

TOWNSHIP OF HURON - KINLOSS

ZONING BY-LAW



BY-LAW #2018-98
AUGUST 13, 2018



OFFICE CONSOLIDATION – January 2025

The amending by-laws have been combined with the original by-law for convenience only. This consolidation is not a legal document. Certified copies of the original by-laws should be consulted for interpretations and applications of the by-laws on this subject. The by-law numbers referenced in this consolidation refer to the bylaws that amended the principal by-law number 2018-98

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(Note: Appendices are for informational purposes only, and do not form part of the Zoning By-law)

SECTION 1 – INTRODUCTION & TITLE

1.1 Introductory Statement

This document is the Township of Huron-Kinloss Comprehensive Zoning By-law (By-law 2018-98), as amended. The By-law replaces all previous Zoning By-laws in the jurisdiction.

1.1.1 Purpose of a Zoning By-Law

A Comprehensive Zoning By-law is a precise document used by the Township of Huron-Kinloss (the Township) to regulate the use of land. It states which land uses are currently permitted in the Township and provides other detailed information.

The Township's Zoning By-law implements the objectives and policies of the County of Bruce Official Plan and Township of Huron-Kinloss Official Plan. The Zoning By-law acts as a legal tool under Ontario's *Planning Act* for managing the use of land and future development in the Township. Zoning By-laws also protect property owners from the development of conflicting land uses. Any use of land or the construction or use of any building or structure not specifically authorized by this By-law is prohibited.

1.2 Title

This By-law shall be known as the "ZONING BY-LAW" of the Corporation of the Township of Huron-Kinloss.

SECTION 2 – ADMINISTRATION & ZONES

2.1 Application

The provisions of this By-law shall apply to all lands within the limits of the zone boundaries shown on the Zoning Schedules attached as Schedule “A” hereto. Within said areas, no person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part, except in accordance with the provisions of this By-law.

2.2 Effective Date

This By-law shall come into effect as of the date of the final passing thereof by the Council of the Corporation of the Township of Huron-Kinloss subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990 and amendments thereto.

2.3 Validity

If any provision of this By-law including anything shown on the Zoning Schedules attached as Schedule “A” hereto, is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of the said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid.

2.4 Contravention & Penalties

Every person who contravenes any of the provisions of this By-law is guilty of an offense and on conviction is liable:

- a) On a first conviction to a fine of not more than \$25,000.00; and
- b) On a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof which the contravention has continued after the day on which the person was first convicted.

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

- a) On a first conviction a fine of not more than \$50,000.00; and

- b) On a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the date on which the corporation was first convicted.

Penalties imposed by conviction under this Section shall be recoverable under the *Provincial Offenses Act*.

2.5 Licenses and Permits

No person is entitled to a permit, certificate or license for a proposed use of land or a proposed alteration, erection, enlargement or use of any building that is in violation of any provisions of this By-law.

2.6 Compliance with Other Legislation and Other By-laws

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of the *Ontario Building Code Act*, or any other legislation; the Building By-law; and any other by-law of the Corporation in force from time to time or from the obligation to obtain any license, permit, authority or approval required by the Corporation or any other public agency or government body.

2.7 Certificate of Occupancy

No change may be made in the type of use of any land covered by this By-law or change in the type of use of any building located on any such land without a Certificate of Occupancy being issued by the Township's Chief Building Official to the effect that the proposed use is not contrary to this By-law. Notwithstanding the above, no Certificate of Occupancy shall be required for a farm residence, single detached dwelling, duplex dwelling, or a semi-detached dwelling or uses accessory thereto.

2.8 Person Designated To Administer By-Law

This By-law is passed pursuant to Section 34 of the *Planning Act*, R.S.O., 1990, as amended and shall be administered and enforced by such person or persons as shall be appointed from time to time as the Zoning Administrator, which may include the Chief Building Official.

2.9 Zones and Zoning Maps

For the purpose of this By-law, the maps attached hereto as Schedule "A" shall be referred to as the Zoning Maps for the Township and are hereby declared to form part of this By-law. The following Zones are hereby established as illustrated on the maps

attached hereto as Schedule "A", such Zones may be referred to by the appropriate symbol:

ZONES	SYMBOLS
General Agriculture	AG1
Agricultural Industrial/Commercial	AG2
Agricultural Residential	AG3
Agricultural Rural	AG4
Environmental Protection	EP
Open Space	OS
Residential One	R1
Residential Two	R2
Residential Three	R3
Lifestyle Community Residential	LCR
General Commercial	GC
Highway Commercial	HC
Hamlet Mixed-Use	HMU
Resort/Recreational Commercial	RRC
Institutional	I
Light Industrial	M1
General Industrial	M2
Extractive Resource	ER
Future Development	FD

2.10 Interpretation of Zone Boundaries

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

1. Where any Zone boundary is indicated as following a highway, street, lane, railway right-of-way, or watercourse, the boundary shall be deemed to be the centerline of the highway, street, lane, railway right-of-way or watercourse.
2. Where any zone boundary is indicated as approximately following lot lines as existing as of the date of the passing of this By-law, the zone boundary shall be deemed to follow such lot lines.

3. Where any zone boundary is indicated as approximately parallel to an adjacent street and the distance from the street is not indicated, the zone boundary shall be deemed to being parallel to the street line, and the distance from the street shall be determined by the scale shown on the Zoning Schedules.
4. Where any zone boundary is indicated as approximately following a shoreline, the boundary shall be deemed to be the shoreline and, in the event that the shoreline changes, the zone boundary shall be deemed to have moved with the new shoreline limit.
5. Where any zone boundary is left uncertain after application of the provisions of subsections 1-4 above, then the boundary shall be determined by the use of the scale shown on the Zoning Schedules.
6. The Environmental Protection Zone identified on Schedule "A" to this By-law is intended to identify general boundaries of existing or potential natural hazards. The Environmental Protection Zone boundaries can be interpreted more precisely by ~~the appropriate Conservation Authority and~~ the Chief Building Official ~~in consultation with the appropriate agency~~ at the time of application for a change of land use, subdivision of land and application for a building permit without an amendment to this by-law.
- ~~7. Where it is determined by the applicable Conservation Authority and Bruce County that an Environmental Protection Zone consists solely of a woodland, development may be permitted subject to a site-specific Zoning By-law Amendment and completion of an Environmental Impact Statement demonstrating that development is appropriate.~~
8. Wherever it occurs, the municipal limit of the Corporation is deemed to be the boundary of the zone extending to it.
9. ~~Where a lot has two or more of its parts classified in different zones, then the provisions for each zone shall apply to each part as if said part was a separate lot excepting the following:~~
 - ~~i. Where a portion of a lot is zoned 'EP' and / or 'OS' such portion may be used to satisfy any yard setback requirements of the principal portion~~
 - ~~ii. Where a portion of a lot is partially within the 'EP' and / or 'OS' Zone, that portion of the lot within the 'EP' and/or 'OS' Zone may be used if required in calculating the Minimum Lot Area provided that the 'EP' and /or 'OS' lands comprise no more that 90% of the required Minimum Lot Area.~~

Explanatory Note:

If a lot is within two zones, the boundary between the two zones should not be considered to be a lot line for setback purposes.

In the event that a street, lane, private road, or road allowance, shown on the zone maps, is closed the lands formerly in said street, lane, private road or road allowance shall be included within the zone of the adjoining property on either side of said closed street, lane, private road, or road allowance unless:

- a) The said street, lane, private road, or road allowance was a zone boundary between two or more different zones, in which case the new zone boundary shall be the former centreline of the closed street, lane, private road, or road allowance; or
- b) The land formerly included in such street, lane, private road, or road allowance is purchased in its entirety by an abutting landowner, in which case the land shall be included in the same zone as that of the abutting landowner purchasing said land.

2.11 Special Provisions

Within any zone, special provisions may apply to specific parcels of land in the manner and to the extent as set out in the Special Provisions section of the By-law. Reference to such special provisions shall be shown on the Zoning Schedules by the use of the symbol of the corresponding zone followed by a dash and number. Such number shall correspond to the subsection number found in the special provisions of the corresponding zone. Unless otherwise provided, all other provisions of that zone and this By-law shall apply to the land.

2.12 Holding Zones

Where the Zone symbol applying to certain lands as shown on Schedule "A" is followed by the letter "H" in parentheses (i.e. R1 (H)) the lands have been placed in a "Holding Zone" pursuant to Section 36 of the *Planning Act*, as amended. The Holding Symbol "H" shall be removed at such time in the future when plans to develop the lands have been submitted and approved by the Corporation or such other conditions as deemed appropriate by the Corporation have been met in accordance with Section 6.6 of the Bruce County Official Plan and Section 5.5 of the Huron-Kinloss Official Plan. When the Holding Symbol has been removed, the lands shall be developed according to the requirements of the Zone used in conjunction with the Holding Symbol.

Notwithstanding the above, non-structural uses, existing uses, and accessory uses thereof, shall be permitted as interim uses on lands in a "Holding Zone", until the Holding Symbol "H" is removed and any applicable conditions met.

H1 Notwithstanding their underlying zoning designation, on those lands identified as being subject to the "H1" Holding zone, lot grading; excavation; and/or construction shall not be permitted unless the Holding (H1) zone provision is removed. The area of the H1 zone that may be lifted shall be limited to the area

included in the assessment and may only be removed by Council upon:

- 1) Approval by the Zoning Administrator of an Archaeological Assessment which has been:
 - a. Conducted by an archaeologist licensed in the Province of Ontario; and
 - b. Confirmed by the appropriate Ministry to have been accepted into the Ontario Public Register of Archaeological Reports and,
- 2) Confirmation to the satisfaction of the Zoning Administrator that the recommendations of the archaeological report (if any) have been implemented.

2.13 Floodfringe (f) Regulated Area

Where the suffix (f) follows the land use zone symbol, this is notice that the property is within the floodfringe and any development or site alteration will require the issuance of a development permit from the Maitland Valley Conservation Authority.

2.14 2.14 Dynamic Beach (db) Allowance (30m)

Where the suffix (db) follows the land use zone symbol, this is notice that the property is subject to a minimum setback from the '100 year floodline' of 30 metres. This regulated area of the Saugeen Valley Conservation Authority extends 45 metres from the '100 year floodline' and was established through the *Huron-Kinloss Dynamic Beach Study – Phase II (April 2008) & Phase III (August 2010) prepared for the Township of Huron-Kinloss by W.F. Baird & Associates Coastal Engineers Ltd.*

In accordance with the recommendations of the Baird & Associates studies, the elevation of the minimum building opening to habitable space should not be lower than the following:

- a) 181.5 m GSC (Geodetic Survey of Canada) for opening located less than or equal to 30 m from the 100-year flood level;
- b) 179.5 m GSC for openings located 45 m from the 100-year flood level; or
- c) Linearly interpolated between 181.5 m GSC and 179.5 m GSC for openings located between 30 m and 45 m respectively from the 100-year flood level.

Site alteration to accommodate residential development will only be permitted with the approval of the Township and Conservation Authority, and will be subject to setback and minimum elevation requirements.

2.15 Technical Revisions to the Zoning By-law

Technical revisions may be made to this By-law from time to time without further public notice or Council approval. Technical revisions include:

- a) Correction of numbering, cross-referencing, grammar, punctuation or

- typographical errors or revisions to format in a manner that does not change the intent of a regulation; or
- b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands.

2.16 Transition: Minor Variances

All applications approved by the Township of Huron-Kinloss Committee of Adjustment under Section 45 of the *Planning Act* prior to the date this by-law was passed remain effective for a further 24-month period provided all the conditions of the approval are met.

Any minor variance applications approved under the previous Zoning By-law remain in effect where conditions of the approval remain met.

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SECTION 3 – DEFINITIONS

In this By-law, unless to the contrary intention appears, words importing the singular number or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse.

In this By-law, the word “shall” is to be construed as being always mandatory and not directory.

A

“**Abattoir**”, shall mean a building or structure specifically designed to accommodate the penning and slaughtering of livestock and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.

“**Accessory**”, shall mean a use, building or structure located on the same lot, detached from the main building, which is subordinate and incidental to the main use and is not used for human habitation unless specifically permitted in this By-law. Such uses shall include, but are not limited to, a private garage, a greenhouse, a pool, a satellite dish, or a storage building.

“**Aggregate Processing Facility**”, means a facility used to process, crush, screen, wash, store/stockpile, and/or sort aggregate resources, and includes an asphalt batching plant, a concrete batching plant, a cement manufacturing plant, a brick and tile manufacturing plant, an aggregate transfer station, and stockpiling/blending of recycled aggregate resources.

“**Agriculture**”, shall mean the use of land, buildings, and structures for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, and value-retaining facilities. Agriculture does not include a kennel.

“**Agricultural Service Establishment**”, shall mean the buying or selling of commodities and services that support agricultural uses and shall include the sales and service of welding and machinery repair, farm drainage and excavation, well drilling, custom spraying, tillage, planting, harvesting and grading services.

“**Agricultural-Related Business**”, shall mean the supply of goods, materials or services that support agricultural uses including, but not limited to, the sale, storage, mixing, distribution or cleaning of seed, feed, fertilizer and chemical products, grain drying,

custom spraying, large-animal veterinary clinic, and the rental, sales, repair or service of agricultural equipment or implements.

“Agriculturally Related Retail Store”, shall mean the sale of farm raised or grown food products from the local area to a consumer, as well as the sale of accessory items.

“Arena”, shall mean a place where facilities are provided for athletics, artistic, circus, performance, entertainment, and recreational activities or events.

“Asphalt Batching Plant”, shall mean a 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.

“Assembly Hall”, shall mean a building used for the assembly of persons for religious, social, charitable, political, philanthropic, cultural, private recreational or private educational purposes.

“Associated Community Facilities” shall mean those facilities normally associated with lifestyle communities, which may include (but not be limited to) a community centre.

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

“Automobile Body/Repair Shop” shall mean a building or other structure where motor vehicle(s) may be subject to major repairs, parts or systems replacement, body work or painting. An automobile body/repair shop does not include an automobile sales establishment, an automobile service/gas station, an automobile washing establishment, or a salvage yard.

“Automobile Sales Establishment”, shall mean a building and/or lot used for the display and sale/lease of new and used motor vehicles, motorized recreational vehicles, travel trailers, motorcycles, light construction and lawn care equipment, and may include the servicing, repair, cleaning, polishing, and lubrication of motor vehicles, the sale of automotive accessories and related products, and the leasing or renting of passenger motor vehicles.

“Automobile Service/Gas Station” shall mean a building or place where service, maintenance or mechanical repair essential to the operation of a motor vehicle is provided and/or gasoline pumps for the sale of gasoline are provided. These primary uses may include the sale of motor vehicle products or convenience products, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, automobile washing establishment, and related facilities required for the dispensing of gasoline. An automobile service/gas station does not include an automobile body/repair shop.

“Automobile Washing Establishment” shall mean a building or place for the washing, cleaning or drying of motor vehicles by automatic, manual or self-serve washing equipment.

“Automotive Wrecking Establishment”, shall mean a place in which is kept, placed, left or found permanently or temporarily two or more unlicensed motor vehicles which are in a wrecked, partially wrecked, dismantled, disassembled or partially disassembled condition or which are otherwise inoperative.

B

“Banquet Hall”, shall mean a building or part thereof, used for gathering together groups of persons for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

“Basement”, shall mean that portion of a building which is partly below grade level and which has at least one-half of its height from floor to ceiling above grade.

“Bed and Breakfast Establishment”, shall mean a building or part of a building within a single detached dwelling that is converted to provide living accommodations for transient persons, but shall not include a hotel, lodging house, group home, hospital or any residential care facility licensed, approved or supervised under any general or specific Act.

“Building”, shall mean any structure consisting of walls and a roof which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods or materials and includes any structure defined as a building in the *Ontario Building Code Act*, but shall not include a wall, fence or sign.

“Building By-Law”, shall mean a by-law passed pursuant to the *Ontario Building Code Act* as amended.

“Building Floor Area” shall mean the aggregate horizontal floor area measured from the exterior walls of all floors of a building excluding any floor area located totally below the grade of the building’s ground floor level.

“Building Height”, shall mean the vertical distance between the average grade ~~at the front of the building around the building~~, and;

- a) in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is greater;
- b) in the case of a mansard roof, the deck roof line;
- c) in the case of a gabled, hip, gambrel or one-slope roof, the average level between eaves and ridge, except that a one-slope roof having a slope of less than 20 degrees from the horizontal shall be considered a flat roof for the purposes of

this By-law.

In calculating the building height, any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, antenna, electrical or mechanical equipment or other similar feature or apparatus, is not to be included.

“Business or Professional Office,” shall mean a place in which business is conducted or a profession is practiced, including associated clerical, administrative, consulting, advisory and/or training services, but does not include medical offices or veterinary services.

C

“Cabin and Cottage”, shall mean dwellings designed and built for seasonal or periodic recreational uses rather than for permanent year round residential use.

“Campground”, shall mean a lot used for the parking and use of motor homes, travel trailers, tent-trailers, tents or similar transportable accommodation together with all yards and open space defined in this By-law and may include a swimming pool, convenience store, laundromat, miniature golf course, playground, athletic fields, tennis or badminton courts and administrative building for the campground. The use of the mobile home(s), park model trailer(s), or other transportable accommodation of a permanent year-round basis shall not be permitted. Off-season storage of travel trailers, tent trailers, motor homes or similar transportable accommodations shall be permitted.

