maximum <u>Building Height</u> (m)	11
Minimum <u>Landscaped Open Space</u>	30%

Notes

1. The minimum water setback shall be subject to the provisions of Section 4.34.2.

12.0 Exception Zones

Note to First Draft Rural Zoning By-law: A full review of exception zones will be completed concurrently with the preparation of the subsequent draft of the Rural Zoning By-law. All exception zones will be ordered numerically and organized within this Section.

13.0 Enactment

13.1 Former Zoning By-laws are Repealed

Save and except to give effect to the transition clauses established in Section 1.5 of this By-law, the following former Zoning By-laws adopted under the *Planning Act*, as amended, as they apply to any part of the defined area, are hereby repealed.

- .1 By-law No. 93-09 of the former Township of Bexley;
- .2 By-law No. 79-2 of the former Township of Carden;
- .3 By-law 10-77 of the former Township of Dalton;
- .4 By-law 94-14 of the former Township of Eldon;
- .5 By-law 1996-30 of the former Township of Emily;
- .6 By-law 12-95 of the former Township of Fenelon;
- .7 By-law 32-83 of the former United Township of Laxton, Digby, and Longford;
- .8 By-law 87-06 of the former Township of Manvers;
- .9 By-law 94-07 of the former Township of Mariposa;
- .10 By-law 93-30 of the former Township of Ops;
- .11 By-law 78-45 of the former Township of Somerville;
- .12 By-law 339 of the former Village of Sturgeon Point; and,
- .13 By-law 6-87 of the former Township Verulam.

This By-law shall take effect from the date of passing thereof, subject to the provisions of Section 34 of the *Planning Act*.

13.2 Effective Date

This By-law shall come into force and effect on the date of its final passing. If any appeals are received in accordance with the *Planning Act*, as amended, this By-law shall come into force and effect except for those lands or sections of this By-law that are subject to the appeals.

13.3 Enactment

Enacted by the Council of the Corporation of the City of Kawartha
Lakes this ____ day of _____, 20__.

Andy Letham, Mayor

Cathie Ritchie, City Clerk