“Cannabis Production and Processing Facility”, shall mean lands, buildings or structures 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”, shall mean a covered structure attached to the wall of the main building and used for the storage of a motor vehicle. The roof of said structure shall be supported only by piers or columns so that 50 percent of its wall area adjacent to the lot line is unenclosed.

“Catering Establishment”, shall mean a building or part of a building used for the preparation of food or beverages for consumption off the property and are not served to customers on the property or for take-out.

“Cellar”, shall mean that portion of a building which is partially or completely underground and which has more than one-half of its height from floor to finished ceiling below finished grade.

“Cemetery”, shall mean a cemetery or crematorium within the meaning of the *Cemeteries Act*, as amended, and shall include a mausoleum and caretaker building as well as storage of related equipment.

“Centreline”, shall mean the centerline of a right-of-way, lane, street or highway.

“Chief Building Official”, shall mean the officer or employee of the Corporation having the statutory duty of enforcing the provisions of the Building By-law of the Corporation and the *Ontario Building Code Act*.

“Child Care” means the temporary care for, or supervision of, a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the *Child Care and Early Years Act, 2014* including any amendments, or its successor.

“Child Care Centre” means a business that has obtained the proper licensing from the province to operate a licensed child care centre for the provision of temporary care for or supervision of a child including providing for a child’s safety, well-being or development, in the absence of the child’s parent and for a continuous period that does not exceed 24 hours, in accordance with the *Child Care and Early Years Act, 2014* including any amendments, or its successor.

“Child Care, Home” means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling by one or more child care provider(s) that is regulated by a home child care agency.

“Child Care, Unlicensed” means ‘Child Care’ provided in a single detached dwelling, semi-detached dwelling or duplex dwelling that is not ‘Home Child Care’ or a ‘Child Care Centre’, or a private school within the meaning of the *Education Act*

“Chip Wagon”, shall mean a trailer or vehicle that is designed to be made mobile from which food is prepared and offered for sale to the public for consumption outside. Where included as a permitted use in a zone, a chip wagon shall only be permitted as an accessory use.

“Commercial Business”, shall mean the activity of providing goods and services for purchase to the public.

“Commercial School”, shall mean a building where instruction is given for hire or gain and includes a music, dance or yoga studio, an art, business or trade educational establishment, and any other such specialized educational business.

“Commercial Recreation”, shall mean the use of an establishment for a fee, for the provision of athletic and amusement facilities involving the active participation of the user-public in a sports-related activity.

“Commercial Vehicle”, shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes tractor trailers or semi-trailers and any component thereof, livestock trailers, ambulances, hearses, tow trucks, dump trucks, motor buses and farm tractors, but excludes trailers, recreational trailer, travel trailers, and industrial equipment as otherwise defined and regulated.

“Community Centre”, shall mean land on which may be erected a building to be used for community activities, including recreational and institutional uses.

“Concrete Batching Plant”, shall mean a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

“Conservation”, shall mean the use of land or water for the purpose of planned management of natural resources or animal life.

“Contractor or Tradesperson Establishment”, shall mean a building or part of a building from which a service, trade or guild operates or is based from in which manual or mechanical skills are used to install, manufacture, maintain, or repair articles, goods, materials, equipment or real property. The establishment shall include the buildings, structures and area wherein vehicles, equipment and supplies are parked, stored and maintained for use in the trades, and accessory office activities. The establishment does not include the retail or wholesale sale of construction or home improvement materials or supplies.

“Convenience Store” shall mean a retail outlet serving the day-to-day, non-comparison shopping needs of a consumer including, for example, a variety store, bake shop, drug store or small food/grocery store, and shall also include a florist, photo depot and video film outlet, but except for a video film outlet, shall not include any retail outlet having its main product line involving hardwares, housewares, apparel, footwear or fashion accessories.

“Corporation”, means the Corporation of the Township of Huron-Kinloss.

“Council”, means the Council of the Corporation of the Township of Huron-Kinloss.

“County”, means the Corporation of the County of Bruce.

“County Road”, shall mean a street under the jurisdiction of the Corporation of the County of Bruce.

D

“Drinking Water Threat”, shall mean 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.

“Drive-Thru Establishment” shall mean a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the main use, and shall include an automated bank machine and automatic carwash.

“Dry Cleaning Establishment”, shall mean a place used for the purpose of receiving or distributing articles of clothing to be subjected elsewhere, or having been subjected elsewhere or on site to the process of dry cleaning, dry dyeing, cleaning or pressing.

“Dwelling, Additional Residential Unit” means a residential dwelling unit either wholly contained within a ‘Dwelling, Single Detached’, a ‘Dwelling, Semi-detached’ or a ‘Dwelling, Street Facing Townhouse, or wholly contained within an accessory building on a lot containing a ‘Dwelling, Single Detached’, a ‘Dwelling, Semi-detached’ or a ‘Dwelling, Street Facing Townhouse’.

“Dwelling, Additional Residential Unit on Farm”, means one additional dwelling unit located on a farm on which a “Dwelling, Single Detached Farm Residence’ is already established. A ‘Dwelling, Additional Residential Unit On Farm’ may be located within a ‘Dwelling, Single Detached Farm Residence, a non-agricultural accessory building, or may be in the form of a second ‘Dwelling, Single Detached Farm Residence’ on the lot.

“Dwelling, Apartment”, shall mean the whole of a building or structure that contains four or more dwelling units, which have separate entrances or a common entrance from the street level serviced by a common corridor. An ‘apartment dwelling’ does not include any other dwelling otherwise defined herein.

“Dwelling, Cluster Townhouse”, shall mean a townhouse situated on a lot such that at least one dwelling unit does not have access to and legal frontage on a public road.

“Dwelling, Converted”, shall mean a dwelling unit, constructed for permanent use, which has as well been converted so as to provide one additional dwelling unit provided the main dwelling unit was erected prior to the passing of the By-law and further changes or alterations to the dwelling do not increase its area, height, or volume or extend beyond the exterior limit of the existing building.

“Dwelling, Converted Commercial”, shall mean a commercial building constructed for permanent use which has been converted so as to provide therein up to three dwelling units provided the main building was erected prior to the passing of this By-law and

further that any changes or alterations to convert the building do not increase its area, height or volume or extend beyond the exterior limit of the existing building, with the exception that a stairwell, entrance, vestibule or porch may be established provided that the addition does not increase the total ground floor area by more than 5% and does not change the commercial character of the building.

“Dwelling, Duplex”, shall mean the whole of a building that is divided horizontally into two separate dwelling units, but not including a semi-detached dwelling or townhouse dwelling. Each dwelling unit has an independent entrance either directly from the outside or through a common vestibule. A dwelling that includes an accessory second unit is not a duplex dwelling.

“Dwelling, Semi-Detached” shall mean one of a pair of two attached dwelling units, divided vertically by a fire-separation wall, each of which has an independent entrance either directly from the outside or through a common vestibule.

“Dwelling, Single Detached”, shall mean a building containing one dwelling unit. This does not include mobile homes, camping trailers or house trailers.

“Dwelling, Street Fronting Townhouse”, shall mean a townhouse dwelling designed to be on a separate lot having access to and legal frontage on a public street.

“Dwelling, Stacked Townhouse”, shall mean a residential dwelling in which a minimum of 3 dwelling units are attached at the main wall above and below grade, and in which 1 unit is located above or below another unit, no more than 3 storeys in height, with no common enclosed corridor system.

“Dwelling, Townhouse”, shall mean a residential building divided vertically to provide three or more dwelling units, each unit having independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

“Dwelling, Triplex”, shall mean the whole of a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from the outside or a common vestibule.

“Dwelling Unit”, shall mean a room or group of rooms designed, occupied or intended to be occupied as an independent and separate housekeeping unit, for one or more persons, providing kitchen and sanitary facilities and sleeping accommodations for the exclusive use of the occupants, and having a private entrance from outside the building or from a common hallway or stairway inside the building.

E

“Emergency Services Facility”, shall mean a place, building or structure used by

provincial or municipal emergency services, including fire and police protection, and ambulance services.

“Erect or Construct”, means to build, reconstruct, place, or relocate and, without limiting the generality of the word, also includes:

- a) any preliminary operation such as excavating, filling or draining;
- b) alteration to any existing building or structure by an addition enlargement, extension or other structural change; and
- c) any work which requires a building permit.

Constructed and construction shall have corresponding meanings.

“Existing”, shall mean legally existing on the day of the passing of this By-law.

F

“Farm”, shall mean a parcel of land on which the predominant activity is agriculture.

“Farm Business”, shall mean those businesses that are limited in area and located on a farm, and depend directly on the farm in order for the business to operate. Examples include: farm-related tourism business, farm product sales outlet, cottage wineries, value-added processing or packaging, and pick-your-own operations.

“Farm Home Industry”, shall mean an occupation which is carried out on a farm as an accessory use, in accordance with the provisions of this By-law.

“Farm Product Sales Outlet”, shall mean a use accessory to an active agricultural operation on the property, that includes a building or structure with commercial retail space for the sale of value-added products produced by the farm. The sale of products not produced on the farm or by the farm corporation is prohibited.

“Farm-Related Tourism Business” shall mean those agriculturally-related tourism uses that promote enjoyment, education, or activities related to the agricultural operation. The main activity on the property must be an agricultural use. As such, uses must:

- a. Be dependent on the existence of the agricultural operation,
- b. Use products that are produced on the property or related to agriculture,
- c. Enhance the agricultural nature of the property, and
- d. Not present any limitation to future agricultural activities.

Such activities may include hay or corn maze, petting zoo, hay/sleigh rides, pumpkin chucking, farm tours, and processing demonstrations.

“Financial Institution”, shall mean the premises of a bank, credit union, trust company, loan or mortgage company, investment firm, or financial consultants.

“Floor Area, Gross”, shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any floor area having a ceiling height of 2 metres or less or devoted exclusively to parking) within all buildings on a lot.

“Floor Area, Ground”, shall mean the area of a building measured from the outside of its exterior walls at grade.

“Food or Grocery Store”, shall mean a place where a wide range of food and household goods are stored and offered for retail sale.

“Forestry”, shall mean the raising and harvesting of wood for purposes such as fuel, wood, pulp wood, lumber, Christmas trees and other forest products.

“Four Season Recreational Resort”, shall mean the use of land year-round for the parking and use of recreational travel trailers, park model trailers or other similar transportable accommodations, but not including a mobile home. All sites will be used for season or intermittent accommodations and will not be used as a principle residence or permanent place of residence.

“Fuel Storage Establishment”, shall mean an establishment 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 motor vehicles or an automobile service/gas station.

“Funeral Home”, shall mean a building or part of a building established or maintained for the purpose of providing funeral services or funeral supplies limited to the disposition of human remains for internment or cremation.

G

“Garage”, shall mean an accessory building or that part of a main building used for the storage of a motor vehicle(s) of the owner, tenant or occupant of the lot upon which such garage is located and includes a carport.

“Garden Suite”, shall mean a one-unit detached residential structure containing sleeping, bathroom and kitchen facilities that is ancillary to an existing residential dwelling and that is designed to be portable.

“Golf Course”, shall mean a public or private area operated for the purpose of playing golf but shall not include a miniature course facility or a commercial driving range which is not ancillary to a regulation golf course.

“Government Administration Building”, shall mean a place providing government

services.

“Grade”, shall mean the average level of the finished ground adjoining a building or structure at all exterior walls.

“Group Home”, shall mean a staff-supported residence operated by a service agency and licensed or funded under a federal or provincial statute, in which three to ten persons reside under supervision and receive services and supports from the agency as a single housekeeping unit.

H

“Health Professional”, shall mean an individual who practices any of the health disciplines regulated under a Provincial Act, such as, but not limited to, physicians, dentists, optometrists, pharmacists, physiotherapists, chiropractors and psychologists.

“Home Business”, shall mean a vocational use conducted as a secondary use to a dwelling unit.

“Hospital”, shall mean a hospital as defined in the *Private Hospitals Act*, as amended, or the *Public Hospitals Act*, as amended.

“Hotel or Motel”, shall mean a building or a group of connected buildings used primarily for the purpose of catering to the needs of the public by furnishing sleeping accommodation and which may supply food but does not include an apartment, a guest house or a dwelling house. Accessory uses may include a restaurant, a lounge, a convenience store, a gift store, a recreation facility and permanent staff quarters but does not include any other establishment otherwise defined or classified in this By-law.

“Household”, shall mean one or more persons living together as a single non-profit housekeeping unit, sharing all areas of the dwelling unit and may, in addition, be designed to accommodate lodging units containing less than four residents.

“Human Habitation” shall mean the occupation of a building by a person or persons for overnight accommodation, regardless of whether sanitary cooking facilities are present (By-Law 2019-123)

I

“Industrial Use”, shall mean the use of any land, building or structure for the purpose of manufacturing, assembling, making, packaging, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building or construction equipment and materials,

as distinguished from the buying and selling of commodities and the supplying of on-site personal services.

“Industrial Use, Light”, shall mean the use of land, buildings or structures for the purpose of an industrial use which is wholly enclosed within a building or structure, except for parking and loading facilities and outside storage accessory to the permitted uses, and which in its operation does not result in emission from the building of odours, smoke, dust, gas, fumes, cinder, vibrations, heat, glare or electrical interference.

“Institutional Use”, means religious, charitable, educational, health or welfare uses. Examples include, but are not limited to: place of worship, medical clinic, social service establishment, long term care facility, residential care facility, retirement home, nursing home, school, or child care centre.

K

“Kennel”, shall mean a place where dogs are housed, groomed, boarded, bred, trained, sold or kept for hunting or other specific work and which is licensed by the Township under the provisions of the *Municipal Act*, 2001 in accordance with the Township’s Kennel By-law.

L

“Lakeshore Settlement Area” shall mean those areas consisting of a predominantly residential and seasonal residential uses along the Lake Huron Shoreline, some of which are fully services and some of which are partially services. The Lakeshore Settlement Area is identified as such on Schedule ‘A’ to this By-law and designated Lakeshore Residential in the Huron-Kinloss Official Plan.

“Land Lease Community”, shall mean a parcel of land containing two or more ‘Land Lease Community Lots’ and which is under single management or ownership. A ‘cooperative community’ or ‘condominium corporation’ shall also be defined as a ‘Land Lease Community’.

‘Land Lease Community Homes’, shall mean a separate building or structure containing one dwelling unit occupied by one or more persons and constructed for permanent use where the owner of the dwelling unit leases the land used or intended for use as the site for the dwelling. A ‘Land Lease Community Home’ shall not include a park model trailer, mobile home, camping trailers or a trailer house.

‘Land Lease Community Lot’ shall mean a parcel of land within a ‘Land Lease Community’ intended for occupancy by a ‘Land Lease Community Home’ but is not capable of having an interest in land conveyance pursuant to the *Planning Act*.

“Lane”, shall mean a public or private access other than a street having not more than 9 metres in width which affords a means of access to abutting lots.

“Laundromat”, shall mean a building or structure where the service of coin or card operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.

“Library”, shall mean a library, branch library, or library distributing station that is approved under the Provincial legislation.

“Liquor Retail Outlet”, shall mean a retail establishment for the sale of liquor, and includes a liquor store, beer store and wine store, as well as a place in which materials and equipment are provided for the production and bottling of liquor by the public.

“Livestock Facility”, shall mean one or more barns or permanent structures intended for keeping or housing of livestock with livestock occupied portions, which are areas of the structure where the livestock spend a majority of their time thus allowing substantial amounts of manure to accumulate. A livestock facility also includes all manure or material storages and anaerobic digesters. For the purposes of this definition livestock includes animals identified in the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation Implementation Guidelines, as amended from time to time.

“Loading Space”, shall mean an off-street space on the same lot with a building or on a lot contiguous to a building or group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials pertinent to such permitted use.

“Lodging House”, shall mean a dwelling containing one or more lodging units designed to accommodate four or more residents. The residents may share common areas of the dwelling other than the lodging units, and do not appear to function as a household. This shall not include a group home, nursing home, hospital or any residential care facility licensed, approved or supervised under any general or specific Act or a hotel. This shall include, but not be limited to, student residences and convents.

“Lodging Unit”, shall mean a room or set of rooms located in a lodging house designed or intended to be used for sleeping and living accommodation, which:

- a) Is designed for the exclusive use of the resident or residents of the unit;
- b) Is not normally accessible to persons other than the residents or residents of the unit; and
- c) May contain either a bathroom or kitchen but does not contain both for the exclusive use of the resident or residents of the unit.

“Long Term Care Facility”, shall mean a building where residents who require long

term personal support services, restorative care, and/or nursing care dwell with supervision without individual cooking facilities, and on a long-term basis, and the facility is licensed in accordance with the *Long-Term Care Homes Act*, as amended.

“**Lot**”, shall mean a parcel of land which can be legally conveyed pursuant to Section 50 of the *Planning Act*.

“**Lot Area**”, mean the total horizontal area within the lot lines of a lot.

“**Lot, Corner**”, means a lot situated at the intersection of two or more streets, provided that the angle of intersection of such streets is not more than one hundred and thirty-five degrees.

“**Lot Coverage**”, means the percentage of the lot area covered by the ground floor area. For the purposes of calculating lot coverage, parking areas, patios, decks, outdoor swimming pools, steps or balconies, **septic systems** shall not be considered.

“**Lot Frontage**”, means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point equal to the setback of the required minimum front yard depth from the front lot line.

“**Lot, Interior**” means a lot abutted by lots on directly opposite sides.

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

“**Lot Line, Exterior**”, means a side lot line which abuts a street.

“**Lot Line, Interior**”, means a lot line which does not abut a street.

“**Lot Line, Front**”, means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line.; ~~except in the case of a corner lot containing a single detached dwelling, semi-detached dwelling or duplex, in which case, either lot line abutting a street may be deemed to be the front lot line. In the case of a through lot, one of the lot lines abutting a street shall be deemed to be the front lot line and the other lot line abutting a street shall be deemed to be the rear lot line.~~ In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

“**Lot Line, Rear**”, shall mean the lot line farthest from and opposite to the front lot line, or in the case of a triangular lot shall be that point formed by the intersection of the side lot lines.

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

“Lot, Through”, shall mean a lot bounded by **open and maintained** streets on two opposite sides.

M

“Main”, when used to describe a use, a building or a structure, means a use, building or a structure, which constitutes or within which a principal use of the lot is conducted.

“Major Recreational Equipment” shall mean either a portable structure designed and built to be carried by a motor vehicle, or a unit designed and built to be transported on its own wheels, for purposes of providing temporary living accommodation or recreational enjoyment for travel and shall include, for example, motor homes, travel trailers, tent trailers, boats, snowmobiles or other like or similar equipment, excluding bicycles.

“Marina”, shall mean a building, or premises, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants shall also be permitted.

“Medical Clinic”, shall mean a building or part thereof, used exclusively by physicians, dentists, drugless practitioners, their staff and patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting and treatment rooms, laboratories and dispensaries directly associated with the clinic, but shall not include accommodations for in-patient care or operating rooms nor include a veterinary clinic as defined herein.

“Mobile Home”, shall mean any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include major recreational equipment.

“Mobile Home Park”, shall mean a parcel of land containing two or more mobile home lots and which is under single management and ownership and which is designed and intended for residential or seasonal use where such residential occupancy is in mobile homes exclusively.

“Motor Vehicle”, shall mean any equipment self-propelled by an engine or motor mounted on the vehicle.

“Municipal Drain”, means a watercourse or sewer which carries storm surface water and drainage as defined by the *Ontario Drainage Act*.

“Museum”, shall mean an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

N

“Non-Conforming”, shall mean a use, building or structure existing as of the date of the passing of this By-law which is used for a purpose not permitted in this By-law.

“Non-Complying”, shall mean a building or structure existing as of the date of the passing of this By-law which does not comply with the regulations in this By-law.

“Nursing Home”, shall mean any premises maintained and operated for persons needing help in domestic care or nursing care in which the owner or operator supplies lodgings with meals for the residents.

“Nutrient Unit”, shall mean the amount of nutrients that give a fertilizer replacement value of the lower of 43 kg of nitrogen or 55 kg of phosphate as nutrient (as defined in O. Reg. 267/03 made under the *Nutrient Management Act, 2002*).

O

“Office”, means a building or part of a building in which a business is conducted or a profession is practiced including associated clerical, administrative, consulting, advisory or training services, but does not include a medical clinic, or veterinary clinic.

“On-Farm Diversified”, Means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value-added agricultural products. On-farm diversified uses may include accessory retail of goods produced on the property or goods produced on local farms. Examples include: Value-added uses that could use feedstock from outside the surrounding agricultural area (e.g., processor, packager, winery, cheese factory, bakery), veterinary clinic, sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair, seasonal storage of boats or trailers, farm market, antique business, seed supplier, tack shop, Café/small restaurant, cooking classes, food store, wineries, craft breweries, cideries and distilleries, ground-mounted solar facilities.

“Outdoor Recreation”, shall mean the use of premise for the conduct of outdoor sports, including playfields; parks, gardens, picnic areas; and other passive leisure activities but shall not include commercial recreation.

“Outdoor Storage”, shall mean the use of land for the outside storage of equipment, goods or materials. Outdoor storage of goods and materials used by an industry as an integral part of its manufacturing operation shall in no way be construed to be a Salvage, Recycling or Scrap Yard.

P

“Park”, shall mean the use of premises or land for passive recreational activities, or active recreational activities such as athletic fields, field houses, community centres, swimming pools, wading pools, greenhouses, skating rinks, tennis or badminton courts, bowling greens, curling rinks, fairgrounds, arenas or like or similar uses.

“Parking Aisle”, means a portion of a parking area which abuts parking spaces to which it provides access and which is not used for the parking of vehicles.

“Parking Area”, means an area provided for the parking of motor vehicles and may include aisles, parking spaces and related ingress and egress lanes but shall not include any part of a public street and may include a private garage.

“Parking Lot”, shall mean an area located on a lot which contains four or more parking spaces.

“Parking Space”, means an area exclusive of any aisles or ingress or egress lanes, for the temporary parking or storage of motor vehicles, and may include a private garage or residential driveway.

“Parochial School”, shall mean a private school supported by a religious organization.

“Permitted”, shall mean permitted by this By-law.

“Personal Service Shop”, shall mean a building or part of a building in which professional or personal services are provided for gain including but not limited to cosmetic services, a barber, a tailor, a shoe repair service, spas, tanning salons, and wine and/or beer making establishments. The accessory sale of merchandise shall be permitted only as an accessory use to the service provided. Personal service shops shall not include sexually oriented establishments.

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

“Place of Entertainment”, shall mean a motion picture or other theatre, billiard or pool room, bowling alley, arcade establishment but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

“Place of Worship”, shall mean a building used by a religious congregation or organization and dedicated exclusively to worship and related religious, social and charitable activities and may include a rectory or manse, a church hall, an auditorium, a convent, an office for religious leaders, a children’s activity room, child care centre, educational or recreational uses, and an attached dwelling unit for a religious leader as

accessory uses.

“Private Access Right-of-Way”, shall mean an internal paved access road width and construction of which have been approved by the Township of Huron-Kinloss a minimum of 16 metres in width designed to accommodate private vehicles, emergency service or maintenance vehicles, and providing access from a public road to a dwelling, park, and community centre.

“Private Club and Day Camp”, shall mean a group of buildings or structures owned or chartered by an organization, a non-profit organization, or a public body and designed and built for season or periodic use.

“Public Transportation Depot”, shall mean a place where busses and trains are boarded and disembarked by fare-paying passengers, but does not include a bus stop.

Q

“Quarry”, shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

R

“Recreational Trailer”, means any portable unit so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle; and which is capable of being used for the temporary living, sleeping, or eating accommodations, but not occupied continuously or as a principal residence. It may include travel trailers, tent trailers, motor homes, camper pick-ups, or camper vans. It does not include a mobile home.

“Recreational Facility”, shall mean lands, buildings or structure used for the purpose of active leisure activities and shall include an arena, swimming pool, community centre, curling rink, outdoor ice rink, and uses accessory thereto.

“Rental Establishment”, shall mean a lot, building or structure where equipment generally used for residential, commercial and industrial construction and maintenance are offered for rent or lease.

“Residential Care Facility” shall mean a residence occupied by 3 or more persons, exclusive of staff, who by reason of their emotional, mental, physical or social condition or legal status, are cared for on a temporary or permanent basis in a supervised group setting. This shall include, for example, a group home, crisis care facility, residence for socially disadvantaged persons, but shall not include a lodging house, foster care home or hospital.

“Restaurant”, shall mean a building or structure or part thereof, where food or refreshments are prepared and offered for retail sale to the public for immediate consumption either on or off the premises, but does not include a catering service.

“Retail Store”, means a building or structure or part thereof in which food, goods, wares, merchandise, substances, or articles are offered or kept for sale at retail, but does not include an automobile sales establishment or an automobile service/gas station.

S

“Salvage, Recycling or Scrap Yard”, shall mean a place where motor vehicles and motor vehicle parts are wrecked, disassembled, repaired and resold and may include an auto wrecking establishment; or a place where used goods or scrap materials and salvage are collected to be sorted and stored for future use.

“School”, means a school under the jurisdiction of a school board as defined by Provincial legislation.

“Scientific Research Establishment”, means an establishment where scientific or medical experiments, tests, or investigations are conducted, and where drugs, chemicals, glassware, or other substances or articles pertinent to such experiments, tests, or investigations are manufactured or otherwise prepared for use on the premises.

“Section 59 Notice”, refers to the requirements under Section 59 of the *Clean Water Act*, which requires issuance of a notice from the Township’s Risk Management Official before permitting an activity that is considered a restricted land use as identified in the Source Protection Plans.

“Setback”, means the horizontal distance from the lot line, measured at right angles, to the nearest part of any building or structure on the lot exclusive of any yard encroachments permitted on the lot.

“Sewage System and/or Holding Tank”, shall mean a system that stores and/or treats human waste on-site and shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants.

“Shipping Container” means an intermodal freight container that is designed for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving of goods and materials. For the purpose of this definition a shipping container does not have wheels and does not include a truck body, trailer or transport trailer.

“Significant Drinking Water Threat”, shall mean a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk (Source: *Clean Water Act*).

"Social Service Establishment" means a building or structure in which clerical, administrative, consulting, counseling, distributive, and recreation functions for a non-profit social service agency are conducted, but does not include facilities in which overnight accommodation is provided.

"Stacking Lane", means the portion of a parking area exclusively used as an unobstructed internal space for queuing motor vehicles utilizing a drive-thru establishment.

"Storey", means that portion of a building which is situated between the top of any floor and the top of the floor next to it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A storey includes an attic having a height of more than 2 metres for at least two-thirds of the area of the floor next below and also includes any portion of a building partly below ground if the ceiling of such part is 2 metres or more above finished grade.

"Storey, Half", shall mean that portion of a building with a sloping roof having a height of more than 2 metres for at least one-half but less than two-thirds of the area of the floor next below.

"Street", shall mean a public thoroughfare, other than a lane, which is maintained by a public road authority and which is open and passable during all seasons.

"Street, Class One", shall mean streets with a minimum right-of-way width of 20 metres under the jurisdiction of the Corporation, to which the Corporation within reasonable limits will provide a level of municipal services as is customarily practiced by the Corporation. OR

Shall mean streets having a perpendicular width of less than 20 metres under the jurisdiction of the Corporation, to which the Corporation within reasonable limits will provide a level of municipal services as is customarily practiced by the Corporation.

For the purposes of this By-law, County and Provincial Roads shall be considered to be Class 1 Streets.

"Street, Class Two", shall mean streets under the jurisdiction of the Corporation to which the Corporation provides "limited services" including snow clearance or ploughing or is not of a reasonable standard of construction and may not provide year round access.

"Street, Private", shall mean streets or lanes not under the jurisdiction of the Corporation. The Corporation may not provide any level of municipal services as is customarily practiced by the Corporation.

"Street Line", means the limit of the street allowance and is the dividing line between a

lot and a street.

T

"Temporary Building", shall mean a building intended for removal or demolition within a prescribed time specified on a building permit not to exceed 2 years from the day of permit issuance.

"Tent", shall mean a temporary structure used for temporary shelter and living accommodation that is not permanently fixed to the ground and is capable of being easily moved.

"Tourist Lodging", shall mean a dwelling unit excluding a hotel or motel in which rooms or lodgings are provided for hire or pay for not more than five persons per room.

"Tractor Trailer", means a truck consisting of a self propelled cab designed to have temporarily attached thereto, a trailer consisting of one or more axles designed to be pulled by the cab for the purpose of carrying goods or materials. Both the cab and trailer component individually or together are considered a tractor trailer for the purposes of apply the provisions of this by-law.

"Transport Establishment", means the use of land, buildings, structures or parts thereof, where trucks and transports or buses are rented, leased, serviced, repaired, loaded or unloaded, kept for hire, stored or parked for dispatching as common carriers, or where goods are temporarily stored for further shipment.

"Travel Trailer", shall mean a structure designed, intended and used exclusively for travel, recreation and vacation and which is capable of being drawn or propelled by a motor vehicle or is self-propelled and includes tent trailers or similar transportable accommodation except a mobile home.

U

"Unimproved Street", shall mean a street that has been assumed by By-law by the Corporation as a public street but is not maintained year round or is not of a reasonable standard of construction.

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

V

“Veterinary Clinic”, means a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian within the meaning of Provincial legislation, and includes facilities where animals can be temporarily boarded while undergoing treatment. Accessory uses, such as the retailing of pets and pet supplies, are also permitted.

W

“Warehouse”, shall mean a building, or part thereof, which is used for the storage or wholesaling of goods or material.

“Warehouse, Mini Storage”, shall mean a building designed for the rental of separate storage areas usually with individualized external access for storage of personal property. Outdoor storage shall be permitted in accordance with the provisions of the applicable zone.

“Waste Disposal Site”, shall mean any land upon, into or through which waste is deposited or processed and any machinery or equipment or operation for the treatment or disposal of waste, but shall not include the treatment or disposal of liquid industrial waste or hazardous waste.

“Watercourse”, shall mean the natural channel for a stream and shall include the natural channel for intermittent streams.

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

“Wholesale Outlet”, means a building or part of a building in which goods, wares, merchandise or articles are offered or kept for sale to persons for resale purposes and/or to industrial or commercial users.

Y

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

“Yard, Front”, means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest wall of building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections.

“Yard, Rear”, means a yard extending from side lot line to side lot line and from rear lot

line (or apex of the side lot lines if there is no rear line), to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections.

“Yard, Side”, means a yard, extending from the required front yard to the required rear yard and from the side lot line to the nearest part of the main building or structure on the lot, disregarding open or uncovered terraces or steps or minor architectural projections. In the case of a lot with no rear lot line, the side yard shall extend from the front yard to the opposite side yard.

“Yard, Side – Exterior”, means a side yard immediately adjoining a public street.

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

“Yard, Required”, means a yard with the minimum front yard depth, rear yard depth, or side yard width as required by this By-law. A required side yard shall extend from the required front yard to the required rear yard.

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SECTION 4 – GENERAL PROVISIONS

4.1 Accessory Buildings

- .1 Unless otherwise provided for in this By-law, no accessory building shall be used for human habitation.
- .2 An accessory building may be located in ~~any yard except the required rear yard or a required interior side yard~~ front and required exterior side yard. On lots which adjoin a body of water within the Lakeshore Settlement Area, a garage may be located within the required front yard, no less than 3.0 m from the front lot line, and shall meet other applicable provisions of this By-law.
- .3 ~~The minimum front yard and exterior yard setback shall comply with the minimum front and exterior side yard setback requirements of the applicable zone. The Where a minimum rear yard or interior side yard setback for accessory buildings shall be of 1.5 m. is provided, the maximum building height for an accessory building shall be 5 m.~~
- .4 ~~Notwithstanding Section 4.1.3, where a minimum rear yard or interior side yard of 3 m is provided~~ The maximum building height for an accessory building shall be 6 m.
- .5 The maximum lot coverage for all accessory buildings shall be 10% of the lot area. This shall be calculated separately from the primary structure, which has separate lot coverage requirements. ~~which shall be included as part of the maximum lot coverage of the zone.~~
- .6 No accessory building shall be constructed or established on any lot or site until the main building has commenced construction, except for “Construction Uses” permitted by Section 4.5 of this By-law.
- .7 Detached accessory buildings located within the Lakeshore Settlement Area and designed and used only for the storage of boats and boating accessories, and located on lots which adjoin a body of water, shall not require a rear yard setback but shall comply with all other provisions of this By-law.

4.2 Bed and Breakfast Establishment

Where listed as a permitted use, a bed and breakfast establishment may be conducted within a single detached dwelling provided that:

- a) The bed and breakfast establishment is carried out by a person who resides in

the dwelling except for employment services that are necessary for housekeeping purposes.

- b) Each guest room shall have a minimum building floor area of 10.5 square metres.
- c) Guest rooms shall not be permitted within an attic.
- d) A bed and breakfast establishment shall have a maximum of 3 guest rooms for overnight accommodation.

4.3 Condominiums

.1 Standard Condominiums

Internal lot lines created by:

- a) A registration of a plan of condominium; or
- b) A plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the *Planning Act*;

shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.

.2 Vacant Land Condominiums

More than one single detached, semi-detached, duplex or street townhouse dwelling shall be permitted on a lot provided that each dwelling has direct access to an internal private driveway or road that is a common element in a registered Condominium connecting to a public street and that each dwelling is located on a 'unit' in a Vacant Land Condominium. For purposes of this regulation, the front lot line for each Unit in a Vacant Land Condominium shall be deemed to be that lot line abutting the internal driveway portion of the common element, and the dwelling on such a Unit shall comply with all applicable zoning regulations, including but not limited to setbacks, lot area, lot width and parking.

.3 Common Element Condominiums

Notwithstanding Section 4.12 of this by-law, single detached, semi-detached, duplex or street townhouse dwellings shall be permitted on lots without frontage on a public street provided that all such dwellings are located on Parcels of Tied Lands (POTL's) to a Common Elements Condominium (CEC) consisting of at least a private driveway connecting to a public street.

Where lands have been comprehensively planned and are subject to an

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Planning Act, any zoning deficiencies resulting from the creation of the POTL's, shall be deemed to conform to the regulations of the by-law provided that:

- a) All applicable regulations of the by-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are complied with, and
- b) Each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 0.9 metres, from the front yard to the rear yard of the lot either by:
 - i. Direct access on the lot without passing through any portions of the dwelling unit; or
 - ii. Direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom, or recreation room or any hallway that is not separated by a door to such room; or,
 - iii. Access over adjacent lands, if the lands are not owned by the Township of Huron-Kinloss or the County of Bruce, are secured by a registered easement or are a common element of the condominium.

Any additions or alteration to the dwelling; accessory structures such as sheds; and yard projections such as porches, balconies, decks, and pools, added subsequent to the registration of the condominium, which are not shown on the approved Site Plan must comply with the applicable zoning regulations for the type of dwelling contained within the POTL. For the purposes of this regulation, the front lot line shall be deemed to be that lot line abutting the internal driveway or primary internal walkway.

4.4 Consolidated Lot Development

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations subject to compliance with all other regulations of this By-law relative to the consolidated lot and its external lot lines.

4.5 Construction Uses

Any part of a lot, other than a sight visibility triangle regulated in Section 4.29, may be used for temporary buildings associated with construction work occurring on such lot, provided that the building remains only for the duration of construction work or as long as the building permit for construction is valid, whichever comes first. No temporary building intended for construction work purposes shall be used for residential purposes.

4.6 Dwelling, Additional Residential Unit

Except as provided by Section 4.7 (Dwelling, Additional Residential Unit On Farm), where listed as a permitted use (refer to “Uses Permitted” sections of this By-law), a ‘Dwelling, Additional Residential Unit’ shall be permitted, subject to the following provisions:

- a) Where full municipal services are provided, up to two ‘Dwelling, Additional Residential Unit’ per lot of record shall be permitted;
- b) Where private or partial municipal services are provided, one ‘Dwelling, Additional Residential Unit’ per lot of record shall be permitted if the lot area is 0.4 hectares or greater, **two ‘Dwelling, Additional Residential Unit’ shall be permitted if the lot area is 0.6 hectares or greater.** Within the Lakeshore Area as identified on Schedule ‘A’ a ‘Dwelling, Additional Residential Unit’ is not permitted on partial municipal or private services;
- c) Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
- d) ~~Only exists along with its principal dwelling unit, and it is not a stand-alone principal unit, capable of severance;~~
- e) ~~Able to~~ **Shall** connect to water and septic or sewer services;
- f) Shall only be permitted where sufficient water service and sewer or septic capacity exists or can be made available;
- g) In the case of a ‘Dwelling, Semi-Detached’ or ‘Dwelling, Street Facing Townhouse’, each principal dwelling unit must be located on a separate lot of record;
- h) In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake Areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling;
- i) When permitted to be located within a detached accessory building, only one ‘Dwelling, Additional Residential Unit’ is permitted per lot in a detached accessory building;
- j) Where located in an accessory building the ‘Dwelling, Additional Residential Unit’ may be located in a new or existing detached accessory building and shall be in accordance with the provisions of Section 4.1;
- k) Any ‘Dwelling, Additional Residential Unit’ shall be located within a maximum distance of 30 m from the principal dwelling;
- l) The ‘Additional Residential Unit’ must share the parking and yards provided for the principal dwelling unit, and no new driveway may be created;
- m) Requires conservation authority approval in areas identified in the flood fringe overlay;
- n) ‘Home Occupation’ is not permitted in a ‘Dwelling, Additional Residential Unit’; and,
- o) The combined total of a principal residential unit, additional residential

unit(s), and a garden suite shall not exceed three units on a lot.

4.7 Dwelling, Additional Residential Unit On Farm

A 'Dwelling, Additional Residential Unit On Farm' shall be permitted together with a 'Dwelling, Single Detached Farm Residence' in the AG1 and AG4 zones, subject to all the provisions of this By-law and the following:

- a) Shall be located within 30 metres of the 'Dwelling, Single Detached Farm Residence';
- b) Applicable permits under the Ontario Building Code are required to be issued by the Chief Building Official;
- c) It only exists along with the 'Dwelling, Single Detached Farm Residence' and shall not be considered for future severance;
- ~~d) — Able to connect to water and septic or sewer services;~~
- e) Must share the parking and yards provided for the 'Dwelling, Single Detached Farm Residence' unit, and no new driveway may be created;
- f) May be located within a 'Dwelling, Single Detached Farm Residence', or may be located in a new, or existing, ~~detached non-agricultural~~ accessory building;
- g) Where the 'Dwelling, Additional Residential Unit On Farm' is proposed to be erected outside of the 'Dwelling, Single Detached Farm Residence', it shall meet applicable MDS guidelines; ~~except where such detached dwelling unit is located no closer to existing livestock facility than the existing 'Dwelling, single detached' on the same lot.~~
- h) In the Rural Recreation Area and Inland Lake Development designation (Silver Lake and Purvis Lake areas), only one Additional Residential Unit may be permitted, and only within a building containing a primary residential dwelling.
- i) Requires conservation authority approval in areas identified in the flood fringe overlay;
- j) The combined total of a "Dwelling, Single Detached Farm Residence", a 'Dwelling, Additional Residential Unit On Farm', and 'Dwelling, Garden Suite' may not exceed ~~two~~ **three** units on a lot; and, **only one 'Dwelling, Additional Residential Unit' is permitted per lot in a detached accessory building;**
- k) A home business shall not be permitted within a 'Dwelling, Additional Residential Unit On Farm'.

4.8 Encroachments

- .1 Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows and other ornamental or architectural features may project into any required yard but not more than ~~0.45~~ 0.762 metres.
- ~~.2 Unenclosed porches and covered or uncovered steps and patios may project into the required front or rear yard but not more than 1.5 metres provided however that such features are not more than 1 metre in height above finished grade. Open or Roofed Porches, Decks not exceeding one storey in height may project into any yard 1.5 metres including any steps provided that no porch, deck or patio extends closer than 1.5 metres to any lot line.~~
- .3 Exterior stairways and fire escapes may project into a required interior side and rear yard but not more than 1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
- ~~.4 Open steel fire escapes may project into any required side or rear yard but not more than 1.5 metres.~~
- .5 Attached garages, covered decks and uncovered decks may project into any required interior side yard not more than 1.5 metres provided a maximum building height of 6 meters and minimum setback of 1.5 metres is provided and a minimum setback of 3 metres is provided on the opposite side.
- .6 Balconies may project into any required yard but not more than 1.5 metres provided that no part of the structure extends closer than 1.5 metres to any lot line.
- .7 Awnings shall be permitted in any required yard.

4.9 Existing Lots

Existing lots with less than the required lot area or lot frontage ~~or other dimensional requirement~~ shall be deemed to comply with ~~the lot area and/or lot frontage~~ those requirements of this By-law and may be used, and buildings erected or altered thereon, for the purposes permitted in the zone in which they are situated, subject to compliance with all other regulations of this By-law.

For the purposes of this section, an existing lot which has been increased ~~in lot area or lot width through~~ or otherwise altered through one or more consents approval under the *Planning Act* ~~shall be deemed to be an existing lot.~~, including lot additions or boundary adjustments between undersized parcels, shall continue to be deemed to be an existing lot notwithstanding that it remains deficient in one or more zoning standards.

For greater certainty, a lot addition or boundary adjustment involving an undersized lot that

remains deficient after the conveyance shall not be deemed to create a new non-complying lot, but rather shall be deemed to reduce the extent of non-compliance.

Where lands are conveyed or exchanged between two or more undersized lots through consent approval under the *Planning Act*, each resulting lot shall continue to be deemed an existing lot, and any resulting deficiencies shall not be interpreted as creating new non-complying lots.

4.10 Expropriations & Dedications

.1 If the acquisition of land, by registration on title on or after the day this by-law is approved, to widen a street or to provide a site visibility triangle in non-compliance with regulations existing on the date of acquisition and respecting lot area, lot width or yards, a building or use shall be deemed to comply with such regulations only in the circumstances which follows:

- a) Where the building or use existing at the date of the acquisition;
- b) Where a building or use is proposed to be developed by the same owner who conveyed the land for street widening or site visibility triangle; or
- c) Where the building or use is proposed to be developed in strict accordance with an approved site plan applied for by a previous owner, which required the conveyance of land for street widening or corner visibility triangle;

Provided that:

- i. Where the lot is rezoned after the acquisition of land for street widening or site visibility triangle, no greater benefit shall be obtained than that which could be obtained based on the zoning in effect on the date of such acquisition; and
- ii. The provisions of this section shall not apply in circumstances where the conveyance of land for street widening or site visibility triangle is a requirement or a subdivision of land approval.

.2 If the acquisition of land to widen a street or to provide a site visibility triangle results in non-compliance with regulations not listed in 4.10.1 and existing on the date of acquisition, the non-compliance with those regulations shall be deemed to comply where the building or use legally existed on the date of the acquisition.

4.11 Farm Home Industry

.1 A farm home industry / farm business shall be permitted where it is located on a farm, is secondary to the principle agricultural use of the property, is limited in area, and is compatible with and does not hinder the surrounding agricultural operations.

- .2 Where permitted, a farm home industry / farm business may be conducted within a dwelling unit, a farm residence, a farm building or an accessory building.
- .3 A farm home industry shall include a carpentry shop, a contractor or tradesperson establishment, a welding shop, a machine shop, a plumbing shop, an electrical shop, furniture fabrication, assembly and repair, tool and equipment repair shop, small engine repair, farm implement repair, or a use of a similar nature to those listed above.
- .4 The farm home industry must employ at least one person who dwells on the property and may employ one additional employee.
- .5 Where the farm business is located within a farm residence a maximum of 25 per cent of the building floor area shall be devoted to such use.
- .6 No outdoor storage shall be permitted unless fully enclosed by a fence or other appropriate enclosure in order that such storage is not visible from a street.
- .7 No display of goods or advertising ~~as per the Township of Huron-Kinloss Sign By-Law other than a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing.~~
- .8 The total area of a property occupied by a farm business / farm home industry site and buildings shall not exceed 2% of the lot area, to a maximum area of 1.0 ha.

4.12 Frontage on a Street

No person shall erect any building or structures in any zone unless:

- a) The lot upon which such building or structure is to be erected fronts upon ~~an a class one street, or~~
- b) ~~Such building or structure fronts upon an street having a perpendicular width of less than 20 meters and such building is setback a minimum distance of 10 metres from the centerline of the existing street allowance in addition to the minimum yards required by this By-law.~~

~~Provided, however, that in the case of a lot separated from a street by land owned by the County or Corporation which land is held by such government agency for future road widening purposes, a building may be erected upon such lot.~~

Frontage on a Class One Street

~~No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone, unless the lot upon which such building or structure is~~

to be erected fronts upon a Class One Street; or, in the case of a lot on a Registered Plan of subdivision / Registered Plan of Condominium, unless a 'Subdivider's Agreement' with the Corporation is in effect. (see Section 4.25)

Frontage on a Class Two Street / Private Street

No person shall erect any new building or structure where the lot upon which such building or structure is to be erected fronts upon a Class Two Street or Private Street.;

Existing buildings or structures may be enlarged, extended, reconstructed or renovated where the lot upon which such building or structure is located fronts a Class Two Street or Private Street.

Private Street Classification

A 'Private Street' shall be considered to be a 'street' for the purposes of determining setbacks for this By-law.

Street Lines for Private Streets

The closest edge of a 'private street', right-of-way, easement etc. shall be considered as the 'street line' for the purposes of determining setbacks, for lots accessed by means of a 'private street' , right-of-way, easement etc.

4.13 Height Restriction & Exemption

In this By-law, regulations prescribing the maximum building height shall not apply to radio or television receiving or transmitting equipment, grain elevators, windmills, farm silos or barns, water towers and domes not used for human occupancy.

4.14 Home Business – Domestic and Household Arts

Where listed as a permitted use, ~~a one~~ home business for domestic or household art ~~may be conducted within a dwelling unit and~~ may include ~~but not limited to~~ uses such as; home child care; ~~dressmaking,~~ academic ~~tutoring or private~~ instruction, ~~teaching of~~ music dance, arts and crafts to not more than six students at any one lesson; ~~garment making and tailoring; weaving, textile arts;~~ painting and sculpting; furniture refinishing or repair; ~~and molding, or otherwise making or repairing of garden or household ornaments~~ fabrication, customization, repair of household items - garden ornaments, personal accessories or toys, sale of goods – crafts, or products that are made, assembled or substantially modified on the premises and the sale of produce grown on the property ~~articles of clothing, personal effects or toys~~ provided that:

- a) ~~The home business is located only within the dwelling unit.~~
- b) With the exception of one additional employee, the professional business is carried out only by a person who resides in the dwelling unit.
- c) ~~The home business is carried out only by a person who resides in the~~

~~dwelling unit~~ shall be conducted only by residents of the principal residential dwelling and all goods, wares, or merchandise offered for sale or rent must be produced by residents of the principal residential dwelling.

- d) The home business shall be clearly secondary to the principal residential use of the lot and/or building or part thereof, and shall not change the residential character of the lot and/or building or part thereof;
- e) Only residents of the dwelling may assist in the operation of the home business
- f) A maximum of 25 percent of the building floor area of the dwelling unit is devoted to the home business.
- g) Where the home business is located within an accessory building, not more than 50 square metres shall be devoted to such use;
- h) One off-street parking space is provided for every twenty square metres of floor area occupied by the home business;
- i) No mechanical equipment is used except that which is reasonably consistent with the use of a dwelling;
- j) There shall be no outdoor storage or display of goods or materials, containers, finished products, or mechanical equipment ~~shall be permitted~~.
- k) There shall be no externally visible indicators that a home business is being conducted within the lot ~~except for~~ display of goods or advertising ~~on other than~~ a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing; and
- l) The home business shall not create or become a nuisance in any regard to noise, odours, vibrations, traffic generation, refuse, parking or otherwise interfere with the enjoyment of the adjacent neighbourhoods or lands.

4.15 Home Business – Professional Uses

Where listed as a permitted use, ~~a~~ one home business for professional use may be conducted within a dwelling unit by professional practitioners such as tradesman or contractors, accountants, architects, auditors, engineers, insurance agencies, land surveyors, lawyers, notaries, realtors, health professionals, photographers, professional consultants, and hair dressers, provided that:

- a) With the exception of one additional employee, the professional business is carried out only by a person who resides in the dwelling unit.
- b) The home business shall be clearly secondary to the principal residential use of the lot and/or building or part thereof, and shall not change the residential character of the lot and/or building or part thereof;
- c) Where the home business is located within an accessory building, not more than 50 square metres shall be devoted to such use;
- d) One off-street parking space is provided for every twenty square metres of floor area occupied by the home business
- e) A maximum of 25 percent of the building floor area of the dwelling unit shall be

devoted to the home business.

- ~~f) With the exception of a home business for a tradesman and contractor's establishment where storage of equipment and material necessary in the business shall be permitted within an accessory building, all home businesses for professional uses shall be located only within the dwelling unit.~~
- a) There shall be no externally visible indicators that a home business is being conducted within the lot except for ~~no~~ display of goods or advertising ~~on other than~~ a plate or sign which is no larger than 0.4 square metres (4.3 square feet) in area, non-flashing; and
- b) The home business shall not create or become a nuisance in regard to noise, odours, vibrations, traffic generation, refuse, parking or otherwise interfere with the enjoyment of the adjacent neighbourhoods or lands.

4.16 Kennels

Where a kennel is listed as a permitted use, the kennel shall comply with the following regulations:

- a) The kennel must be located on a farm, and shall be secondary to the agricultural use.
- b) The kennel must employ at least one person who dwells on the property and may employ one additional employee.
- c) A kennel must be appropriate for rural servicing and be compatible with agricultural uses.
- d) A kennel must comply with all applicable by-laws and regulations such as noise and parking regulations.
- e) A kennel and all associated structures (such as buildings, structures, fencing, and runs) must be setback a minimum of 600 metres from any settlement area boundary and 150 metres from all property lines.
- f) A kennel shall not occupy a combined area exceeding 2% of the lot area, to a maximum of 0.4 hectares in area.

4.17 Minimum Distance Separation (MDS) I – ~~New Non-Farm Uses~~

~~Notwithstanding any other provisions of this By-law to the contrary, all new land uses, including the creation of lots, lands to be rezoned to permit a residential, institutional, commercial, industrial, recreational or non-farm dwelling use will comply with the Provincial Minimum Distance Separation I (MDS I) Guidelines (as amended from time to time). The application of MDS I does not apply to dwellings on lots that existed prior to March 1, 2017 and are 4 ha or less in area as provided in "The Minimum Distance Separation Document" – Publication 853 as amended.~~

4.18 Minimum Distance Separation (MDS) I- New Non- Farm Uses

Notwithstanding any provisions of this By-law to the contrary, a residential, institutional, commercial, industrial or recreational use, or non-farm dwelling use to be located upon a vacant and existing lot of record, or a new lot created by a Land Division Committee, must comply with the Minimum Distance Separation I (MDS I) Guidelines (as amended from time to time).

~~Notwithstanding any other yard or setback provision of this By-law to the contrary, no residential / surplus farm dwelling, farm-related business, institutional, cemetery, commercial, industrial or recreational use, located on a separate lot and permitted within a zone, shall be erected or altered unless it complies with the Province of Ontario's Minimum Distance Separation (MDS I) Formulae, as amended.~~

~~A new residential, institutional, commercial, industrial or recreational use located on an existing lot of record will comply with the Province of Ontario's Minimum Distance Separation (MDS I) Formulae, as amended.~~

4.19 Minimum Distance Separation (MDS) II – New or Expanding Livestock

Facilities

Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility shall be erected, **permitted and/or** expanded unless it complies with the Province of Ontario's Minimum Distance Separation (MDS II) Formulae, as amended.

For the purposes of preparing an MDS I or MDS II calculation, a cemetery which is closed, which receives low levels of visitation, or where no place of worship is present shall be considered a Type A land use (ie., Less sensitive use).

4.20 Horse-Drawn Transportation

Any lot containing a dwelling unit may be used for the keeping of two (2) horses, provided:

- I. Such horse provides the primary means of transportation for the occupants of the dwelling unit
- II. All manure shall be contained in an enclosed building and manure shall be removed from the property at regular intervals to a suitable location in an Agricultural Zone
- III. The building or structure in which the horse is kept or in which the manure is enclosed shall be set back from the interior side and rear lot lines the distance required for accessory structures
- IV. The minimum distance separation (MDS) requirements shall not apply in Settlement Areas

4.21 On-Farm Diversified Use

On-farm diversified uses are accessory to principal farming operations may be permitted subject to the following criteria:

- a) An on-farm diversified use shall only be permitted accessory to a farm Operation on the

same lot.

- b) On-farm diversified use(s) shall not exceed a combined total of either one (1) hectare or two percent (2%) of the area of the lands on which the use is proposed, whichever is lesser.
- c) The gross floor area of all buildings or structures used for an on-farm diversified use shall not exceed twenty percent (20%) of the land area, as stated in b) above.
- d) The land area and the area of existing buildings or structures used for an on-farm diversified use may be discounted at the rate of fifty percent (50%). Where an on-farm diversified use uses the same footprint as a demolished agricultural building, the land area for the on-farm diversified use may be similarly discounted by fifty percent (50%).
- e) One hundred percent (100%) of the area needed for parking areas and outdoor storage for the on-farm diversified use shall be included in the area calculation.
- f) Where an on-farm diversified use uses an existing farm laneway, or parking area, the area of the laneway or parking area shall not be included in the area calculations.
- g) Services required for the proposed use are provided on the same lot, to the satisfaction of the Township of Huron-Kinloss, and shall not have any negative impacts on neighboring and surrounding land uses.
- h) Do not cause traffic or safety concerns and provide safe access onto an open and maintained public road.
- i) On-farm diversified uses that include agri-tourism and farm experience activities shall be directly related to the principle agricultural use.
- j) Production lands which are used for the growing of crops and are simultaneously used as part of an activity area, such as a corn maze, shall not be included in the area calculations for the on-farm diversified use. However, these activity areas shall not exceed five percent (5%) of the total lot area of the subject lands. Where production land is used for the purposes of a pick-your-own operation, such lands shall not be included in the area calculations for the on-farm diversified use, but areas for the purpose of additional retail or visitor amenities shall be included.
- k) An on-farm diversified use shall be subject to the Minimum Distance Setbacks (MDS) Guidelines, except where an On-farm diversified use does not generate a significant number of visitors and does not include agri-tourism or food services or provide accommodation on site. OR MDS shall apply not apply to on-farm diversified uses and thus are encouraged to cluster with the on-farm dwelling.
- l) The on-farm diversified use must meet all applicable requirements of the Ontario Building Code, the Ontario Fire Code, and requires an approved building permit to legally establish the use.
- m) Requirements related to the size and scale of an on-farm diversified use are intended to limit the use to ensure that it remains secondary to the principal farm operation. The provisions of this section are considered cumulative maximums regardless of the number of diversified uses proposed on the property.
- n) An agricultural event may be considered an on-farm diversified use and shall be subject to all requirements within Subsection 6.4 of the By-Law. Agricultural events that are beyond the scale of an on-farm diversified use (2% of the farm to a maximum of 1 hectare) shall only be permitted on a temporary basis through a temporary zoning by-law amendment. Any such agricultural event shall be subject to the provision of required parking on-site at a rate of 1 space per 25m² of event area.

As a wide variety of uses may qualify as an on-farm diversified use, parking requirements shall be applied based on the type of use(s) proposed in accordance with Section 5. Where similar uses exist in Section 5.1 the more restrictive parking requirements shall apply.

4.22 Non-Complying Uses (By-Law No 2019-123)

Where a building or structure was lawfully used and is permitted by the provisions of the zone in which such building or structure is located but does not meet the zone provisions with respect to lot area, yards, setbacks, lot frontage, parking or any other provisions of this By-law applicable to that zone, the said building or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that the enlargement, extension, reconstruction, repair or renovation does not further reduce the compliance of that building or structure with the provision(s) of the By-law to which it does not comply, and all other applicable provisions of this By-law are complied with. For greater clarity, where a building or structure does not comply with required yard or setback, no additional gross floor area may be constructed within the required yard or setback.

In the case of a rezoning or severance, permitted and legally established existing buildings or structures or driveways shall be deemed to comply with any applicable zone provisions, except parking and loading requirements, resulting from such rezoning or severance.

4.23 Non-Conforming Uses

- .1 The provisions of this By-law shall not apply to prevent the use of and land, buildings or structures for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the date of passing of this By-law, and provided that it continues to be used for that purpose and all other applicable provisions of this By-law are complied with.
- .2 The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, for which a building permit has been issued by the Chief Building Official prior to the date of passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided that the permit has not been revoked under the *Ontario Building Code Act*.
- .3 Nothing in this By-law shall prevent the strengthening to a safe condition, the repair or renovation of any legal non-conforming building or structure or part of any building or structure which use does not conform with the provisions of this By-law so long as such repair or renovation does not increase the height, size or volume or change the use of such building.
- .4 A detached dwelling which legally existed on the date of passing of this By-Law, and is located in any 'GC' – General Commercial Zone, 'EP' – Environmental Protection Zone, may be altered or enlarged in accordance with the 'R1' – Residential One zone provisions. Written approval from the SVCA is required for dwellings in the EP zone and SVCA regulated areas.

4.24 Number of Dwellings Per Lot

~~Unless otherwise provided for in this By-law, in any zone where a single detached dwelling, semi-detached dwelling or duplex dwelling is permitted, not more than one such building or structure or dwelling shall be permitted on a lot.~~

Unless otherwise provided for in this by-law in any zone where detached dwellings are permitted, not more than one primary detached dwelling shall be permitted on a lot, excepting however the instance in which an existing residential dwelling is to be replaced by the construction of a new residential dwelling on the same lot, the existing dwelling may be occupied or used as provisional accommodation during the construction of the new dwelling, provided the existing dwelling is demolished within six months of receiving occupancy for the new dwelling.

4.25 Outdoor Storage Regulations

- .1 Where outdoor storage is permitted by this By-law, such outdoor storage shall not be located within required front or exterior side yards, unless it is for the temporary display of goods for sale. This regulation does not apply to properties zoned AG1 or AG4, provided the outdoor storage is located outside the required front yard or exterior side yard.
- .2 The minimum setback from any lot line for outdoor storage shall be not less than the required minimum interior side or rear yard regulation of the zone in which the outdoor storage is located.
- .3 If the outdoor storage is located in an industrial zone, the minimum setback of any outdoor storage shall be 3 metres from the interior side or rear lot line, where such interior side or rear lot line abuts an industrial zone.
- .4 ~~Any outdoor storage shall be screened from view of the street and any adjacent residential or institutional use.~~
- .5 In the case where an outdoor storage area abuts a residential zone, a solid fence or vegetative buffering equivalent to a solid fence having a minimum height of ~~1.82 metres~~ the storage height shall be required to be provided along the entire property line abutting such residential zone.
- .6 ~~Outdoor storage is permitted up to a maximum height of 5 metres.~~

4.26 Permitted Uses in All Zones

Notwithstanding anything else in this By-law, the Corporation or any of its local boards

as defined in the *Municipal Act*, the County, any communication, transportation or transmission system owned or operated by or for the Township or County and any

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agency of the Federal or Provincial Government and any hydro-electric company, may, for the purposes of the public service, use any land or erect or use any building in any zone subject to the use or building being in compliance with the most restrictive regulations of the zone in which it is located and subject to there being no outdoor storage of goods, materials or equipment in any yard abutting a residential zone. Any buildings erected or used in a residential zone under the provisions of this Section shall be designed so as not to intrude into the residential character of the area.

4.27 Planting Areas

Where a planting area is required by this By-law the following shall apply:

- a) A planting area shall consist of a dense screen of shrubs or evergreen trees, a minimum 1 metres high when planted and of a species that will attain a minimum height of 3 metres at maturity as well as providing a year round visual barrier. The remainder of the ground surface shall be planted with any combination of shrubs, flower beds or grass.
- b) Where interrupted by walkways or driveways, a planting area need not be provided closer than 1.5 metres to a walkway or 3 metres to a driveway.
- c) A planting area shall have a minimum width of 3 metres.

4.28 Setbacks – Provincial and County Roads and Railways

.1 Notwithstanding any other provision of this By-law, the following regulations shall apply to setbacks from Provincial and County Roads, railways and utility corridors:

Except as provided for below, within settlement and Lakeshore areas, no building shall be erected within 33 metres from the centerline of any Provincial or County Road **unless written permission has been obtained from the applicable road authority;**

- a) Between two dwellings on the same side of the road, separated by not more than 100 metres, the minimum setback shall be the average of the setbacks of the two adjacent dwellings plus 2 metres, or 33 metres from the centerline of the Provincial or County Road, whichever is lesser.
- b) Within 30 metres of an existing dwelling where 4.25.a would not apply, the minimum setback requirement shall be the average of the setback of the existing dwelling and 33 metres from the centerline of the Provincial or County Road, or 33 metres from the Provincial or County Road, whichever is the lesser.

.2 Notwithstanding any other provisions of this By-law, the following regulations shall apply to setbacks from a railway:

- a) Any residential building shall not be located closer than 30 metres to a railway right-of-way.

4.29 Setbacks – Street Exemption

Notwithstanding front yard requirements, in the case of a lot which fronts a street and is located between two existing buildings both of which encroach into the required front yard and are not more than 18 metres apart, a building may be located on such lot so that the front face of the building is no closer to the street line than the front face of that existing building which is located furthest from the street line.

Notwithstanding any other section of this By-law to the contrary, where an existing main building or structure encroaches into the required front yard or required exterior yard setback as established in this By-law, additions to the existing main building or structure may be permitted with an equal or greater setback, subject to all other applicable regulations of this By-law.

4.30 Setbacks – Watercourse, Municipal Drain and Environmental Protection Zone

Notwithstanding any other provisions of this By-law, no person shall erect any building in any zone which is:

.1 Drains

In the case of an open or closed municipal drain, the setback shall be in accordance with the maintenance corridor provided in the Engineer's Drainage Report. Where no setback is identified in the report, the following shall apply:

- a) Closer than 7.5 m from the centerline of a closed municipal drain or open municipal drain having a top width of less than 4.5 metres from top-of-bank to top-of-bank. or
- b) Closer than 15 m from the top of bank of an open municipal drain having a width of between 4.5 metres and 7.5 metres from top-of-bank to top-of-bank. or
- c) Notwithstanding 4.30.1.a) or 4.30.1.b) the setback from a municipal drain in a settlement area shall be 3 metres from the centerline of a closed municipal drain or 3 metres from top of bank of an open municipal drain.

~~Closer than 15 metres to the top of the bank of any open municipal drain or an enclosed municipal drain, or within 8 metres of the edge of an Environmental Protection Zone boundary.~~

.2 Watercourse

Closer than 30 metres from the top of the bank ~~or three times the height of the bank, whichever is greater~~, for yards abutting the Eighteen Mile River, Pine River, Clark Creek, Royal Oak Creek, Kinloss Creek, Lucknow River or any of their tributaries.

.3 Environmental Protection Zone

Closer than 8 m of the edge of an environmental protection zone boundary unless permitted by the appropriate conservation authority.

~~.1 Notwithstanding any provisions of this By-law, no person shall install or locate any portion of a sewage disposal system in any zone which is closer than 30 metres from the high water mark of Silver Lake.~~

4.31 Sight Visibility Triangle

.1 Corner Lots on Municipal Streets

In all zones, on a corner lot, no building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centerline grade of the intersecting streets in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines at a distance of ~~40~~ 7.5 metres back from the point of intersection of the said street lines, **excepting only that this section shall not apply to a 'principal building' in the 'GC' – General Commercial zone.**

.2 Railway Grade Crossings

a) In all zones, on a lot abutting a railway where the railway and a street intersect at the same grade, no building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centerline grade of the intersecting street in the triangular area bounded by the right-of-way limit of the railway and the street line and a line from the points along such right-of-way limit and such street line a distance of 45 metres from the point of intersection thereof.

b) Where such railway and street intersect at an unprotected crossing, the sight visibility triangle shall be increased to a distance of 400 metres measured along the railway right-of-way and 90 metres measured along the street line or such greater distance required by the Canadian Transport Commission Regulations.

.3 Street Intersections with County or Provincial Roads

a) In all zones, on a corner lot having frontage on a County or Provincial Road, no

building shall be erected and no vehicle shall be parked in such a manner as to materially impede vision above a height of 0.5 metres above the centerline grade of the intersecting streets in the triangular area bounded by the street lines of the corner lot and a line from the points along said street lines a distance of 30 metres back from the point of intersection of the said street lines.

b) The provisions of Section 4.29.3.a shall not apply to built-up areas as defined herein, Towns, Villages or Cities as defined in the *Highway Traffic Act*. The provisions of 4.29.1 shall apply in these areas. For the purpose of this Section, a “built-up area” means the territory contiguous to a highway and not within a City, Town or Village where:

- i) Not less than 50% of the frontage on one side of the highway, for a site of not less than 200 metres contains separate lots and such lots are occupied by non-agricultural uses including non-farm residential uses, businesses, schools or churches; or
- ii) Not less than 50% of the frontage on both sides of the highway for a distance of not less than 100 metres contains separate lots and such lots are occupied by non-agricultural uses including non-farm residential uses, businesses, schools or churches.

4.32 Shipping Containers

Notwithstanding the other regulations of this By-law the following provisions shall apply to shipping containers:

- a) Shall only be permitted in the AG1, AG2 and M2 Zones.
- b) Shall not be permitted as the sole structure on any property.
- c) Shall only be permitted for the use of accessory storage to a permitted use, and shall not be used for human habitation, display, advertising, screening, or fencing;
 - i) Notwithstanding the above, a shipping container may be permitted for the transportation of goods and materials within the M2 Zone.
- d) Shall only be located to the side or rear of the permitted use provided that is:
 - i) Screened from view from the street and abutting properties;
 - ii) Complies with the lot coverage and setback requirements of the Zone;
 - iii) Not be located in any required yard; and
 - iv) Not located in any required parking areas or landscape buffer.
- e) Shall be in a condition free from rust, peeling paint and any other form of visible deterioration.

- f) Shall not exceed a height of 3 metres and a length of 12 metres, and shall not be stacked one on top of the other.
- g) The maximum number of shipping containers on any property shall be limited to 2:
 - i) Notwithstanding the above, when used for the transportation of goods and materials within the M2 Zone no maximum shall apply.
- h) Shall comply with the requirements of the Ontario Building Code.
- i) Notwithstanding the above, a shipping container may be permitted for temporary storage on construction sites in accordance with Section 4.5 [Construction Uses].

4.33 Sourcewater Protection

.1 Identification of Vulnerable Areas

- a) Vulnerable Areas as illustrated on the maps attached hereto as Schedule 'B' represent Wellhead Protection Areas (WHPAs) and the associated level of vulnerability for municipal water sources serving the Township.
- b) A WHPA illustrates three time-related capture zones including a 100-metre radius surrounding the well (WHPA-A), 2 year travel time for water to enter the well (WHPA-B), and 5 year travel time for water to enter the well (WHPA-C).
- c) The degree of vulnerability of a WHPA is represented in Schedule B by a vulnerability score. The vulnerability score can range from 1 to 10, with 10 being the most vulnerable. WHPAs that are considered to be the most vulnerable to surface activities are assigned a vulnerability score of 8 to 10, with the degree of vulnerability generally decreasing the further away from the well.

.2 Use Prohibitions and Regulations within Vulnerable Areas

- a) Notwithstanding the land uses permitted by the underlying zone category in this By-law, any land use that involves one of the following significant drinking water threat activities shall be prohibited until it is determined by the Township's Risk Management Official that the use does not represent a significant drinking water threat or a Section 59 Notice has been issued in accordance with the *Clean Water Act*, 2006:
 - i) Waste disposal sites within the meaning of Part V of the *Environmental Protection Act*.
 - ii) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.

- iii) The application of agricultural source material to land.
 - iv) The storage of agricultural source material to land.
 - v) The management of agricultural source material.
 - vi) The application of non-agricultural source material to land.
 - vii) The handling or storage of non-agricultural source material.
 - viii) The application of commercial fertilizer to land.
 - ix) The handling and storage of commercial fertilizer.
 - x) The application of pesticide to land.
 - xi) The handling and storage of pesticide.
 - xii) The application of road salt.
 - xiii) The handling and storage of road salt.
 - xiv) The storage of snow.
 - xv) The handling and storage of fuel.
 - xvi) The handling and storage of a dense non-aqueous phase liquid (excluding incidental volumes for personal/domestic use).
 - xvii) The handling and storage of an organic solvent.
 - xviii) The management of runoff that contains chemicals used in the de-icing of aircraft.
 - xix) An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
 - xx) An activity that reduces the recharge of an aquifer
 - xxi) The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.
- b) Within the Saugeen Source Protection Plan Area illustrated in Schedule B, Section 4.31.2 a) shall not apply to solely residential land uses that involve the following significant drinking water threat activities:
- i) Waste disposal sites within the meaning of Part V of the *Environmental Protection Act*.
 - ii) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
 - iii) The application of agricultural source material to land.
 - iv) The storage of agricultural source material to land.
 - v) The management of agricultural source material.
 - vi) The application of non-agricultural source material to land.

- vii) The handling or storage of non-agricultural source material.
- viii) The application of commercial fertilizer to land.
- ix) The handling and storage of commercial fertilizer.
- x) The application of pesticide to land.
- xi) The handling and storage of pesticide.
- xii) The application of road salt.
- xiii) The handling and storage of road salt.
- xiv) The storage of snow.
- xv) The management of runoff that contains chemicals used in the de-icing of aircraft.
- xvi) The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

.3 Individual Septic Systems

- a) Notwithstanding any other provisions of this By-law to the contrary, the following shall apply to WHPAs with a vulnerability score of 10 as identified on Schedule B:
 - i) New lots created through severance or plan of subdivision shall be serviced by municipal sanitary sewers or where an on-site septic system can be located outside the limits of the WHPA with a vulnerability score of 10 as identified on Schedule 'B'.
 - ii) Where no municipal sanitary sewers exist and where septic systems already exist, new or replacement private septic systems shall be located as far as practically possible from the wellhead while remaining in compliance of the Ontario Building Code.

.4 Waste Disposal Sites within Vulnerable Areas

- a) Notwithstanding any other provisions of this By-law to the contrary, the following uses shall be prohibited within WHPAs with a vulnerability score of 8 or 10 as identified on Schedule B, where they would be a significant drinking water threat:
 - i) Land disposal of petroleum refining waste within the meaning of clause (d) of the definition of "land disposal" in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act*.

- ii) Land disposal of municipal waste, hazardous waste, liquid industrial waste, or commercial waste within the meaning of clauses (a) and (b) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act.*
- iii) Land disposal of liquid industrial waste, industrial waste, or commercial waste within the meaning of clause (c) of the definition of “land disposal” in section 1 of Regulation 347 (General – Waste Management) R.R.O. 1990 made under the *Environmental Protection Act.*

4.34 Storage of Unused Motor Vehicles

Unless otherwise permitted by this By-law, motor vehicles without affixed and validated license plates for the current year shall not be parked or stored in any zone other than within a completely enclosed building.

4.35 Two or More Uses on a Lot

Unless otherwise provided for in this By-law, where two or more uses are located on a lot and the uses are governed by different regulations, the most restrictive regulations shall apply to all uses.

4.36 Unimproved Streets

On unimproved streets no building permit shall be issued for year round or permanent residential occupancy or no conversion permits or change of use permits to permit year round or permanent residential shall be issued notwithstanding that a building may be suitably designed and constructed for year round or permanent habitation.

4.37 Wayside Pits and Quarries, Portable Asphalt Plant

Notwithstanding anything else in this By-law, a wayside pit, a wayside quarry and a portable asphalt plant shall be permitted in any zone except a residential zone, Environmental Protection zone or an Open Space zone.

4.38 Disposal Areas

- .1 No building or structure erected and used for human habitation shall be located closer than:
 - i) 150 metres (492 ft.) from any area zoned for and containing a ‘sewage treatment plant’ or.

- ii) 50 metres (164 ft.) from any area zoned for and containing a 'communal sewage disposal system'.

Applicable to disposal areas within or outside of the limits of the Corporation.

- .2 No building or structure erected and used for human habitation shall be located closer than 500 metres (1640 ft.) from the fill area as defined in a Certificate of Approval from the Ministry of Environment, Conservation and Parks for an open municipal or private 'solid waste disposal site' or a 'composting facility', either within or outside of the limits of the Corporation.
- .3 Additions, enlargements and alterations to existing buildings and structures within the required setback identified in Section 4.31 shall be permitted in accordance with the applicable zoning designation.

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SECTION 5 – PARKING, STACKING & LOADING AREA REGULATIONS

5.1 Parking Requirements

The owner of every **building** or **structure erected** or **used** for any of the purposes hereinafter set forth shall provide and maintain for the sole **use** of the owner, occupant or other **persons** entering upon or making **use** of the said premises from time to time, **parking spaces** and **parking areas** as follows:

- a) Notwithstanding the requirements of the subsequent table, no parking spaces shall be required for non-residential uses within the 'GC' general Commercial Zone and one parking space shall be provided per residential unit.
- b) All identified uses shall provide parking in accordance with the provisions of the by-law, except that parking requirements (and associated maneuvering aisles) may be reduced if supported through a site-specific parking study and approved by the Zoning Administrator or designate.

Use	Parking Requirement (<i>Gross floor area</i> (GFA) unless otherwise specified)
Any other use not specifically listed below	1 space per 46.5 m ² GFA
Assembly Hall and Banquet Hall	1 space for every 8 fixed seats and 1 space for every 20 m ² GFA
Automobile Body/Repair Shop	4 spaces per repair bay
Automobile Service/Gas Station	4 spaces per repair bay, with a minimum of 3 spaces
Automobile Sales Establishment	1 space per 40 m ² GFA
Automotive Wrecking Establishment	1.5 spaces per employee
Bed and Breakfast Establishment	1 space per room used for accommodation purposes; in addition to the required parking for the dwelling unit .
Child Care Centre	1 space per classroom plus 1 space for each office
Commercial School	1 space per 28 m ² GFA
Commercial Use , not otherwise specified herein	1 space per 30 m ² GFA
Community Centre	1 space per 28 m ² GFA
Contractor's or Tradesman's Establishment	1 space per 50 m ² GFA

Dwellings including: Apartments, Converted Commercial	1.5 spaces per dwelling unit
Dwellings including: Additional Residential Unit	1 space per dwelling unit
Dwellings including: Single Detached, Semi-Detached, Duplex, Townhouse and/or Triplex	2-1 spaces per dwelling unit
Visitor: Dwelling units not otherwise specified	1 space per 4 dwelling units
Dwelling including: Mobile Home	2 1 spaces per dwelling unit
Elementary School	1.25 spaces per classroom
Financial Institution	1 space per 40 m ² GFA
Funeral Home	1 space per 25 m ² GFA
Government Administration Building	1 space per 40 m ² GFA
Hospital	1 space per bed
Hotel or Motel	1 space per guest room
Industrial Use	1 space per 90 m ² GFA
Kennel	1 space per 25 m ² GFA
Long Term Care Facility	1 per 3 beds
Medical Clinic	1 space per 30 m ² GFA
Office	1 space per 40 m ² GFA
Personal Service	1 space per 45 m ² GFA
Recreation Use , not otherwise specified herein	1 space per 200 m ² of GFA
Restaurant	1 space per 15 m ² GFA
Retail Store	1 space per 20 m ² GFA
Secondary School	5 spaces per classroom
Trailer Park and Campground	1 space for each campground plus 1 space for every 4 such sites to be set aside for and visually identified as visitor's parking
Veterinary Clinic	1 space per 20 m ² GFA
Warehouse	1 space per 200 m ² GFA

Wholesale Outlet	1 space per 80 m ² GFA
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5.1.2 Parking for More Than One Use in a Building

When a building or structure accommodates more than one use, the parking space requirement for the whole building shall be the aggregate sum of the requirements for each of the separate parts of the building occupied by the separate types of uses, unless otherwise provided for in this By-law.

5.1.3 Calculation of Off-street Parking Spaces

Where the calculation of off-street parking requirements results in a fraction, then the number of parking spaces to be provided will be rounded to the next highest whole number.

5.1.4 Location of Required Off-street Parking Spaces

Parking spaces shall be provided at the time of erection of any building or structure, or at the time any building or structure is enlarged.

Parking spaces shall be located on the same lot as the use for which the parking is required. However, where the owner proposes to provide the required parking space and areas in a location other than the same lot as the use that requires such spaces and areas, then such parking shall be located not more than 150 metres from the said lot. Such parking shall not be considered as required parking for the use of the land upon which the parking spaces are situated.

~~Off-street parking shall not be located within a required front yard.~~ Surface parking areas shall be permitted in the required yards of the zones contained in the by-law as follows.

OS, Commercial, EP, Institutional - all yards provided that no part of any parking area, and other than a driveway, is located closer than 1 metre to any street line and no closer than 1.5 metres from any property line abutting a residential zone.

Residential-except Dwelling Apartment - all yards provided that no part of any parking area, other than a driveway is located closer than 1.5 metre to any street line and provided further that no more than the greater of 50% of the width of a front yard or exterior yard as measured along a front lot line or exterior lot line, or the minimum width of a driveway, shall be devoted to parking areas.

Residential-Dwelling Apartment - all yard provided that no part of any parking area, other than a driveway, is located closer than 4.5 metres to any street line and no closer than 1.5 metres to any side lot line.

Industrial - Off street parking is permitted in any required yard provided there is a 1 m

setback to property line(s), this shall not supersede the requirements of any required planting areas (Section 4.24) or Landscaping (Section 5.3.5).

5.1.5 Parking Space Size and Parking Aisle Requirements

Each off-street parking space within a parking lot shall be provided in accordance with the following minimum specifications:

Parking Angle	90°	75°	60°	45°	Parallel
Stall Width	2.75 m				
Stall Length	6 m				
Aisle Width	6 m			4 m	
Minimum Driveway Width (single- / semi-detached)	3.0 m				
Minimum Driveway Width (other uses)	One-Way Traffic: 3.5m Two-Way Traffic: 6.0 m				
Maximum Driveway Width (single- / semi-detached)	6.0 m				
Maximum Driveway Width (other uses)	9.0 m				
Street setback for parking area	3.0 m				

5.1.6 Additions to Existing Uses

The parking area requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as it existed at such date is not increased and the building or structure is used for a purpose which does not require more parking spaces according to this section than were required by its use at the date of passing of this By-law. However, if a use is changed or a building is enlarged in floor area or there is an increase in the number of employees, number of dwelling units or seating capacity or otherwise and would require an additional number of parking spaces, then such additional parking spaces shall be provided to the number required for such change.

5.1.7 Parking of Commercial Motor Vehicles, Tractor Trailers and Buses in Residential Zones

No person shall use any lot, building or structure for the parking or storage of any tractor trailer, including either the cab and/or trailer, commercial vehicle or bus in a

Residential Zone except as permitted in the following:

1. Such parking or storage of one commercial vehicle where the owner of the commercial vehicle is the owner or occupant of such lot, building or structures, and provided the vehicle shall not exceed 2722 kg gross vehicle weight or not exceed a length of 9 m or not exceed a height of 2 m. Temporary parking of school buses for school bus drivers is exempt.
2. Such parking for a tractor trailer or commercial vehicle is attending a residential premises on a temporary and short-term basis for the purposes of delivery and service.

5.1.8 Parking of Recreational Vehicles in Residential Zones

The storage or parking of a recreational trailer, boat, snowmobile, accessory trailer, or similar recreational vehicles, shall be permitted in a Residential Zone or on a lot used for residential purposes, provided that:

1. The length of such recreational trailer, boat or snowmobile or accessory trailer does not exceed 9 m;
2. Such recreational trailer, boat or snowmobile or accessory trailer may be located in the rear yard or interior side yard provided it is located no closer than 1 m to the lot line;
3. The owner or occupant of any lot or building shall not store or park more than three of the vehicles listed above;
4. Notwithstanding Section 5.1.8.3, the limitations imposed therein shall not restrict the number of vehicles that are fully enclosed within a garage or dwelling unit provided that such vehicles are owned by the occupant of such lot;
5. The zone or lot shall currently contain at least one residential dwelling;
6. Notwithstanding any of the above provisions, driveway parking for the purposes of loading recreational vehicles will be permitted.

5.1.9 Accessible Parking

Where the parking requirements for any land use is 3 or more spaces, 1 space of the first 10 spaces required, plus 1 space of every additional 50 spaces or portion thereof, shall be provided as an accessible parking space.

Accessible parking spaces shall be:

- a minimum width of 4 m and a minimum length of 6 m;
- hard-surfaced and level;
- located near and accessible to an entrance; and
- identified by a sign with the International Symbol of Accessibility.

Notwithstanding the above, accessible parking spaces are not required for single

detached, semi-detached, **street facing townhouses** or duplex dwellings.

5.1.10 Driveways

- .1 The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9 metres. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- .2 Every lot shall be limited to the following number of driveways:
 - a) Up to the first 30 metres of frontage measured along the street line not more than one driveway.
 - b) For each additional 30 metres of frontage measured along the street line – not more than 1 additional driveway to a maximum of three driveways.
 - c) **On a corner lot one additional driveway may be permitted from an exterior side yard for each 30m of street line.**
 - d) **Where a single lot of record contains multiple Dwelling, Street Fronting Townhouse, one driveway is permitted per unit**
- .3 Parking areas and associated driveway systems serving any use, other than detached dwellings, duplex dwellings, semi-detached dwellings and street-fronting townhouses, shall be designed in such a manner that any vehicle entering or leaving a street or public lane need not travel in a backwards motion.

5.1.11 Landscaping

Where, in any yard in any zone, a parking area which is required to provide for more than four off-street parking spaces adjoins a lot in a residential zone, a planting area of a minimum width of 3 metres shall be provided within the lot requiring such parking area and along the lot line adjoining such residential zone. See also Section 4.24 of this By-law for details related to Planting Area.

5.2 Stacking Requirements

All **drive-thru establishments** shall comply with the following **stacking lane** regulations:

TYPE OF DRIVE THRU	MINIMUM STACKING LANE
Drive-thru restaurant	10
Automobile Service/Gas Station gas bar (per pump island)	2
All other drive thru types (including car washes)	4

5.2.1 Stacking Space Size

All stacking spaces shall be rectangular in shape, with a minimum size of 2.75 m wide by 6 m long.

5.2.2 Stacking Lane Marking

Stacking lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the **parking area**.

5.3 Loading Space Requirements

Any **lot, building or structure used** for any purpose, other than an agricultural use, involving the receiving, shipping, loading or unloading of **persons**, animals, or things, shall provide on the same **lot** and not forming part of a **street or lane**, loading or unloading facilities in accordance with the following schedule:

GROSS FLOOR AREA	MINIMUM NUMBER OF LOADING SPACES REQUIRED
Commercial Zones	
Less than 185.8 m ² (2,000 ft ²)	0 spaces
185.8 m ² to 929 m ² (2,001 ft ² – 10,000 ft ²)	1 space
Greater than 929 m ² (10,000 ft ²)	2 spaces
Industrial Zones	
Less than 464.5 m ² (5,000 ft ²)	0 spaces
464.5 m ² to 2,322.5 m ² (5,001 ft ² – 25,000 ft ²)	1 space
Greater than 2,322.5 m ² (25,000 ft ²)	2 spaces

5.3.1 Loading Space Size

A **loading space** shall be 9 m long, 3.5 m wide and having a vertical clearance of at least 4.5 m.

5.3.2 Loading Space Access

Each **loading space** shall be provided with one or more unobstructed driveways of not less than 6 m in width. Such driveway shall be contained within the **lot** on which the

spaces are located and are accessible from a **street** or **lane**. No part of such driveway shall be **used** for the parking or temporary storage of vehicles.

5.3.3 Loading Space Location

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

5.3.4 Additions to Existing Use

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area as existed at such date is not increased. However, if a building is enlarged in floor area as would require an additional number of loading spaces, than such additional loading spaces shall be provided to the number required for such change.

5.3.5 Landscaping

Where a loading area adjoins any residential zone or a street than a planting area of a minimum width of 3 metres shall be provided within the lot requiring such loading area and along the lot line adjoining such residential zone or street. See also Section 4.24 of this By-law for details related to Planting Area.

SECTION 6 – GENERAL AGRICULTURE (AG1) ZONE

6.1 Permitted Uses

Within any General Agriculture Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (~~Section 4.1~~)(Section 6.3)
- **Agriculture**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Single Detached Farm Residence**
- **Dwelling, Additional Residential Unit On Farm** (Section 4.7)
- **Farm Business** (Section 6.4)
- **Farm Home Industry** (Section 6.4)
- **Home Business** – Domestic and Household Arts
- **Home Business** – Professional
- **Dwelling Units for On-farm Labour** – Accessory to agriculture, in a single building containing a maximum of 6 dwelling units
- **On Farm Diversified Accessory to Agriculture**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

6.2 Regulations

Within any General Agriculture Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

6.2.1	Minimum Lot Area	370,000 m ² (37 ha)
6.2.2	Minimum Lot Frontage	100 m
6.2.3	Minimum Front Yard	20 m
6.2.4	Minimum Rear Yard	20 m
6.2.5	Minimum Interior Side Yard	20 m
6.2.6	Minimum Exterior Side Yard	20 m

6.3 Regulations for Residential Uses and Parochial Schools

Notwithstanding the above regulations, Single Detached Farm Residence, ~~and Secondary Farm Residence Dwellings~~ Additional Residential Unit on Farm, Parochial Schools and Accessory Use shall be subject to the following regulations:

6.3.1	Minimum Front Yard	10 m
6.3.2	Minimum Rear Yard	10 m
6.3.3	Minimum Interior Side Yard	5 m
6.3.4	Minimum Exterior Side Yard	10 m
6.3.5	Maximum Building Height	10 m
6.3.6	Maximum Accessory Building Height	8 m If the accessory building is 6 m in height or less, the provisions of section 4.1 could apply

6.4 Area Limits for Non-Agricultural Uses

The associated buildings, structures, parking and loading areas of farm home industries, and farm businesses shall not occupy a combined area exceeding 2% of the lot area, to a maximum of 0.4 hectares in area.

SECTION 7 – AGRICULTURAL COMMERCIAL/INDUSTRIAL (AG2) ZONE

7.1 Permitted Uses

Within any Agricultural Commercial/Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (~~Section 4.1~~)(Section 7.2)
- **Agricultural-Related Business**
- **Agricultural Service Establishment**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

7.2 Regulations

Within any Agricultural Commercial/Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

7.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
7.2.2	Minimum Lot Frontage	30 m
7.2.3	Minimum Front Yard	15 m
7.2.4	Minimum Rear Yard	10 m
7.2.5	Minimum Interior Side Yard	5 m
7.2.6	Minimum Exterior Side Yard	15 m
7.2.7	Maximum Lot Coverage	20%
7.2.8	Maximum Building Height	15 m
7.2.9	Maximum Accessory Building Height	15 m If the accessory building is 6 m in height or less, the provisions of section 4.1 could apply

SECTION 8 – AGRICULTURAL RESIDENTIAL (AG3) ZONE

8.1 Permitted Uses

Within any Agricultural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (~~Section 4.1~~) (Section 8.2)
- **Bed and Breakfast Establishment**
- **Dwelling, Single Detached**
- **Dwelling, Additional Residential Unit** (Section 4.6)
- **Farm Business**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

8.2 Regulations

Within any Agricultural Residential Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

8.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
8.2.2	Minimum Lot Frontage	30 m
8.2.3	Minimum Front Yard	10 m
8.2.4	Minimum Rear Yard	10 m
8.2.5	Minimum Interior Side Yard	5 m
8.2.6	Minimum Exterior Side Yard	10 m
8.2.7	Maximum Lot Coverage	30%
8.2.8	Maximum Building Height	10 m

8.2.9	Maximum Accessory Building Height	8 m If the accessory building is 6 m in height or less, the provisions of section 4.1 could apply
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8.3 Existing and Proposed Livestock Barns

Notwithstanding the provisions of Section 8.1 to the contrary, in addition to Section 4.19 - MDS, an existing barn may be used or a new barn may be established ~~subject to the following table:~~ provided that the keeping of any livestock shall be accessory and subordinate to the primary residential use.

Minimum Lot Size (Hectares)	Maximum Number of Nutrient Units Permitted	Minimum Distance Separation required from the barn to the nearest residential, commercial, institutional building or structure, excluding uses on the same property
0.4	1	85
0.8	2	85
1.2	3	85
1.6+	4	85

SECTION 9 – AGRICULTURAL RURAL (AG4) ZONE

9.1 Permitted Uses

Within any Rural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (~~Section 4.1~~)(Section 9.3)
- **Agriculture**
- **Bed and Breakfast Establishment**
- **Conservation**
- **Dwelling, Single Detached Farm Residence**
- **Dwelling, Additional Residential Unit On Farm** (Section 4.7)
- **Farm Business**
- **Farm Home Industry**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional**
- **Dwelling Units for On-Farm Labour – Accessory to agriculture, in a single building containing a maximum of 6 dwelling units**
- **On Farm Diversified Accessory to Agricultural**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

9.2 Regulations

Within any Rural Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

9.2.1	Minimum Lot Area	200,000 m ² (20 ha)
9.2.2	Minimum Lot Frontage	100 m
9.2.3	Minimum Front Yard	20 m
9.2.4	Minimum Rear Yard	20 m
9.2.5	Minimum Interior Side Yard	20 m
9.2.6	Minimum Exterior Side Yard	20 m

9.3 Regulations for Residential Uses

Notwithstanding the above regulations, Single Detached ~~and Secondary Farm–Residence Dwellings Dwelling~~, Additional Residential Unit on Farm, and Accessory Use shall be subject to the following regulations:

9.3.1	Minimum Front Yard	10 m
9.3.2	Minimum Rear Yard	10 m
9.3.3	Minimum Interior Side Yard	5 m
9.3.4	Minimum Exterior Side Yard	10 m
9.3.5	Maximum Building Height	10 m
9.3.6	Maximum Accessory Building Height	8 m If the accessory building is 6 m in height or less, the provisions of section 4.1 could apply

SECTION 10 – ENVIRONMENTAL PROTECTION (EP) ZONE

10.1 Permitted Uses

Within any Environmental Protection Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Conservation**
- **Cross Country Ski Facility**
- **Conservation Area**
- **Existing Agriculture**
- **Forestry**
- **Outdoor Recreation, provided no buildings or structures**
- **Park, provided no buildings or structures**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

Within the land zoned EP on Schedule “A-1” Lucknow, the uses existing as of October 20, 2008 are permitted uses and minor alterations or replacement will be permitted subject to the approval of the Maitland Valley Conservation Authority.

10.2 Regulations

Notwithstanding any other provisions and definitions of this By-Law, all buildings and structures shall be prohibited in an ‘Environmental Protection (EP)’ zone except for the following:

1. Those necessary for flood and/or erosion control purposes in accordance with this section
2. Unenclosed picnic shelters
3. Washroom facilities associated with a Public Park or Conservation Area
4. Buildings for essential public services
5. Boat Launching and Docking; and,

Buildings, structures, or appurtenances that are essential for the provision of public services and that cannot be feasibly located in another zone, and which have received approval from any appropriate approval authority.

Existing buildings and structures, as of the date of adoption of this by-law, shall be permitted including any minor repairs or alterations to existing buildings or structures in

accordance with the following:

1. Strengthening to a safe condition of any building or structure which is existing as of the effective date of this by-law; or
2. Extension or addition to any building or structure which is existing as of the effective date of this by-law, provided that such extension or addition does not contravene any of the provisions of this By-law, including all applicable requirements of the underlying zone; or
3. Replacement of any building or structure which is existing as of the effective date of this By-law and which is destroyed by fire or act of nature, providing that such replacement does not increase the height, size, or change the use of such building or structure, and provided that such replacement shall comply with all applicable requirements of the underlying zone.
4. In the case of non-conforming uses in natural hazard, including shoreline areas, reconstruction may occur in a different location provided it is further from the source of the natural hazard including the shoreline. Height and volume may be increased for the purpose of addressing floodproofing or other hazards.

Note for Information Purposes (Does not form part of the Zoning By-law)

Some of the lands within and adjacent to the Environmental Protection zone as shown on the bylaw schedules may be subject to the Conservation Authority's Regulation – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Where development or site works are proposed within a Regulated Area, as shown on schedules filed with the Conservation Authority where such mapping exists, a permit from the Conservation Authority may be required. The Conservation Authority should be contacted to determine the extent of the Regulated Area. The Conservation Authority should be consulted before development, including construction, reconstruction, conversion, grading, filling or excavating occurs to determine whether the Authority Regulations apply.

SECTION 11 – OPEN SPACE (OS) ZONE

11.1 Permitted Uses

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Conservation**
- **Existing Agriculture**
- **Forestry**
- **Outdoor Recreation**
- **Park**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

11.2 Regulations

Within any Open Space Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

11.2.1	Minimum Front Yard	6 m
11.2.2	Minimum Side Yard, Interior	One half of the building height from each side, but not less than 4m
11.2.3	Minimum Side Yard, Exterior	6 m
11.2.4	Minimum Rear Yard	7.5 m or one half of the building height, whichever is greater
11.2.5	Minimum Lot Coverage	40%

SECTION 12 – RESIDENTIAL ONE (R1) ZONE

12.1 Permitted Uses

Within any Residential One Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Bed and Breakfast Establishment** (Section 4.2 and Section 12.3)
- **Dwelling, Additional Residential Unit** (Section 4.6 and Section 12.2)
- **Dwelling, Duplex (Section 12.2)**
- **Dwelling, Single Detached**
- **Dwelling, Semi-Detached (Section 12.2)**
- **Home Business – Domestic and Household Arts**
- **Home Business – Professional Uses**
- **Residential Care Facility**
- **Dwelling, Triplex (Section 13.3.2)**
- **Dwelling, Townhouse – Street Fronting (maximum 3 units) (Section 14.3)**
- **Child Care Centre**
- **School**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

12.2 Dwellings, ~~Additional Residential Unit~~ Within the Lakeshore Settlement Area

Notwithstanding the permitted uses in Section 12.1, **where full municipal water and sewer services are not provided**, a Dwelling, Additional Residential Unit, **Semi-Detached, Duplex, Triplex**, shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

12.3 Bed and Breakfast Establishments

Notwithstanding the permitted uses in Section 12.1, a Bed and Breakfast Establishment shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

12.4 Regulations for Single Detached Dwellings

Within any Residential One Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provisions	Settlement Areas		
		Lucknow/Ripley ¹	Hamlet ²	Lakeshore
12.4.1	Minimum Lot Area	600 470 m ²	4,000 m ²	Municipal Water: 1,850 m ² Private Services: 6,000 m ²
12.4.2	Minimum Lot Frontage	17 15 m	40 m	30 m
12.4.3	Minimum Lot Frontage, Corner Lot	20 15 m	46 m	
12.4.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line	7.5 m	7.5 m
12.4.5	Minimum Rear Yard	7.5 m	7.5 m	7.5 m
12.4.6	Minimum Interior Side Yard	1.5 m	1.5 m	3 m
12.4.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line	7.5 4.5 m	3 m
12.4.8	Maximum Lot Coverage	40 45%	20 25%	30%
12.4.9	Maximum Building Height	10 m	10 m	8 m

¹ Partially-services lots shall be subject to the regulations for Hamlets

² Hamlets include: Amberley, Holyrood, Kinlough, Kinloss, Pine River and Whitechurch

12.5 Regulations for Duplex and Semi-Detached Dwellings

	Regulation	Duplex Dwelling	Semi-Detached Dwellings	Partial Services
12.5.1	Minimum Lot Area	470 m ²	235 m ² (per unit)	4,000 m ² or 2,000 m ² for each Semi-Detached Unit to be erected on a separate lot of record.
12.5.2	Minimum Lot Frontage	15 m	7.5 m (per unit)	40 m or 20 m for each Semi-Detached Unit to be erected on a separate lot of record.
12.5.3	Minimum Lot Frontage, Corner Lot	15 m	7.5 m (per unit)	40 m or 20 m for each Semi-Detached Unit to be
12.5.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to front lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to front lot line	7.5 m
12.5.5	Minimum Rear Yard	7.5 m	7.5 m	7.5 m
12.5.6	Minimum Interior Side Yard	1.5 m	1.5 m Side Yard may be reduced to 0 m the common lot line where a Semi-Detached Dwelling equally divided to provide individual ownership to each Dwelling Unit.	1.5 m Side Yard may be reduced to 0 m the common lot line where a Semi-Detached equally divided to provide individual ownership to each Dwelling Unit.
12.5.7	Minimum Exterior Side Yard	1.5 m, except no part of any building used to accommodate	4.5 m, except no part of any building used to accommodate	4.5 m

		off-street parking closer than 6 m to exterior side lot line	off-street parking closer than 6 m to exterior side lot line	
12.5.8	Maximum Lot	45%	45%	25%
12.5.9	Maximum Building	10 m	10 m	10 m

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SECTION 13 – RESIDENTIAL TWO (R2) ZONE

13.1 Permitted Uses

Within any Residential Two Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1)
- *Bed and Breakfast Establishment* (Section 4.2)
- *Dwelling, Additional Residential Unit* (Section 4.6 and 13.2)
- *Dwelling, Duplex*
- *Dwelling, Group Home*
- *Dwelling, Triplex*
- *Dwelling, Semi-Detached*
- *Dwelling, Single Detached*
- *Dwelling, Townhouse – Street Fronting (Section 14.3)*
- *Home Business – Domestic and Household Arts*
- *Home Business – Professional Uses*
- *Residential Care Facility*
- *Child Care Centre*
- *School*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

13.2 Dwelling, Additional Residential Unit

Notwithstanding the permitted uses in Section 13.1, a Dwelling, Additional Residential Unit shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

13.3 Regulations

Within any Residential Two Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the following requirements:

13.3.1 Regulations for Single Detached, Duplex & Semi-Detached Dwellings

	Regulation	Single Detached & Duplex Dwelling	Semi-Detached Dwelling
13.3.1.1	Minimum Lot Area	470 m ²	235 m ² (per unit)
13.3.1.2	Minimum Lot Frontage	12 m	7.5 m (per unit)
13.3.1.3	Minimum Lot Frontage, Corner Lot	15 m	20 m
13.3.1.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line
13.3.1.5	Minimum Rear Yard	7.5 m	7.5 m
13.3.1.6	Minimum Interior Side Yard	1.5 m	1.5 m Side Yard may be reduced to 0 m along the common lot line where a Semi-Detached Dwelling has been equally divided to provide individual ownership to each Dwelling Unit.
13.3.1.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line
13.3.1.8	Maximum Lot Coverage	40 45%	40 45%
13.3.1.9	Maximum Building Height	10 m	10 m

13.3.2 Regulations for Triplex Dwellings:

	Provision	Triplex
13.3.2.1	Minimum Lot Area	470 m ² 1,000 m²
13.3.2.2	Minimum Lot Frontage	15 m
13.3.2.3	Minimum Lot Frontage, Corner Lot	20 m
13.3.2.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line
13.3.2.5	Minimum Rear Yard	7.5 m
13.3.2.6	Minimum Interior Side Yard	1.5 m
13.3.2.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line
13.3.2.8	Maximum Lot Coverage	40 45%
13.3.2.9	Maximum Building Height	10 m

SECTION 14 – RESIDENTIAL THREE (R3) ZONE

14.1 Permitted Uses

Within any Residential Three Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Dwelling, Additional Residential Unit** (Section 4.6 and Section 14.2)
- **Dwelling, Apartment**
- **Dwelling, Group Home**
- **Dwelling, Townhouse – Cluster**
- **Dwelling, Townhouse – Street Fronting**
- **Dwelling, Townhouse – Stacked**
- **Residential Care Facility**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

14.2 Dwelling, Additional Residential Unit

Notwithstanding the permitted uses in Section 14.1, a Dwelling, Additional Residential Unit shall not be permitted within the Lakeshore Settlement Area, as shown on Schedule 'A'.

14.3 Regulations

Within any Residential Three Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Street Fronting Townhouse	Cluster Townhouse	Apartment
14.3.2.1	Minimum Lot Area	148 m ² (per unit)	148 m ² (per unit)	275-650 m ² (per unit)
14.3.2.2	Minimum Lot Frontage	5.5 5 m (per unit)	15 m	15 m
14.3.2.3	Minimum Lot Frontage, Corner Lot	12.5 m	---	---
14.3.2.4	Minimum Front Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the front lot line
14.3.2.5	Minimum Rear Yard	7.5 m	7.5 m	7.5 m
14.3.2.6	Minimum Interior Side Yard	1.5 m Side Yard may be reduced to 0m along the common lot line where a Street Fronting Townhouse Dwelling has been equally divided to provide individual ownership to each Dwelling Unit.	2.5 m	8 m
14.3.2.7	Minimum Exterior Side Yard	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line	4.5 m, except no part of any building used to accommodate off-street parking shall be located closer than 6 m to the exterior side lot line
14.3.2.8	Maximum Lot Coverage	40 45%	50%	50%
14.3.2.9	Maximum Building Height	10 m	10 m	15 m

SECTION 15 – LIFESTYLE COMMUNITY RESIDENTIAL (LCR) ZONE

15.1 Permitted Uses

Within any Lifestyle Community Residential Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Associated Community Facilities**
- **Dwelling, Single Detached**
- **Land Lease Community**
- **Land Lease Community Home**
- **Mobile Home**
- **Mobile Home Park**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

15.2 Regulations

Within any Lifestyle Community Residential Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Condominium/Land Lease	Mobile Home Park
Community			
15.2.1	Minimum Lot Area	N/A	4 ha
15.2.2	Minimum Lot Width	15 m	30 m
15.2.3	Minimum Front, Exterior, Side and Rear Yards	N/A	7.5 m
15.2.4	Minimum Open Space	N/A	10%
15.2.5	Maximum Density	N/A	25 mh/ha
Dwellings			
15.2.6	Minimum Lot Area	465 m ²	550 m ²
15.2.7	Minimum Lot Width	15 m	12 m
15.2.8	Minimum Front, Exterior Side Yard	6.0 m	5 m
15.2.9	Minimum Side Yard	1.5 m	2 m

15.2.10	Minimum Rear Yard	7.5 m	3 m
15.2.11	Maximum Building Height	8 m	5 m
15.2.12	Minimum Ground Floor Area	N/A	40 m ²
15.2.13	Maximum Ground Floor Area	N/A	N/A
15.2.14	Maximum Lot Coverage	40%	20%

15.3 Additional Provisions – Community Development

All lifestyle community developments will:

- a) Be subject to the requirements of Section 41 of the *Planning Act*;
- b) Provide communal or municipal water supply, sewage disposal and stormwater management facilities; and
- c) Provide a “private access right-of-way” which provides access from a public road to each unit to accommodate emergency services, the design to be approved by the Township.

SECTION 16 – GENERAL COMMERCIAL (GC) ZONE

16.1 Permitted Uses

Within any General Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1)
- *Assembly Hall*
- *Business or Professional Office*
- *Child Care Centre*
- *Commercial School*
- *Convenience Store*
- *Dry Cleaning Establishment*
- *Dwelling, Apartments* (see Section 16.2)
- *Financial Institution*
- *Food or Grocery Store*
- *Funeral Home*
- *Government Administration Building*
- *Hotel or Motel*
- *Institutional Use*
- *Laundromat*
- *Liquor Retail Outlet*
- *Personal Service Shop*
- *Place of Entertainment*
- *Public Transportation Depot and Bus Stop*
- *Restaurant*
- *Retail Store*
- *Veterinary Clinic*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

16.2 Regulations for Apartment Dwellings:

Apartments are only permitted to the rear of a commercial use on the ground floor and/or on the upper floors of commercial establishments. Commercial uses must occupy

the front façade of the ground floor and no accessory second unit shall be permitted in the same building or structure.

16.3 Regulations

Within any General Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
16.3.1	Minimum Lot Area	500 m ²	1,400 m ²	4,000 m ²
16.3.2	Minimum Lot Frontage	9 m	30 m	40 m
16.3.3	Minimum Lot Frontage, Corner Lot	15 m	33 m	43 m
16.3.4	Minimum Front Yard	0 m	0 m	7.5 m
16.3.5	Minimum Rear Yard	10 m	10 m	10 m
16.3.6	Minimum Interior Side Yard	0 m	3 m	5 m
16.3.7	Minimum Exterior Side Yard	6 m	7.5 m	7.5 m
16.3.8	Maximum Lot Coverage	50%	30%	20%
16.3.9	Maximum Building Height	12 m	12 m	12 m
16.3.10	Minimum Gross Floor Area for Retail	70 m ²	70 m ²	70 m ²
16.3.11	Maximum Gross Floor Area for Retail	1,000 m ²	1,000 m ²	1,000 m ²

SECTION 17 – HIGHWAY COMMERCIAL (HC) ZONE

17.1 Permitted Uses

Within any Highway Commercial Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1)
- *Automobile Body/Repair Shop*
- *Automobile Sales Establishment*
- *Automobile Service/Gas Station*
- *Automobile Washing Establishment*
- *Business or Professional Office*
- *Catering Establishment*
- *Drive-Thru Establishment*
- *Financial Institution*
- *Food or Grocery Store*
- *Funeral Home*
- *Hotel or Motel*
- *Liquor Retail Outlet*
- *Place of Entertainment*
- *Public Transportation Depot and Bus Stop*
- *Rental Establishment*
- *Restaurant*
- *Retail Store*
- *Wholesale Outlet*
- *Veterinary Clinic*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

17.2 Regulations

Within any Highway Commercial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
17.2.1	Minimum Lot Area	2,000 m ²	3,000 m ²	4,000 m ²
17.2.2	Minimum Lot Frontage	30 m	30 m	40 m
17.2.3	Minimum Front Yard	15 m	20 m	20 m
17.2.4	Minimum Rear Yard	6 m	9 m	10 m
17.2.5	Minimum Interior Side Yard	4.5 m	10 m	10 m
17.2.6	Minimum Exterior Side Yard	4.5 m	10 m	10 m
17.2.7	Maximum Lot Coverage	40%	30%	20%
17.2.8	Maximum Building Height	12 m	12 m	12 m
17.2.9	Minimum Gross Floor Area for Retail	185.8 m ²	185.8 m ²	185.8 m ²

SECTION 18 – HAMLET MIXED USE (HMU) ZONE

18.1 Permitted Uses

Within any Hamlet Mixed Use Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory Use* (Section 4.1)
- *Assembly Hall*
- *Automotive Service/Gas Station*
- *Business or Professional Office*
- *Child Care Centre*
- *Dry Cleaning Establishment*
- *Dwelling, Apartments* (see 18.2)
- *Dwelling, Converted Commercial*
- *Dwelling, existing Single Detached*
- *Financial Institution*
- *Food or Grocery Store*
- *General Store / Convenience Store*
- *Government Administration Building*
- *Laundromat*
- *Liquor Retail Outlet*
- *Medical Clinic*
- *Personal Service Shop*
- *Restaurant*
- *Retail Store*
- *Veterinary Clinic*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

18.2 Regulations for Apartment Dwellings:

Apartments are only permitted on the upper floors of commercial establishments. Commercial uses must occupy the entire ground floor ~~and no accessory second unit shall be permitted in the same building or structure.~~

18.3 Regulations

Within any Hamlet Mixed Use Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

18.3.1	Minimum Lot Area	4,000 m ² (0.4 ha)
18.3.2	Minimum Lot Frontage	30 m
18.3.3	Minimum Front Yard	7.5 m
18.3.4	Minimum Rear Yard	10 m
18.3.5	Minimum Interior Side Yard	5 m
	Where the interior side lot line abuts a Residential Zone or lands used for residential purposes, the minimum interior side yard shall be 7.5 m, unless abutting uses are both residential.	
18.3.6	Minimum Exterior Side Yard	7.5 m
18.3.7	Maximum Lot Coverage	20%
18.3.8	Maximum Building Height	10 m
18.3.9	Maximum Gross Floor Area for Retail	500 m ²

SECTION 19 – RESORT/RECREATIONAL COMMERCIAL (RRC) ZONE

19.1 Permitted Uses

Within any Resort/Recreational Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Campground**
- **Commercial Recreation**
- **Marina**
- **Hotel or Motel**
- **Park**
- **Private Clubs and Day Camps**
- **Restaurant**
- **Tent**
- **Travel Trailers**
- **Tourist Lodging**
- **Cabins and Cottages**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

19.2 Regulations

Within any Resort/Recreational Commercial Zone, no **person** shall **use** any **lot** or **erect**, **alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

19.2.1	Minimum Lot Area	4,000 m ² (0.4 ha)
19.2.2	Minimum Lot Frontage	30 m
19.2.3	Minimum Front Yard	15 m
19.2.4	Minimum Rear Yard	15 m

19.2.5	Minimum Side Yard	15 m
19.2.6	Maximum Building Height	10 m
19.2.7	Maximum Density of Campsites	30 per hectare
19.2.8	Minimum Campsite Area	232 m ²
19.2.9	Minimum Campsite Frontage	15 m

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SECTION 20 – INSTITUTIONAL (I) ZONE

20.1 Permitted Uses

Within any Institutional Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Use** (Section 4.1)
- **Assembly Hall**
- **Banquet Hall, Accessory** to a **Community Centre**
- **Cemetery**
- **Child Care Centre**
- **Commercial School**
- **Dwelling, Duplex (Section 12.2)**
- **Dwelling, Group Home**
- **Dwelling, Semi-Detached (Section 12.5)**
- **Dwelling, Single Detached (Section 12.5)**
- **Dwelling, Townhouse – Cluster (Section 14.3)**
- **Dwelling, Townhouse – Street Fronting (Section 14.3)**
- **Dwelling, Triplex (Section 13.3.2)**
- **Emergency Services Facility**
- **Government Administration Building**
- **Hospital**
- **Institutional Use**
- **Library**
- **Museum**
- **Recreational Facility**
- **Residential Care Facility**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

20.2 Regulations

Within any Institutional Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services

20.2.1	Minimum Lot Area	600 m ²	1,800 m ²	4,000 m ²
20.2.2	Minimum Lot Frontage	15 m	30 m	40 m
20.2.3	Minimum Front Yard	7.5 m	7.5 m	7.5 m
20.2.4	Minimum Rear Yard	10 7.5 m	10 7.5 m	10 7.5 m
20.2.5	Minimum Interior	1.5 m	5 m	5 m
20.2.6	Minimum Exterior	6 m	6 m	6 m
20.2.7	Maximum Lot Coverage	30-45 %	20 30%	10-30 %
20.2.8	Maximum Building	10 m	10 m	10 m

SECTION 21 – LIGHT INDUSTRIAL (M1) ZONE

21.1 Permitted Uses

Within any Light Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Accessory Retail Store, Wholesale Outlet**, Showroom and **Office** (Section 21.3)
- **Accessory Use** (Section 4.1)
- **Commercial School**
- **Contractor or Tradesperson Establishment**
- **Light Industrial Use**
- **Scientific Research Establishment**
- **Warehouse**
- **Warehouse, Mini Storage**
- **Wholesale Outlet**
- **Veterinary Clinic**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

21.2 Regulations

Within any Light Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water
21.2.1	Minimum Lot Area	1,500 m ² (0.15 ha)	2,000 m ² (0.2 ha)
21.2.2	Minimum Lot Frontage	30 m	40 m
21.2.3	Minimum Front Yard	15 6 m	15 6 m
21.2.4	Minimum Rear Yard	10 7.5 m	10 7.5 m

21.2.5	Minimum Side Yard	5 m	5 m
	Where the <i>interior side lot line</i> abuts a Residential Zone or lands in <i>use</i> for residential purposes, the minimum <i>interior side yard</i> shall be 7.5 m.		
21.2.6	Maximum Lot Coverage	3075%	3050%
21.2.7	Minimum Ground Floor Area	70 m ²	70 m ²
21.2.8	Maximum Building Height	15 m	15 m

21.3 Restrictions on Gross Floor Area for Accessory Uses

An accessory office shall have a maximum gross floor area of 40% of the gross floor area used by the main use.

An accessory retail store, wholesale outlet, or showroom shall have a maximum gross floor area no greater than 30% of the gross floor area of the main use.

SECTION 22 – GENERAL INDUSTRIAL (M2) ZONE

22.1 Permitted Uses

Within any General Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except one or more of the following **uses**:

- **Abattoir**
- **Accessory Use** (Section 4.1 and Section 22.3)
- All Uses Permitted in the M1 Zone
- **Agricultural-Related Business**
- **Agricultural Service Establishment**
- **Automobile Body/Repair Shop**
- **Automobile Service/Gas Station**
- **Automotive Wrecking Establishment**
- **Emergency Services Facility**
- **Fuel Storage Establishment**
- **Industrial Use**
- **Outdoor Storage**, Accessory to Primary Use
- Terminals for Storage and Handling of Freight
- **Transport Establishment**

Notwithstanding the above list, permitted **uses** may be restricted through the General Provisions (Section 4).

22.2 Regulations

Within any General Industrial Zone, no **person** shall **use** any **lot** or **erect, alter** or **use** any **building** or **structure** for any purpose except in accordance with the following requirements:

	Provision	Full Municipal Services	Municipal Water	No Municipal Services
22.2.1	Minimum Lot Area	1,850 m ²	3,000 m ²	4,000 m ²
22.2.2	Minimum Lot Frontage	20 m	30 m	40 m
22.2.3	Minimum Front Yard	9 m	9 m	9 m

22.2.4	Minimum Rear Yard	7.5 m	7.5 m	7.5 m
22.2.5	Minimum Side Yard	5 m	5 m	5 m
22.2.6	Maximum Lot Coverage	30 65%	30%	30%
22.2.7	Maximum Building Height	15 m	15 m	15 m

22.3 Restrictions on Gross Floor Area for Accessory Uses

An accessory office shall have a maximum gross floor area of 40% of the gross floor area used by the main use.

An accessory retail store, wholesale outlet, or showroom shall have a maximum gross floor area no greater than 30% of the gross floor area of the main use.

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SECTION 23 – EXTRACTIVE RESOURCE (ER) ZONE

23.1 Permitted Uses

Within any Extractive Resource Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Aggregate Processing Facility*
- *Agriculture*
- *Asphalt Batching Plant*
- *Concrete Batching Plant*
- *Pit*
- *Quarry*
- *Wayside Pit or Quarry*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

23.2 Regulations

Details regarding site configuration and yard setbacks shall be regulated in accordance with the Aggregate Resources of Ontario Provincial Standards and the applicable *Aggregate Resources Act* Site Plans.

23.3 Prohibited Uses

Notwithstanding Section 23.1, accessory residential uses shall be prohibited within the ER Zone.

SECTION 24 – FUTURE DEVELOPMENT (FD) ZONE

24.1 Permitted Uses

Within any Future Development Zone, no *person* shall *use* any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except one or more of the following *uses*:

- *Accessory use to an existing single detached dwelling*
- *Existing Agricultural Uses*
- *Existing Dwelling, Single Detached*
- *Home Occupation, Domestic and Household Arts*
- *Home Business – Professional*

Notwithstanding the above list, permitted *uses* may be restricted through the General Provisions (Section 4).

24.2 Prohibited Uses

Notwithstanding Section 24.1, a livestock facility shall be prohibited within the FD Zone.

24.3 Regulations

Alteration and/or enlargement of an existing single detached dwelling shall be in accordance with the regulations of the Agricultural Residential (AG3) Zone.

Accessory use to an existing single detached dwelling shall be in accordance with the regulation of the Agricultural Residential (AG3) Zone.

SECTION 25 – SPECIAL PROVISIONS

The following provisions shall have effect notwithstanding anything else in this By-law and the other provisions of this By-law shall be deemed to be amended insofar as is necessary to give effect thereto.

25.1

*

Farm Parcel from a Surplus Farm Residence Severance where a consent for the severance of a surplus farm dwelling property has been approved the following provisions shall have effect:

Notwithstanding the provisions of the General Agriculture (AG1) Zone, on those lands identified with Special Provision 25.1:

- a) A detached dwelling is not permitted on a retained farm parcel zoned AG1-25.1; and
- b) The retained farm parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the General Agriculture (AG1) Zone; and
- c) Where a dwelling does not exist on the remnant agriculture parcel, the appropriate Zone Map in this By-law shall be amended to change the General Agriculture (AG1) Zone to the General Agriculture Special (AG1-25.1) Zone; and
- d) The appropriate Zone Map in this By-law shall be amended for areas of the land that are within an area noted as “High Archaeological Potential” in the Bruce County screening maps and may be zoned with a -H1 holding in accordance with Section 2.12.
- e) These provisions may come into effect as a condition of consent.

25.2

*

Surplus Residence Parcel from a Surplus Farm Residence Severance where a consent for the severance of a surplus farm dwelling property the following provisions shall have effect:

Notwithstanding the provisions of the Agriculture Residential (AG3) Zone, on those lands identified with Special Provision 25.2:

- a) The surplus farm residence parcel shall be deemed to comply with the minimum lot area and lot frontage provisions of the Agricultural Residential (AG3) Zone;
- b) Notwithstanding the General Agriculture (AG1) Zone provisions to the contrary, the height, yard setbacks, lot coverage, and ground floor area for legally existing buildings and structures are recognized;
- c) The appropriate Zone Map in this By-law shall be amended to change the General Agriculture (AG1) Zone to the General Agriculture Special (AG#.25.2) Zone and
- d) The appropriate Zone Map in this By-law shall be amended for areas of the land that are within an area noted as “High Archaeological Potential”

in the Bruce County screening maps and may be zoned with a -H1 holding in accordance with Section 2.12.

e) These provisions may come into effect as a condition of consent.

25.3

*

Notwithstanding the provisions of the General Agriculture (AG1) Zone, on those lands identified with Special Provision 25.3 a parochial school serving the horse-drawn carriage community is permitted and all residential use is prohibited.

25.4

By-law 2010-95 CON 3 PT LOTS 2 & 3 [1371 Grey Ox Ave]

Notwithstanding the provisions of the Zoning By-law, on those lands identified with Special Provision 25.4 a 'kennel' shall be a permitted use in accordance with Township of Huron-Kinloss By-law 2010-10 – Animal Control Kennel Licensing, in addition to the permitted uses identified in the applicable parent zone regulations.

25.5

By-law No. 19-1990 KINLOSS CON 1 PT OF LOTS 53 & 54

Notwithstanding the provisions of the General Agriculture (AG1) Zone, within the land identified with Special Provision 25.5, described as Part of Lots 53 and 54, Concession 1, Kinloss, the existing farm building may be used for the purposes of a livestock assembly yard.

25.6

By-law No. 24-1990 KINLOSS CON 1 LOTS 51 & 52

Notwithstanding the provisions of the Future Development (FD) Zone, within the land identified with Special Provision 25.6, and described as Part of Lots 51 and 52, Concession 1, Kinloss, for the purpose of a kennel shall also be permitted in compliance with the AG1 Zone and the following regulations: