

By Law No. ....1998.....

A BY-LAW TO PROVIDE FOR THE ZONING OF CERTAIN LANDS.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF YARMOUTH ENACTS AS FOLLOWS:

TITLE OF BY-LAW:

This By-law may be cited as the ZONING BY-LAW

CONFORMITY REQUIREMENT:

No land, building or other structure shall be used and no building or other structure shall be erected for any purpose except as set out in this By-law and in conformity with all the applicable provisions of this By-law.

READ A FIRST, SECOND AND THIRD TIME, .....April 29, 1968

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L.M. Olde, Clerk

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John Wise, Reeve

## **GENERAL PROVISIONS**

### **SECTION 1**

#### **1.1 VIOLATIONS AND PENALTIES**

*Every person*

- (a) Who contravenes any of the provisions of this By-law, or*
- (b) Who is the owner of any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-law, or*
- (c) Who causes or permits any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-law, or*
- (d) Who is the occupant or owner of any land used or of any building or structure erected, altered, enlarged or used in contravention of this By-law is guilty of an offence and on conviction liable,*
  - (i) on a first conviction to a fine of not more than \$20,000.00, and*
  - (ii) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof during which the contravention has continued after the day upon which there was a first conviction;*

*provided that if a corporation is convicted under this Subsection 1.1, the maximum penalty that may be imposed is,*

- (iii) on the first conviction, a fine of not more than \$50,000.00, and*
- (iv) on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof during which the contravention has continued after the day upon which the corporation was first convicted.*

#### **1.1a ORDER OF PROHIBITION**

*When a conviction is entered under Subsection 1.1, in addition to any other remedy or any penalty provided by law, the Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.<sup>1</sup>*

#### **1.2 BY-LAWS REPEALED**

The following Restricted Area (Zoning) By-laws are hereby repealed:

1438 - 1452 - 1459 - 1490 - 1535 - 1537 - 1385A - 143I - 1786 - 1873

#### **1.3 EFFECTIVE DATE**

No part of this By-law shall come into force without the approval of the Ontario Municipal Board but upon such approval this By-law shall take effect on the day of the passing thereof.

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<sup>1</sup> Subsection deleted and replaced by Clause 1 of By-law 1042, March 25<sup>th</sup>, 2008.

## **SECTION 2 - DEFINITIONS**

*In this by-law unless the context otherwise requires:*

- 2.1 ACCESSORY** when used to describe a building or structure means customarily incidental, subordinate and exclusively devoted to the main use on the lot and when used to describe a use, shall mean customarily incidental, subordinate and exclusively devoted to the main use of the lot.
- 2.1.1 ADULT ENTERTAINMENT PARLOUR** means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- (i) 'to provide' when used in relation to services includes to furnish, perform, solicit, or give such services and 'providing' and 'provision' have corresponding meanings;
  - (ii) 'services' includes activities, facilities, performances, exhibitions, viewing and encounters but does not include the exhibition of film approved under the Theatres Act;
  - (iii) 'services designed to appeal to erotic or sexual appetites or inclinations' includes,
    - (a) services of which a principle feature or characteristic is nudity or partial nudity of any person;
    - (b) services in respect of which the words 'nude', 'naked', 'topless', 'bottomless', 'sexy', 'erotic', 'nu' or 'exotic' or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.<sup>2</sup>
- 2.2 AGRICULTURAL USE** means the use of land, buildings or structures for the production of crops and the selling of the whole or part of such crops on the premises, and the breeding and care of livestock and the selling of such livestock or the product of such livestock raised on the premises, and without limiting the generality of the foregoing includes animal husbandry, apiaries, aviaries, the growing and harvesting of field, bush, tobacco, tree or vine crops, truck gardening, nurseries and greenhouses and the breeding, raising, boarding, sale or training of horses; the breeding, raising or sale of cattle, goats, sheep, swine, and fur bearing animals; cattle or goat dairying; raising or sale of chickens, ducks, geese, turkeys, pigeons or other fowl, game birds, and fish; or egg production.
- 2.3 ANIMAL CLINIC** means a building or part of a building, designed, used or intended for use by a veterinarian and his assistants for the purpose of providing for the care and treatment of animals.
- 2.4 APARTMENT DWELLING** means a building containing three or more dwelling units, each of which has an entrance through a common hall, common vestibule or other common entrance.
- 2.5 ATTACHED** means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.6 AUTOMOBILE BODY SHOP** means a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service, but shall not include any other establishment otherwise defined or classified in this By-law.
- 2.7 AUTOMATIC CAR WASH** means a building or part of a building where a motor vehicle may be washed by line, semi-automatic or automatic equipment.
- 2.8 AUTOMOBILE REPAIR SHOP** means a building or other structure where major repairs to and body work upon, or painting of motor vehicles is carried on, but does not include a gasoline filling station, automobile service station, wrecking yard or any type of outdoor storage.

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<sup>2</sup> New definition added by Clause 1. of By-law 306, April 17<sup>th</sup>, 2001.

**2.9 AUTOMOBILE SERVICE BUSINESS** means a building or part of a building where:

- (i) motor vehicle parts and accessories are kept or offered for sale at wholesale or retail, or
- (ii) repairs are made to motor vehicles or parts of such vehicles are replaced, or
- (iii) repairs are made to motor vehicle transmissions, radiators or other motor vehicle components, or
- (iv) motor vehicles are lubricated,

but excludes a building or part thereof or any lands where:

- (i) motor vehicles are sold or leased, or
- (ii) motor vehicles are wrecked, or
- (iii) motor vehicle fuel is sold from pumps,

and also excludes a coin-operated car wash and an automatic car wash.

**2.10 AUTOMOBILE SERVICE STATION** means a lot, building or other structure, where such goods are sold and such minor services are provided which are essential to the running operation of motor vehicle and may include the selling of refreshments to the travelling public by way of vending machines, and may include a coffee shop, but does not include a retail store, automobile repair shop or the business of selling cars or other vehicles, and does not include a mechanical or coin operated car washing establishment except that cars may be washed by the operator or an employee of the station with or without the aid of semi-automatic equipment.

**2.11 AUTOMOTIVE TRADE** means a building or part thereof or a clearly defined place on a lot where motor vehicles are sold, leased or offered for sale or lease or where motor vehicles are repaired and maintained or where motor vehicle parts and accessories are kept for sale and may include an automatic car wash used for washing motor vehicles for sale or lease but shall exclude the selling of fuels for motor vehicles from pumps, the wrecking of motor vehicles and a coin-operated car wash.

**2.12 BASEMENT** means that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the adjacent finished ground surface (grade).

**2.13 BERM AREA** means an area designated on a Zoning Map or Zoning Map Schedule as "BERM AREA" which defines the area of a lot within which a mound or pile of earth may be placed and maintained and on which a fence, trees, shrubs or bushes or any of them may be maintained.

**2.14 BILLBOARD** means an outdoor sign exceeding 2.32 square metres in area and any part of which includes or advertises the name, address, goods, product or services of some person other than the occupant of the lands or building on which the sign is erected.

**2.15 BOARDING HOUSE** means any house or building or part of a building in which:

- (i) the proprietor, owner, tenant or keeper of which resides and occupies at least 10 percent of the floor space used for the purposes of the boarding house as his residence; and
- (ii) where there is offered or supplied for gain or profit to other persons, lodging or lodging and meals in rooms furnished by the proprietor with necessary furnishings and includes a rooming house but does not include a provincial group home, rest home, nursing home, a hotel and an institution.

**2.16 BUFFER STRIP** means an area of a lot designated as such on a Zoning Map or Zoning Map Schedule and to be used only for the purposes of screening land, buildings or other structures by the planting and maintenance of trees and shrubs.

**2.17 BUILDERS' DEPOT** means a building or part thereof or a place on a lot where any business or trade involved in the construction, repair, maintenance or renovation of any building or structure or where any business or trade involved in landscaping, drainage, excavating, altering or improving any lands carries on its business or stores its equipment or supplies, but excludes any business or trade involving the selling or trading of home furnishings.

- 2.18 BUILDING** means any structure or edifice whether temporary or permanent, used or intended for sheltering or enclosing any use or occupancy but shall not include a boundary wall, fence, travel trailer, camping trailer; truck camper, motor home or tent.
- 2.19 BUILDING AREA** means that part of a lot within which one or more buildings or structures permitted by this by-law may be erected and which part may be used for uses permitted in a landscaped area.
- 2.20 BULK STORAGE** means the storage in a building or structure of any solid, liquid or gas or any combination thereof.
- 2.21 BUSINESS OFFICE** means an office in which one or more persons are employed or engaged in the management, administration, carrying on or conducting of any business and includes the business of any professional person, real estate agent or broker, insurance agent or broker or of a bank, finance company, credit union, trust company, charity, or of a fraternal, religious or political organization, but does not include any business defined or included within any other definition in this Section 2.
- 2.22 CELLAR** means that portion of a building between two floor levels which is partly or wholly underground, but which has more than one-half of its height from finished floor to ceiling below the adjacent finished ground surface (grade).
- 2.23 CHURCH** means a building or part thereof used or intended to be used for religious worship and may include within such building or on the same lot, administrative offices, a church hall, church gymnasium, Sunday school, day nursery and church sponsored private school.
- 2.24 CLINIC** means a building or part thereof, other than a hospital, that is used or intended for use by a medical doctor, dentist, chiropractor, and/or drugless practitioner or other person providing health care and their staff or by any number of any two or more of them for the purposes of consultation, diagnosis or treatment of the health of persons and may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and other facilities directly associated with the use, but does not include overnight accommodation for in-patient care or operating rooms for major surgery.
- 2.25 COIN-OPERATED CAR WASH** means a building or part thereof where a motor vehicle may be washed manually by the driver or some other person with equipment or apparatus that is coin operated.
- 2.26 COMMERCIAL** means the use of land, building or structure for the purpose of buying and selling goods and commodities, and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 2.27 COMMERCIAL SCHOOL** means a school operated by one or more persons for gain or profit, providing instruction in subjects such as business, secretarial skills, aviation, banking, commercial arts, automobile driving, ceramics, computer training, language and modelling.
- 2.28 COMMUNITY CENTRE** means a building used for community activities and not used for commercial purposes, the control of which is vested in the Municipality, or local board or trustees.
- 2.29 CONSERVATION AUTHORITY** means an authority established under the Conservation Authority Act.
- 2.30 CONSTRUCTION TRADE** means any business or trade involved in the construction, repair, maintenance and renovation of any building or structure and any business or trade involved in the landscaping, drainage, excavating, altering or improving of any land but excludes any business or trade involving the selling of home furnishings.
- 2.31 CONVENIENCE STORE** means a building or part of a building where food, tobacco, confections, non prescription drugs, personal care items and periodicals or similar items are offered for sale; videos and accessories are offered for rental and personal banking services are offered by means of a banking machine to serve the day-to-day needs of primarily the residents of the surrounding area.

- 2.32 CONVERTED DWELLING** means a building in which the number of dwelling units has been increased or decreased since the passing of this by-law with or without a change in the floor area of the building and where each dwelling unit has an independent entrance or entrances through a common vestibule or hall.
- 2.33 CORNER LOT** means a lot situated at the intersection of and abutting upon two streets which intersect at an angle of not more than 135 degrees and where the intersection of such streets is curved, the angle of intersection of the streets shall be deemed to be the angle formed by the intersection of the tangents to the street lines drawn through the extremities of the interior lot line.
- 2.34 CORPORATION** means The Corporation of the Township of Yarmouth.
- 2.35 COUNCIL** means the Council of the Corporation.
- 2.36 DAY NURSERY** means a building or part thereof that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours, where the children are:
- (i) under eighteen years of age in the case of a day nursery for children with a developmental handicap, and
  - (ii) under ten years of age in all other cases,
- but does not include:
- (i) part of a public school, separate school, private school or a school for trainable retarded children under the Education Act,
  - (ii) a place that is used for a program of recreation and that is supervised by a municipal recreation director who holds a certificate issued pursuant to section 10 of the Ministry of Culture and Recreation Act, or
  - (iii) a children's mental health centre under the Child and Family Services Act, 1984.
- 2.37 DETACHED** means a building complete in itself which does not depend for structural, or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.38 DRIVE-IN RESTAURANT** means a building or part thereof where food and drinks are prepared:
- (i) for consumption by customers within vehicles parked on the same lot as the building or part thereof is located, or
  - (ii) for consumption beyond such lot.
- 2.39 DRUG STORE** means a building or part thereof where medical prescriptions are filled by a pharmacist licensed under The Health Disciplines Act and where cosmetics, drugs and medicines are stored or offered for sale at retail and where other goods, wares and merchandise may be stored or offered for sale at retail but the floor area for storing or offering for sale of such other goods, wares and merchandise shall not exceed 40% of the floor area of such building.
- 2.40 DRY-CLEANING PICKUP STATION** means a building or part of a building where clothes, or other goods of fabric are left for dry cleaning or laundering elsewhere and where such goods may be picked up following laundering or dry cleaning.
- 2.41 DRY-CLEANING ESTABLISHMENT** means a building or part of a building where dry cleaning, dyeing, laundering or pressing of clothes or goods of fabric is carried on.
- 2.42 DUPLEX DWELLING** means a building containing two dwelling units that are separated horizontally and each of which has an independent entrance or an entrance through a common vestibule.
- 2.43 DWELLING** means a building or part of a building occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding or rooming houses, motels or institutions.
- 2.44 DWELLING UNIT** means one or more habitable rooms occupied or designed to be occupied by one or more persons as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or persons.

- 2.45 EQUIPMENT RENTAL BUSINESS** means a business engaged in the sale, lease, storage, service and repair of equipment and tools.
- 2.46 ERECT** includes locate.
- 2.47 EXTERIOR SIDE YARD** means a yard extending from the front yard to the rear yard between the main building wall and the exterior lot line.
- 2.48 EXTERIOR LOT LINE** means the lot line of a corner lot abutting a street other than the front lot line.
- 2.49 EXTERIOR REAR YARD** means that portion of a rear yard within a corner lot lying between the exterior lot line and the projection to the rear lot line of the limit of the required exterior side yard opposite the exterior lot line.
- 2.50 EXTERIOR SIDE YARD DEPTH** means the horizontal distance between the exterior lot line of the lot and the main building wall or, where the main building wall is not parallel to the exterior lot line, the horizontal distance between the exterior lot line and the point in the face of the main building wall which is closest to the exterior lot line.
- 2.51 EXISTING** means existing as of the date of the passing of this By-law.
- 2.52 FARM USE** means the use of a parcel of land for the purposes of agriculture,
- (a) having an area of not less than 25 acres, or
  - (b) having an area of not less than 3 acres if the agricultural use of the land provides the sole livelihood of the land owner and whose sole business is agriculture, and includes the erection and use of buildings and other structures necessary for the agricultural use, including a farm residence, except that in zones where buildings and other structures are prohibited such use refers only to the land.
- 2.53 FLOOR AREA** means:
- (i) In the case of a dwelling unit, the floor area of all the rooms, stairways, hallways and entrances within the dwelling unit measured from the centre line of the common or exterior walls enclosing such rooms, stairways, hallways and entrances, but excludes the floor area of any accessory building, terrace, verandah, unfinished basement or the floor area of any finished basement the floor of which is more than three feet below the highest elevation of the lot adjacent to the basement or cellar wall, and
  - (ii) In the case of an enclosed accessory building, the floor area of the building measured from the outside of all outside walls, and
  - (iii) In all other cases, the floor area of the floor or floors of the building or structure measured from the centre line of the common or exterior walls enclosing such floor or floors.
- 2.54 FORESTRY USE** means the general raising and harvesting of wood and without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products.
- 2.55 FRONT LOT LINE** means:
- (i) in the case of an interior lot, the lot line dividing the lot from the street;
  - (ii) in the case of a corner lot the shorter lot line abutting the street unless each abutting lot line is of equal length in which case the front lot line shall be the lot line where the principle access to the main building is provided, and
  - (iii) in the case of a through lot the front lot line shall be the lot line where the principle access to the main building is provided.
- 2.56 FRONT YARD** means the yard extending across the full width of a lot between the front lot line and the main building wall.
- 2.57 FRONT YARD DEPTH** means the horizontal distance between the front lot line of the lot and the main building wall or, where the main building wall is not parallel to the front lot line, the horizontal distance between the front lot line and the point in the face of the main building wall which is closest to the front lot line.

- 2.58 GARAGE** means a building or part of a building designed or used for the storage of one or more motor vehicles and includes a carport.
- 2.59 GARAGE, SEMI-DETACHED** means two garages, attached by a common wall centred on the lot line.
- 2.60 GAS BAR** means a building or part of a building or place where:
- (i) fuels for motor vehicles, and
  - (ii) oil, antifreeze, batteries, accessories for motor vehicles, parts for minor repairs to motor vehicles or any or all of them are offered for sale.
- 2.61 GASOLINE FILLING STATION** means a place where petroleum products only are sold and are delivered directly to the fuel tanks of motor vehicles.
- 2.62 GRADE** means the highest elevation of the surface of a lot measured at a wall of the main building on the lot.
- 2.63 GROSS LEASABLE FLOOR AREA** means the total floor area designated for the exclusive use and occupancy of tenants including basements, mezzanines, and upper floors if any, expressed in square metres and measured from the centre of common partitions and from the exterior face of outside walls.
- 2.64 GROUND FLOOR** means the floor of a main building, the elevation of which is closest to the grade of the lot on which such building is located.
- 2.65 GROUND FLOOR AREA** means the horizontal area within the foundation of the main building or structure on a lot.
- 2.66 GROUND FLOOR STOREY** means the storey of a building, the ceiling of which is at least 1.5 metres above grade and the floor of which is below grade.
- 2.67 HEIGHT**, when used with reference to a building or structure shall mean the vertical distance in metres between the horizontal plane through grade level and a horizontal plane through;
- (i) the highest point of the roof assembly in the case of a building with a flat roof or a deck roof;
  - (ii) the average level of a one-slope roof, between the ridge and the eaves, provided that such roof having a slope of less than twenty degrees with the horizontal shall be considered a flat roof;
  - (iii) the deck roof line, in the case of a mansard roof;
  - (iv) the average level between eaves and ridges in the case of a roof type not mentioned in subsections (i), (ii) and (iii) immediately preceding. The height regulations shall not apply to any ornamental dome, chimney, tower, storage silo, bam, cupola, steeple, church spire or water storage tank.
- 2.68 HIGHWAY, PROVINCIAL** means a street under the jurisdiction of the Ontario Ministry of Transportation.
- 2.69 HOME OCCUPATION** means the use of part of a dwelling unit or building accessory thereto for an occupation which is carried on by one or more of the residents of such dwelling unit and provides or may provide gain or support for one or more of them.
- 2.70 HOME OCCUPATION, AGRICULTURAL**, means the use of part of a dwelling unit or building accessory thereto for an occupation which is carried on by one or more of the residents of such dwelling unit and provides or may provide gain or support for one or more of them.
- 2.71 HOTEL** means a building or part of a building containing sleeping accommodation for the public and may contain rooms for meetings and where persons, not necessarily travellers, may, for a price, obtain sleeping accommodation or meals and beverages, or hold meetings or engage in recreational activities or engage in such activities on lands adjacent to such building and includes an inn, motel, tavern and a public house, but does not include a boarding house.
- 2.72 INDUSTRIAL-COMMERCIAL USE** means any establishment involved primarily in repairing, servicing, processing or manufacturing activities including railway operations, and the following as accessory uses only: transportation, wholesaling, storage or shipping.

- 2.73 INDUSTRIAL REPAIR SHOP** means a building or a part of a building where goods, articles or things, including construction equipment, motor vehicles and motorcycles are repaired or serviced.
- 2.74 INDUSTRIAL SUPPLY OUTLET** means a building or a part of a building where industrial tools, equipment and supplies are offered for sale or sold at retail otherwise than by auction and including any part of any such building where such tools, equipment and supplies are stored prior to being offered for sale or after being sold at retail.
- 2.75 INSTITUTION** means a building or part of a building used or capable of being used by any group, corporation or society such as the Salvation Army, the Knights of Columbus, the Canadian Cancer Society, YMCA, YWCA, Royal Canadian Legion and the Lions Club for educational, charitable or philanthropic purposes and includes a museum but excludes a church, provincial group home, residential care home, boarding house, rest home and nursing home.
- 2.76 INSTITUTIONAL USE** means the use of land, buildings or other structures for governmental, religious, educational, charitable, philanthropic or hospital purposes and involving activities and operations which are carried on for some public or social purpose and not as a business.
- 2.77 INTERIOR LOT** means a lot other than a corner lot.
- 2.78 INTERIOR LOT LINE** means a side lot line of an interior lot.
- 2.79 INTERIOR SIDE YARD** means a yard extending from the front yard to the rear yard between the main building wall and the side lot line not abutting a street.
- 2.80 KENNEL** means any lot, building or structure, on or within which three or more domesticated animals are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.
- 2.81 LANDSCAPED AREA** means that part of a lot adjacent to a building or parking lot which may be used as a lawn or open space and which may include grass, bushes, hedges, trees, fences, berms, gardens, ornamental lights, sidewalks, steps, uncovered recreational facilities, a children's open play area, transformers and electrical accessories and waste storage facilities, but shall not be used as part of a parking lot or parking space, for the storing of any item, as a loading space or as a driveway for motor vehicles.
- 2.82 LIGHT MANUFACTURING AND ASSEMBLY** means the use of a building or part thereof designed, used or intended for the purpose of manufacturing, assembling or processing of component parts to produce finished products suitable for retail, wholesale or service trade and including repairing, servicing, distributing, warehousing, storing or adapting for sale any substance, article or thing, but excluding any operation which creates a nuisance as a result of the emission of any noise or air pollution that can be smelled, heard or otherwise detected 30 metres from the outside of the building in which the operation is conducted and also excluding any operation which creates vibration that can be detected 30 metres from the outside of the building in which the operation is conducted.
- 2.83 LOADING SPACE** means a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.
- 2.84 LOT** means a parcel of land:
- (i) which is the whole of the lot on a registered plan of subdivision. so long as such registered plan is not deemed, pursuant to section 50 of the Planning Act, RSO 1990 or any predecessors or successor of such section, not to be a registered plan of subdivision; or
  - (ii) which is all of the land held or owned under distinct and separate ownership from the ownership of the fee or equity of redemption in abutting land and appropriated for the exclusive use of a building and accessory buildings or for the exclusive use of a group of buildings comprising one undertaking or enterprise, which said lot abuts upon a street.
- 2.85 LOT AREA** means the total horizontal area within the lot lines of a lot.

- 2.86 LOT COVERAGE** means the combined area of all buildings or structures on a lot measured at the level of the lowest floor above grade in relation to the area of the lot expressed as a percentage and includes the area of any of the following which have a roof and are enclosed on all sides: a porch, breezeway, pool, patio, deck or carport but excludes the area of any steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections and also excludes the area of any terrace, patio, pool or deck, porch, breezeway or carport which are not enclosed on all sides and does not include areas used for septic tanks or leaching beds.
- 2.87 LOT DEPTH** means the horizontal distance between the front and rear lot lines. If these lines are not parallel, it shall be the length of a line joining the mid-points of the front and rear lot lines. When there is no rear lot line, lot depth means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.
- 2.88 LOT FRONTAGE** means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line, and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line at a point within the lot and 7.5 metres from the front lot line.
- 2.89 LOT LINE** means a boundary line of a lot
- 2.90 LOT OF RECORD** means a lot existing on the date of the passing of this by-law which could have been conveyed legally on the date of passing of this By-law without consent pursuant to Section 53 of the Planning Act R.S.O. 1990, or a lot created by the registration of a deed after the date of passing of this By-law pursuant to a valid consent obtained prior to the passing of this By-law.
- 2.91 MAIN BUILDING** means the building in which is carried on the principal purpose for which the lot is used and in the case of a Farm Use shall mean the farm residence.
- 2.92 MAIN BUILDING WALL** means the exterior face of the wall of the main building, and its projections, which:
- (i) in the case of a front yard, is closest to the front lot line, and
  - (ii) in the case of an interior side yard is closest to an interior side lot line, and
  - (iii) in the case of an exterior side yard is closest to an exterior side lot line, and
  - (iv) in the case of a rear yard, is closest to the rear lot line.
- 2.93 MANUFACTURING** means assembling, making, preparing, processing, inspecting, ornamenting, manufacturing, finishing, treating, altering, repairing, storing or adapting of any goods, substance, article or thing.
- 2.94 MOBILE HOME** means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for temporary living, sleeping or eating accommodation of persons notwithstanding that such vehicle is jacked up or that its running gear is removed and includes a house trailer, but which does not include single detached dwellings constructed in parts, designed to be transported to a lot and where they are joined as integral units and placed on a permanent foundation over a cellar or basement.
- 2.95 MOTEL** means one building, or two (2) or more detached buildings for the purpose of catering to the needs of the public travelling by motor vehicle by furnishing sleeping accommodations with or without supplying food, and shall include a motor court, auto court, and all such building operating under the Liquor License Act and the Tourist Establishments Act
- 2.96 MOTOR HOME** means a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger automobile chassis, primarily designed to provide temporary living quarters for recreation, camping and travel use.
- 2.97 MOTOR VEHICLE** means an automobile, truck, truck tractor, bus, motor home, motorcycle, motor scooter, motor assisted bicycle and snowmobile.

- 2.98 MOTORCYCLE** means a self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground and includes a motor scooter, a motorized snow vehicle and a motor assisted bicycle.
- 2.99 MUNICIPALITY** means the Corporation of the Township of Yarmouth.
- 2.100 MULTIPLE DWELLING** means a building containing three or more attached dwelling units not in a single row, each of which dwelling units has an independent entrance from the outside and a masonry wall or walls vertically separating it from any abutting dwelling unit.
- 2.101 NON-COMPLYING** means that which does not comply, or agree with the regulations of this By-law as of the date of final passing thereof.
- 2.102 NON-CONFORMING** means a use, building or structure which is not a use, building or structure permitted in the zone in which the said use, building or structure; is situated.
- 2.103 NURSING HOME** means any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons, but does not include any premises falling under the jurisdiction of:
- (i) the Charitable Institutions Act;
  - (ii) the Child and Family Services Act, 1984;
  - (iii) the Homes for the Aged and Rest Homes Act;
  - (iv) the Mental Hospitals Act;
  - (v) the Private Hospitals Act, or
  - (vi) the Public Hospitals Act.
- 2.104 OCCUPANCY** means to reside in as owner or tenant on a permanent or seasonal basis.
- 2.105 OUTSIDE STORAGE** means the storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.
- 2.106 OWNER** means the person whose interest in the land is defined and whose name is specified in an instrument in the proper Registry or Land Titles Office, or who can provide other satisfactory evidence of ownership.
- 2.107 PARK, PRIVATE** means a park not open to the general public and may be operated for commercial gain.
- 2.108 PARKING AND BUILDING AREA** means that part of a lot which may be used as building area, parking lot or landscaped area or for any combination of such uses.
- 2.109 PARKING LOT** means that area within a lot, building or structure:
- (i) which may be open, covered or partially or wholly enclosed;
  - (ii) which may be used for the parking of motor vehicles and any part not so used may be used as a landscaped area;
  - (iii) which may abut a highway;
  - (iv) which may include a driveway or driveways within such area or connecting such area to a highway;
  - (v) which is surfaced with asphalt, concrete or granular material which has a dust free stable surface; and
  - (vi) within or adjacent to which there may be lighting devices for the parking lot, directional or other signs relating to the use of the parking lot, parking control devices, curbs, guardrails or other vehicle barriers.

**2.110 PARKING SPACE** means that part of a lot, building or structure within a parking lot or within a residential driveway:

- (i) which is rectangular in shape and the dimensions of which are not less than 2.75 metres by 5.5 metres;
- (ii) which is provided for the parking of a motor vehicle without moving or removing any other motor vehicle;
- (iii) which may be open, covered or partially or wholly enclosed; and
- (iv) which is surfaced with asphalt, concrete or granular material which has a dust free stable surface.

**2.111 PERSON** includes an individual, an association, a firm, a partnership or a corporation.

**2.112 PERSONAL SERVICE SHOP** means a barber shop, beauty salon, a hair dressing or styling establishment, a shoe repair shop, a tailor or dressmaking shop, a dry cleaning pickup station and a laundromat.

**2.113 PET GROOMING SHOP** means a building or part of a building where dogs or cats are washed, clipped, groomed or cared for but not boarded over night.

**2.114 PIT** means any opening, quarrying or excavation of or in the ground for the purpose of removing soil, rock, sand, gravel, earth, clay, or limestone and the processing thereof for commercial purposes, including screening, sorting, washing, crushing, and other similar operations, required buildings and structures, but does not include a water well, oil well, natural gas well or wayside pit.

**2.115 PIT, WAYSIDE** means a pit opened and used by a public road authority for the purposes of a particular road construction project or contract only.

**2.116 PLANTING AREA** means an area shown on a Zoning Map or Zoning Map Schedule as "PLANTING AREA" which defines the area of a lot upon which no building or other structure may be erected or used and upon which no vehicle may be parked, but which may include pedestrian walk-ways and other space necessarily incident to the movement of pedestrian traffic on the lot.

**2.117 PORCH** means a roofed, open gallery or portico attached to the exterior of a building.

**2.118 PRIVATE CLUB** means a building or part of a building located on privately owned lands that is used primarily by members of a club and their guests for non-profit and fraternal, social, literary, cultural, political, educational or recreational purposes, but does not include a public hall or an entertainment centre.

**2.119 PRIVATE SCHOOL** means a facility at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of over compulsory school age in any of the subjects of the elementary or secondary school courses of study approved by the Minister of Education and that is not a school as defined in The Education Act

**2.120 PROVINCIAL GROUP HOME** means a building in which not less than three, and not more than ten persons requiring residential, sheltered, specialized or group care reside and which is licenced, approved or supervised by the Province of Ontario under any general or special act.

**2.121 PUBLIC AUTHORITY** means:

- (i) the Corporation;
- (ii) any department or ministry of the governments of Ontario or Canada;
- (iii) Ontario Hydro;
- (iv) any telephone, telegraph, railway, cable, gas or cable television company;
- (v) any school board as defined in The Education Act, public utility commission, transportation commission, public library board, board of park management, board of health, public hospital corporation, police commission, conservation authority or commission or committee of local authority established or exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of the Corporation or a portion thereof, and includes any committee or local authority established by by-law of the Council of the Corporation;
- (vi) the Corporation of the City of St. Thomas;

- (vii) *the Corporation of the Village of Belmont;*
- (viii) *the Corporation of the Village of Port Stanley;*
- (ix) *the Corporation of the Township of Southwold;*
- (x) *the St. Thomas Public Utilities Commission.*

**2.122 PUBLIC SERVICE USE** means the use of land, buildings or structures, by a public authority for the purposes of such public authority.

**2.123 PUMP ISLAND** means a structure upon which pumps are erected for the commercial distribution of gasoline or other fuels.

**2.124 PUMP ISLAND AREA** means an area shown on a Zoning Map or Zoning Map Schedule as "Pump Island Area" which defines the area of a lot upon which the erection and use of gasoline pump islands for commercial distribution of gasoline or other fuels is permitted.

**2.125 REAR LOT LINE** means a lot line furthest from and opposite to the front lot line.

**2.126 REAR YARD** means a yard extending across the full width of a lot between the rear lot line and the main building wall.

**2.127 REAR YARD DEPTH** means the horizontal distance between the rear lot line of the lot and the main building wall or, where the main building wall is not parallel to the rear lot line, the horizontal distance between the rear lot line and the point in the face of the main building wall which is closest to the rear lot line.

**2.128 RECREATION CENTER** means a building or place used for curling, gymnastics, weight lifting, tennis or other racquet games, roller or ice skating, lawn or other bowling or swimming and includes a soccer, baseball or other athletic field and an arena, but excludes a building or place used for skeet, recreational or trap shooting.

**2.129 RECREATIONAL VEHICLE BUSINESS** means a building or part of a building or place where motor vehicles, including recreational vehicles, mobile homes, campers and trailers are sold, leased or repaired and where parts, accessories and supplies for any of them are kept or offered for sale.

**2.130 RENOVATION** means the restoration or reconstruction of buildings, structures or parts thereof to current building standards without the removal of the building or structures from the lot.

**2.131 REPAIR AND CUSTOM WORKSHOP** means a building or part of a building:

- (i) *where goods, articles or things, other than motor vehicles and construction equipment, are manufactured, produced, repaired or refinished, and*
- (ii) *where the area used for the retail display of goods. the giving of orders by customers, the selection of goods by customers or which is otherwise usually used by or is available to customers of the business carried on within such building or part is:*
  - (a) *not less than fifteen (15%) percent of the floor area of such building or part, and*
  - (b) *on the first floor of such building or part*

**2.132 REPAIR SHOP** means a building or part of a building where goods, articles or things, excluding construction equipment and motor vehicles and motorcycles are repaired or serviced.

**2.133 REQUIRED** means as required by this By-Law.

**2.134 RESIDENTIAL CARE HOME** means a building or part of a building where:

- (i) *the owner, tenant or keeper of which is licenced by the Corporation to operate a lodging house, and*
- (ii) *where there is offered or supplied, but not for gain or profit, lodging or lodging and meals.*

**2.135 RESIDENTIAL DRIVEWAY** means the uncovered portion of a lot in a residential zone which:

- (i) provides access and egress for motor vehicles from a street to a lot, garage, carport or park space on the lot,
- (ii) is surfaced with asphalt, concrete or granular material which has a dust free stable surface,
- (iii) is not greater than 6 metres in width,
- (iv) is not less than 3 metres in width, and
- (v) may include a parking space.

**2.136 REST HOME** means a rest home established and maintained under the Homes for the Aged and Rest Homes Act. R.S.O. 1980 as amended.

**2.137 RESTAURANT** means a building or part of a building where food and drinks are prepared and served primarily for immediate consumption within such building by persons seated at tables and counters or either of them and includes the dining room of a hotel or motel, a dining lounge and tavern licenced under the Liquor Licence Act of Ontario and a place, not within a building, where food and drinks are served primarily for immediate consumption within such place.

**2.138 RESTRICTED BUSINESS OFFICE** means an office in which one or more persons are employed or engaged in the management, administration carrying on or conducting of any business and includes the business of any professional person, real estate agent or broker, insurance agent or broker, charity, or of a fraternal, religious or political organization but excludes a bank, finance company, credit union and trust company or any business defined or included within any other definition in this section.

**2.139 RESTRICTED BUSINESS USE** means the transaction of business, the buying and selling of goods and services in retail stores and shops, in offices, hotels, restaurants, banks, or other but similar commercial establishments, but does not include dry-cleaning or laundry plants, except pick-up stores or businesses supplying self-service laundry facilities, automobile repair shops, automobile sales except in a completely enclosed building, printing shops, plumbing shops, carpentry shops or woodworking shops, metal working shops, the selling of builders' supplies and paints and glass except in retail stores, tire repair shops, warehousing or storage of any kind except that incidental to a retail commercial business, transportation terminals, poultry hatcheries, raising of animals and animal processing, the buying and selling of solid, liquid or gaseous fuels, or other dangerous or combustible, inflammable or explosive substances, the making or processing of any product which is not solely made or processed for retail sale only on the premises.

**2.140 RETAIL FOOD STORE** may include a restaurant if the floor area of such restaurant does not exceed four (4%) percent of the total floor area of the retail food store in which such restaurant is located.

**2.141 RETAIL CATALOGUE STORE** means a building in which the retail storage area exceeds 70 percent of the floor area, and where all sales are at retail and by written order taken by employees of the store or placed by customers for goods, wares, merchandise, substances, articles and things normally stored in such building.

**2.142 RETAIL STORE** means a building or part of a building:

- (i) where goods, wares or merchandise are offered for sale or sold at retail otherwise than by auction, and includes any part of any such building where goods, wares and merchandise are stored prior to being offered for sale at retail or after being sold at retail, and
- (ii) where the area used for the offering for sale or selling of such goods, wares and merchandise, excluding any area used for the storage of the goods, wares, or merchandise or other storage or utility areas or for hallways, entrances, washrooms or stairways, is not less than fifteen (15%) percent of the floor area of such building or part but does not include a building or part of a building where goods, wares, merchandise are put up for sale or sold by public auction.

**2.143 RETIREMENT HOME** means a building in which residents of the building pay for and receive lodging or lodging and meals and in which there is available at least .5 hours per day but not more than 1.5 hours per day of nursing care for each resident.

**2.144 RIDING STABLE** means an establishment located within an agricultural zone which offers horses for hire or instruction in horsemanship.

- 2.145 RURAL RESIDENTIAL USE** means the use of land, buildings, and other structures for residential purposes in rural or open space areas where public water supply and public sewage disposal facilities are not available, farms excepted, and including a lot of not less than 1,858 square metres but no parcel of land of more than ten acres in area.<sup>3</sup>
- 2.146 SATELLITE DISH** means any device used or intended to be used to send or receive signals to or from a satellite.
- 2.147 SCHOOL** means a school under the jurisdiction of a school board and any building or structure vested in and used by a school board for its purposes.
- 2.148 SCHOOL BOARD** means a board as defined in The Education Act.
- 2.149 SEMI-DETACHED DWELLING** means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units.
- 2.150 SERVICE OR REPAIR SHOP** means a shop not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail store or not, for servicing or repairing radio and television receivers, vacuum cleaners, refrigerators, washing machines, sewing machines and other domestic appliances, musical instruments, sound and public address systems, hosiery, cameras, toys, jewellery, watches, clocks, safes and locks, bicycles, wheel chairs, orthopedic and prosthetic appliances, and any other like articles; and for fabric mending, window-glazing, metal re-plating, mirror re-silvering, or repairing, painting and refinishing furniture, and other household goods, and includes a key shop, a dry-cleaner's shop, a custom picture framing shop, the business of renting pianos, tents, canopies, chairs, coin machines, costumes, uniforms, bicycles, sound and public address systems and other like articles and equipment.
- 2.151 SETBACK** means the distance between the centre line of a street and the main building wall that is closest to the street.
- 2.152 SHOPPING CENTRE** means a building or group of buildings planned, designed, developed and managed as a unit having off-street parking provided on the site and which building or buildings contain one or more of any of the following: a retail store; a business office; a personal service shop; a restaurant; a repair and custom workshop; a tavern; an automobile service business; a theatre; a bakery.
- 2.153 SIDE LOT LINE** means a lot line other than a front or rear lot line.
- 2.154 SIDE YARD DEPTH** means the horizontal distance between the side lot line of the lot and the main building wall or, where the main building wall is not parallel to the side lot line, the horizontal distance between the side lot line and the closest point in the main building wall.
- 2.155 SIGN** means a name, identification, description, device, display, or illustration which is affixed to, or represented directly or indirectly upon a building, structure or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.
- 2.156 SIGN AREA** means an area shown on a Zoning Map or Special Zoning Map as "Sign Area" which defines the area of a lot on which a sign or signs may be erected, separated from a building or structure.
- 2.157 SINGLE DETACHED DWELLING** means a building containing one dwelling unit used, designed, or intended to be used for occupancy as one dwelling unit.
- 2.158 SOLID WASTE STORAGE AREA** means an area shown on a Zoning Map or Special Zoning Map as "Solid Waste Storage Area", which defines the area of a lot which may be used for the storage and collection of solid waste.
- 2.159 STORAGE** means the temporary placing of goods or materials normally associated with or incidental to the principal use of the land, building or structure, carried on the same lot or lots on which the principal use, building or structure is located, but does not include the parking of any inoperative motor vehicle.

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<sup>3</sup> Subsection 2.145 - Definition replaced by Clause 1. of By-law 266, October 23<sup>rd</sup>, 2000.

- 2.160 STOREY** means that portion of a building between the surface of any floor and the ceiling immediately above it which portion has a height of not less than 2.25 metres and includes an attic having not less than 2.25 metres head room for at least fifty (50%) percent of the attic floor area.
- 2.161 STOREY, FIRST** means the lowest storey of a building, excluding the basement or cellar.
- 2.162 STOREY, HALF** means the portion of a building located wholly or partly within a sloping roof, having side walls not less than one (1) metre in height and the ceiling with a minimum height of two (2) metres over an area equal to at least fifty (50) percent of the area of the floor next below.
- 2.163 STREET** means a public highway or public street:
- (i) assumed by the Corporation by by-law or by the expenditure of public funds and developed to Municipal standards, or
  - (ii) not assumed by the Corporation but in respect to which the Corporation is a party to an agreement which is not in default and which provides for the servicing of such highway or street and for the eventual assumption of the same by the Corporation, or
  - (iii) being a County Road or a Provincial Highway.
- 2.164 STREET LINE** means the boundary between a street and a lot.
- 2.165 STRUCTURE** means any material, object or work erected as a unit or constructed or put together of connected or dependent parts or elements, whether located under, on, or above the surface of the ground.
- 2.166 TAVERN** means a building or part of a building where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating or liable to be licenced under The Liquor Licence Act.
- 2.167 THROUGH LOT** means a lot other than a corner lot fronting on two streets.
- 2.168 TOWNHOUSE DWELLING** means a building containing three or more attached dwelling units in a single row, each of which dwelling units has an independent entrance from the outside and is vertically separated from any abutting dwelling unit.
- 2.169 TRAILER** means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle.
- 2.170 TRAVEL TRAILER** means any vehicle including a camping trailer, so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, but not including any vehicle unless it is used or intended for the living, sleeping or eating accommodation of persons therein for seasonal recreational activity.
- 2.171 TRIPLEX DWELLING** means a building containing three dwelling units that are separated horizontally and each of which has an independent entrance or an entrance through a common vestibule.
- 2.172 TRUCK CAMPER** means a portable structure, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreation, camping or travel use.
- 2.173 USE** when used as a noun means the purpose for which any land, building or structure is designed, arranged or intended to be occupied, or used, or for which it is occupied, used or maintained.
- 2.174 WAREHOUSE** means a building or part of a building used for storing, or distributing substances and things including goods and wares, but excludes a retail store.
- 2.175 WAREHOUSE-COMMERCIAL USE** means any establishment involved in wholesaling, storage, and shipment of goods and materials.
- 2.176 WHOLESALE ESTABLISHMENT** means a building or part of a building used for the selling of goods in large bulk or quantity for delivery from the premises to a person other than to the ultimate consumer.

**2.177 YARD** means a space, appurtenant to a building or structure, located on the same lot as the building or structure, 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.

**2.178 ZONE** means an area delineated on the Zoning Map or Special Zoning Maps and established and designated by this By-law for specific use.

**2.179 ZONING MAP AND ZONING MAP SCHEDULES** means map sheets incorporated in this By-law and showing graphically the location, size and boundaries of Zones established by this By-law, together with other explanatory text and material.<sup>4</sup>

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<sup>4</sup> Section 2 - Definitions replaced by Clause 1. of By-law 3459, August 12<sup>th</sup>, 1996.

## **ESTABLISHMENT OF ZONING MAP**

### **SECTION 3**

- 3.1.1. The provisions of this by-law shall apply to the area of the municipality as defined on the Zoning Map being Section 3 of this by-law.
- 3.1.2. The land use zones to which the provisions and regulations of this by-law shall respectively apply and their location and boundaries are outlined on the Zoning Map which is incorporated in this by-law herewith and which together with the Zoning Map Schedules and with all explanatory matter on the Zoning Map and Zoning Map Schedules shall form part of this by-law.

## **ZONE SYMBOLS**

### **SECTION 4**

- 4.1. In order to carry out the purposes and provisions of this by-law the following zones are hereby established and are designated upon the Zoning Map and Zoning Map Schedules by the Zone Symbols consisting of the letters and numbers set out in sub-section 4.3 of this by-law.
- 4.2. All lands shown upon the Zoning Map and Zoning Map Schedules shall be deemed to be included within the zone respectively indicated by the corresponding letter or number or letter and number appearing on such Zoning Map and Zoning Map Schedules.
- 4.3. The following Zone Symbols shall apply:
- |         |           |            |   |
|---------|-----------|------------|---|
| 4.3.1.  | OS1       | for        | Open Space Zone 1                           |
| 4.3.2.  | OS2       | for        | Open Space Zone 2                           |
| 4.3.5.  | R1        | for        | Residential Zone 1                          |
| 4.3.6.  | R2        | for        | Residential Zone 2 <sup>5</sup>             |
| 4.3.6.1 | <i>R3</i> | <i>for</i> | <i>Estate Residential Zone</i> <sup>6</sup> |
| 4.3.7.  | B1        | for        | Business Zone 1                             |
| 4.3.8.  | B2        | for        | Business Zone 2                             |
| 4.3.9.  | B3        | for        | Business Zone 3                             |
| 4.3.10. |           | B4         | for Business Zone 4                         |
| 4.3.11. |           | B5         | for Business Zone 5                         |
| 4.3.14. | <i>IN</i> | <i>for</i> | <i>Institutional Zone</i> <sup>7 8 9</sup>  |
| 4.3.15. | C1        | for        | Industrial Zone 1                           |
| 4.3.16. | C2        | for        | Industrial Zone 2                           |
| 4.3.17. | C3        | for        | Industrial Zone 3                           |
| 4.3.18. | C4        | for        | Industrial Zone 4                           |
| 4.3.19. | C5        | for        | Industrial Zone 5                           |
- 4.4. Special Zoning Standards

A symbol followed by a number (e.g. B4-6) refers to particular or special zoning standards within the respective zone indicated by the zone symbol.

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<sup>5</sup> Line restored by Clause 1 of By-law 2390, May 17<sup>th</sup>, 1977.

<sup>6</sup> Subsection 4.3 amended by Clause 1 of By-law 2619, R3 zone added, May 25<sup>th</sup>, 1981.

<sup>7</sup> Line restored by Clause 1 of By-law 2390, May 17<sup>th</sup>, 1977.

<sup>8</sup> Subsection replaced by Clause 1 of By-law 2394, IN zone not included, May 17<sup>th</sup>, 1977, then repealed by By-law 2407, July 12<sup>th</sup>, 1977.

<sup>9</sup> Line 4.3.14 restored by Clause 1 of By-law 2408, July 12<sup>th</sup>, 1977.

## **ESTABLISHMENT OF OPEN SPACE ZONE 1**

### **SECTION 5**

- 5.1. This by-law shall apply to all lands within the municipality and all such lands shall be deemed to be included in the Open Space Zone 1 (OS1) unless shown upon the Zoning Map and Zoning Map Schedules as being included in a zone other than Open Space Zone 1 (OS1).
- 5.2. All lands other than Open Space Zone 1 (OS1) shall be deemed to be included within the zone indicated by the corresponding Zone Symbol on the Zoning Map and Zoning Map Schedules.

## **INTERPRETATION OF ZONE BOUNDARIES**

### **SECTION 6**

- 6.1** Where any uncertainty exists as to the location of the boundary of any zone shown on a zoning map, the provisions of paragraphs 6.2 to 6.8 inclusive shall apply.
- 6.2** Where the location of a boundary of a zone coincides or approximately coincides with a lot line shown on a registered plan of subdivision, such lot line shall be deemed to be the boundary;
- 6.3** Where a boundary of a zone is approximately parallel with a street line and the distance from such street line is not indicated, such boundary shall be deemed to be parallel to such street line and the distance between the street line and the boundary shall be determined by the use of the scale shown on the zoning map;
- 6.4** Unless otherwise indicated, a street, lane, railroad or railway right-of-way, or watercourse shown on a zoning map is included within the zone of the adjoining property on either side thereof, and where a street, lane, railroad or railway right-of-way or watercourse serves as a boundary between two or more zones, the centre line of such street, lane, railroad or railway right-of-way, or watercourse shall be deemed to be the boundary between the zones;
- 6.5** In the event that a street or lane is legally closed, such street or lane shall be included within the zone of the lands adjoining on either side of the street or lane, and where the street or lane legally closed serves as the boundary between two zones, the centre line of such street or lane shall be deemed to be the boundary between the zones.
- 6.6** Where the location of the boundary on a Special Zoning Map conflicts with the location of a boundary shown on a Zoning Map, the location of the boundary of the Special Zoning Map shall prevail;
- 6.7** Where the location of any boundary of a zone on a Zoning Map is uncertain after applying the preceding provisions, the location of the boundary shall be determined according to the scale on such Zoning Map;
- 6.8** Where the context permits, in paragraphs 6.1 to 6.7 inclusive, "Zone" includes "Special Zone" and "Zoning Map" includes "Special Zoning Maps and Schedules".
- 6.9** Where the front yard depth, side yard depth or rear yard depth of a lot exceeds the minimum required by this by-law, in interpreting this by-law, the front yard required by this by-law shall abut the front lot line and in the case of a rear yard, the rear yard required by this by-law shall abut the rear lot line and in the case of a side yard, the side yard required by this by-law shall abut a side lot line.<sup>10</sup>

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<sup>10</sup> Section 6 – Interpretation of Zone Boundaries replaced by Clause 3. of By-law 3459, August 12<sup>th</sup>, 1996.

## **GENERAL USE REGULATIONS**

### **SECTION 7**

#### **PROVISIONS APPLICABLE TO ALL OF THE TOWNSHIP**

**7.1** *The provisions of paragraph 7.1.1 and all other paragraphs in this subsection 7.1 shall unless the context otherwise requires, apply to all lands, buildings and structures in the Township of Yarmouth and in the event of any conflict between any provision in any paragraph in this subsection 7.1 and any other provision in this by-law, the provisions of the paragraph in this subsection shall prevail except in the case of special provisions set out in any use zone.*

##### **7.1.1 USES PERMITTED IN ALL ZONES:**

*The following uses may be permitted in any zone and shall be subject only to the specified provisions of this Section:*

- (a) street;*
- (b) facilities essential to the operation of any public utility such as sewers, watermains and stormwater management systems including any utility service building or structure associated therewith;*
- (c) water or sewage treatment plant including any public utility yard associated therewith;*
- (d) gas, oil or water pipe line, electric power line, telephone line, cable television line or any similar utility service line, including any substation, transformer or similar utility service building or structure associated therewith, excluding any utility or storage yard;*
- (e) railway line excluding any station, depot or yard associated therewith;*
- (f) park;*
- (g) public works yard;*
- (h) public washroom.*

##### **7.1.2 TEMPORARY USES**

*During the construction or the repair of any building, any construction shed, office or sanitary facility used in connection with such construction or repair may be erected or used on any lot in any zone.*

##### **7.1.3 PROHIBITED USES**

*No land, building or structure or any part of any building or structure in the Township of Yarmouth shall be used for any of the following purposes unless otherwise specifically permitted:*

- (a) salvage yard;*
- (b) a wrecking yard for motor vehicles;*
- (c) junk yard;*
- (d) scrap yard;*
- (e) refining coal, oil or petroleum products;*
- (f) commercial manufacturing of gas;*
- (g) commercial manufacturing of fertilizers from dead animals or from human or animal waste;*
- (h) industrial liquid waste disposal well/lagoon.*

##### **7.1.3.1 ADULT ENTERTAINMENT PARLOUR**

*An Adult Entertainment Parlour is prohibited as an accessory use in any zone.<sup>11</sup>*

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<sup>11</sup> New subsection added by Clause 2. of By-law 306, April 17<sup>th</sup>, 2001.

#### **7.1.4 PROHIBITED BUILDINGS AND STRUCTURES**

*No building or structure shall be erected for any purpose prohibited by paragraph 7.1.3.*

#### **7.1.5 FRONT YARD SET BACKS FROM CERTAIN STREETS**

**7.1.5.1** *Notwithstanding the provisions of clause 9.2.1.7.1(a), the front yard setback for any building or structure erected on a lot zoned "R1" and having frontage on those portions of Provincial Highway or County Road delineated on Map "A-3", shall be 7.5 metres.*

#### **7.1.6 FRONTAGE ON A STREET**

*No building or structure shall be erected on a lot or used for any purpose unless that lot has the minimum lot frontage required by this by-law.*

#### **7.1.7 DAYLIGHT CORNERS**

**7.1.7.1** *Subject to the provisions of clause 7.1.7.2, no building or structure shall be erected or used on a corner lot within 6 metres of the intersection of the front lot line and the exterior lot line of such corner lot.*

**7.1.7.2** *No part of a corner lot within 6 metres of the intersection of the front lot line and the exterior lot line of such lot shall be used for the planting, growing or maintaining of a tree, bush, hedge or shrub or any part of any of them.*

**7.1.7.3** *Where two streets intersect and the intersection includes a daylight corner, for the purpose of determining the location of any building on the corner lot that abuts the daylight corner, the lot shall be deemed to include the daylight corner, provided that no part of any building on such corner lot shall be closer than 2 metres to the daylighting corner.*

#### **7.1.8 PUBLIC SERVICE USES**

**7.1.8.1** *Subject to the provisions of clauses 7.1.8.3 and 7.1.8.4, a public authority may use any land, building, or structure for any public service use carried on by it in any zone.*

**7.1.8.2** *Subject to the provisions of clauses 7.1.8.3 and 7.1.8.4, a public authority may erect any building or structure for any public service use carried on by it in any zone.*

**7.1.8.3** *In the zones listed below, no public authority shall use any land, building or structure for any use listed below as being prohibited in such zone and no public authority shall erect any building or structure in such zone for uses listed as being prohibited.*

*Industrial Zones -*

*Prohibited Uses:*

*Hospital*

*Private or Public School*

*Residential Zones -*

*Prohibited Uses:*

*Railway except an existing railway*

*Business office*

*Repair, maintenance and storage of vehicles, equipment and supplies.*

**7.1.8.4** *Where any business office or building for the repair, maintenance or storage of vehicles, equipment or supplies is erected by a public authority for a public service use, it shall be erected in accordance with the requirements of the zone in which it is erected as to services required, lot area, lot frontage, front yard, rear yard and height.*

#### **7.1.9 KEEPING OF ANIMALS, FOWL, ETC.**

**7.1.9.1** *No land, building or structure in the R1, R2 or R3 zones shall be used for the keeping of bees, or for the raising or keeping of a horse, cow, donkey, mule, pig, goat, sheep, goose, turkey, chicken, duck, pigeon, rabbit, snake, reptile, cougar, fox, wolf, skunk, raccoon or any wild animal or for the raising or keeping of more than one of each of them or for the raising or keeping of*

*more than one of each of them or for the raising or keeping of any number of some or all of them.*

**7.1.9.2** *No land, building or structure in the Township of Yarmouth shall be used for the keeping of more than three dogs or three cats except in an animal clinic, kennel or retail store selling cats or dogs.*

#### **7.1.10 STORING OF UNLICENSED VEHICLES, HOUSEHOLD APPLIANCES, ETC.**

**7.1.10.1** *Subject to the provisions of clause 7.1.10.2, no land shall be used as a place to store, keep, display, pile or accumulate any of the following:*

- (a) a motor vehicle or trailer which does not bear a current license,*
- (b) any part of a motor vehicle or trailer,*
- (c) any clothing or household goods including a mattress, bed, table, stove, refrigerator, dishwasher, washing machine and dryer or any part of any of them,*
- (d) a furnace, hot water heater, air conditioner which is not part of the cooling system of a building, or any part of any of them,*
- (e) farm machinery and implements.*

**7.1.10.2** *Nothing in clause 7.1.10.1 shall*

- (a) prohibit the storing, keeping or displaying of an unlicensed motor vehicle on a lot in a commercial or industrial zone where such storing, keeping or displaying is part of a business lawfully carried on on such lot.*
- (b) prohibit the storing, keeping of farm machinery and implements on a lot zoned for agricultural use.*

#### **7.1.11 HABITATION OF VEHICLES**

*No land in the Township of Yarmouth shall be used as a place to park, locate or store a motor vehicle, mobile home, motor home or trailer when used as a place for sleeping, living or eating in by a person or persons.*

#### **7.1.12 NUMBER OF MAIN BUILDINGS**

**7.1.12.1** *Subject to the provisions of clause 7.1.12.2, where buildings may be lawfully erected in a zone, more than one main building may be erected on any lot in such a zone provided:*

- (a) each of such main buildings shall comply with the zone regulations for such zone and for the purposes of determining if such regulations are met, the location of any other main building on the same lot shall be disregarded, and*
- (b) the total number of parking spaces required to be provided on such lot shall be the total of all of the spaces required for each building on the lot.*

**7.1.12.2** *Not more than one main building shall be erected on a lot in an OS1, OS2, R1, R2 or R3 zone.*

#### **7.1.13 LANDSCAPED AREAS**

*Subject to any provisions of this by-law to the contrary, any lands in any zone or special zone may be used as a landscaped area.*

#### **7.1.14 STREET FRONTAGE OF BUILDING LOTS**

*Except as hereinafter provided in this By-law, no person shall erect a building or structure and no person shall use any building, structure, lot or parcel of land unless the lot or parcel of land to be so used or upon which the building is situated, erected or proposed to be erected abuts or fronts on a street or road constructed to Municipal standards.*

### **7.1.15 NON-CONFORMING USES:**

*The provisions of this By-law shall not apply:*

- a) *to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the effective date, so long as it continues to be used for that purpose; or*
- b) *to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have, prior to the day of the passing of the By-law, been approved by the building inspector, 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 the erection of such building or structure is commenced within two years after the day of the passing of the By-law and such building or structure is completed within a reasonable time after the erection is commenced.*

### **7.1.16 LAND WITHOUT BUILDINGS**

*Where land is used for, or in connection with agricultural, residential, business, industrial or institutional uses, but without any buildings or structures thereon, all yards required by this By-law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for gardening or open space purposes not permitted by this By-law in such use zone.*

### **7.1.17 MOBILE HOMES PROHIBITED IN ALL ZONES**

- (a) *It shall be prohibited to locate and use a mobile home in any zone for the purposes of residential, business, industrial or institutional uses, temporarily or permanently, unless the use of a mobile home for such purposes is listed specifically in this By-law as a permitted use within a particular use zone.*
- (b) *Notwithstanding (a) above, a mobile home for the purposes of selling or dispensing of food is permitted provided such use is located in a Commercial or Business zone permitting a restaurant or restricted business use and provided such use is licensed by the Corporation to operate.*

### **7.1.18 MOVING OF BUILDINGS**

*In all zones, no building shall be moved within the limits of the Municipality, or shall be moved from outside the Municipality into the Municipality without a permit from the Building Inspector.*

### **7.1.19 MUNICIPAL SERVICES REQUIRED**

*No buildings or structures shall be erected or used for any purpose permitted unless the following municipal services are available to service the building or structure and the land on which it is situate:*

- i) *a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent;*
- ii) *a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent;*
- iii) *a storm water drainage system.*

### **7.1.20 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS**

*No new building shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed, and sanitary conveniences installed, and, where applicable, kitchen and heating facilities have been installed.*

### **7.1.21 EXISTING LOTS**

*Notwithstanding any other provisions of this By-law, a lot of record existing at the time of the passing of this By-law having less than the required frontage or area may be developed for the use specified in the appropriate zone provided all other regulations of the By-law are satisfied, and:*

- a) *such lots are serviced by a sanitary sewage disposal system and water supply approved by the appropriate regulatory authority.*

b) such lots have a minimum frontage of 30 metres on a street.

### **7.1.22 MINIMUM REQUIREMENTS**

*Except where specifically stated as being maximum, the numerical figures in this By-law other than those referring to the permitted number of residential units within the zone, or to an absolute figure upon which the required minimum number of parking spaces is based (e.g. floor area, number of seats, or area for sports), shall be the minimum requirements.*

### **7.1.22 FENCES**

*The location of lawful fences shall be deemed not to be subject to the yard provisions of this By-law except as otherwise provided for in this By-law.*

### **7.1.23 HOME OCCUPATIONS**

**7.1.23.1** *The total of the floor area of:*

- (i) all parts of each dwelling unit which are used for any home occupation, and*
- (ii) all parts of each building that is accessory to such dwelling unit and used for any home occupation, shall not exceed 15 square metres or 15% of the floor area of such dwelling unit, whichever is the lesser.*

**7.1.23.2** *No person shall use any part of a dwelling unit or accessory building as his place of employment in connection with a home occupation unless such person regularly resides in such dwelling unit;*

**7.1.23.3** *No part of any dwelling unit shall be used for selling or offering to sell any goods, wares or merchandise to any person except by telephone;*

**7.1.23.4** *No part of any accessory building shall be used for selling or offering to sell any goods, wares or merchandise to any person except by telephone;*

**7.1.23.5** *No sign or other advertising device relating to or in any way connected with any home occupation shall be erected, posted or displayed on any lot or on or within any building or structure;*

**7.1.23.6** *No home occupation shall be carried on except within a dwelling unit or within an accessory building;*

**7.1.23.7** *No person shall use any part of a dwelling unit or of an accessory building as a barbershop or hair dressing establishment or as the place of business of a physician, surgeon, psychiatrist, dentist, lawyer, engineer, surveyor, chiropractor, osteopath, accountant, bookkeeper, photographer or an agent or broker of real estate or insurance.*

**7.1.23.8** *No part of any lot, dwelling unit or accessory building shall be used as a place where any goods, wares, or merchandise are delivered, handed to or picked up by any person who does not regularly occupy such lot, dwelling unit or accessory building.*

### **7.1.24 USES PROHIBITED**

*Uses not listed as permitted in a use zone in this By-law shall be prohibited in such use zone.*

### **7.1.25 COMMERCIAL VEHICLES IN RESIDENTIAL ZONES**

*It shall be prohibited to use any lot or part of any lot in any residential zone for the purposes of parking or storing any commercial vehicle except one such vehicle which does not exceed the 1 (one) ton rating provided such vehicle is parked in an accessory building.*

### **7.1.26 BUILDING REPAIR AND RECONSTRUCTION**

*Nothing in this By-law shall prevent the strengthening to a safe condition or the reconstruction of a building or structure, whether a non-complying or non-conforming use or not, that has been partially or completely destroyed by fire, lightning, explosion, tempest, flood or act of God, or has been ordered demolished by the Corporation of the*

Township of Yarmouth, the Elgin-St. Thomas Health Unit or other Authority having jurisdiction for safety, health or sanitation reasons, subject to the following:

- (i) the reconstruction does not further reduce the front yard depth or side yards or rear yards, resulting in these yards having less than the minimum required by this By-law;
- (ii) the reconstruction does not contravene the provisions of this By-law because of a change in the height, size or bulk, or by changing the use of such building or structure;
- (iii) during the reconstruction or the repair of any building, a mobile home may be used for temporary housing accommodation on the site, but for so long only as the same is necessary while the reconstruction work is in process, which has neither been finished nor abandoned.

**7.2 PROVISIONS APPLICABLE TO RESIDENTIAL ZONES**

The provisions of paragraph 7.2.1 and all other paragraphs in this subsection 7.2 shall, unless the context otherwise requires, apply to all lands, buildings and structures in each residential zone and in the event of any conflict between any provision in any paragraph in this subsection 7.2 and any provision in section 9, the provisions of the paragraph in this subsection shall prevail except in the case of special provisions set out in any residential use zone.

**7.2.1 ERECTION AND USE OF BUILDINGS AND STRUCTURES IN RESIDENTIAL ZONES**

- 7.2.1.1** Except as provided in clause 7.2.1.3 and in paragraph 7.2.2 to 7.2.4 inclusive; no building or structure shall be erected or used in any required rear yard or any required interior side yard in any residential zone.
- 7.2.1.2** Except as provided in clause 7.2.1.3 and in paragraph 7.2.2 to 7.2.4 inclusive, no building or structure shall be erected or used in any front yard or any exterior side yard in any residential zone.
- 7.2.1.3** In any residential zone, any structure specified in column 1 of this clause 7.2.1.3 may, subject to clause 7.2.1.4 to 7.2.1.7 inclusive, 7.2.1.9, 7.2.1.14 and 7.2.1.17, be erected and used in any yard or yards specified in column 2.

Structure  
(Column 1)

Yard  
(Column 2)

Patio constructed at grade, flagpole, satellite dish, television antenna and its supporting tower, a radio antenna & its supporting tower, clothesline pole, light standard.

Required rear yard.

Patio constructed at grade, flagpole, television antenna and its supporting tower, a radio antenna and its supporting tower, clothesline pole, light standard.

Required interior side

Fence, flagpole, light support.

Any yard.

- 7.2.1.4** (a) No satellite dish shall be located in any front yard, exterior side yard or exterior rear yard.
- (b) No television antenna or radio antenna and their supporting towers shall exceed 15 metres in height above grade. This restriction shall not apply to federally licensed installation.

**7.2.1.5** Subject to 7.2.1.6, no fence shall be erected or used in any yard if the height of any part of the fence exceeds two metres.

**7.2.1.6** No fence shall be erected or used in a front yard if the height of any part of the fence exceeds one metre.

- 7.2.1.7** *Except as provided in clauses 7.2.1.10 and 7.2.1.12, within a comer lot, no fence in excess of 1 metre in height shall be erected or used within 2 metres of the intersection of the rear lot line and the exterior lot line of such lot.*
- 7.2.1.8** *Within a comer lot, the lands within 2 metres of the intersection of the rear lot line and the exterior lot line shall not be used except for the growing of grass.*
- 7.2.1.9** *Within a comer lot, no building or structure except a fence which complies with this By-law shall be erected or used within 2 metres of the intersection of the rear lot line and the exterior lot line of such lot.*
- 7.2.1.10** *The provisions of clause 7.2.1.7 shall not apply where the rear yards of two comer lots abut and a garage or residential driveway is located within each of such lots and there is access for an automobile from the street to such garage or residential driveway through the front yard of the lot on which the garage or driveway is situate.*
- 7.2.1.11** *Where a fence is erected which is permitted by clause 7.2.1.10, no part of the exterior yard of the corner lot or the exterior side yard of such lot shall be used as a parking space or residential driveway if the parking space or driveway connects to a street through the exterior lot line of such lot.*
- 7.2.1.12** *The provisions of clause 7.2.1.7 shall not apply where the closest part of any residential driveway or parking space on a lot that abuts a comer lot is at least 3 metres from any part of the comer lot.*
- 7.2.1.13** *Where the provisions of clause 7.2.1.12 apply, no residential driveway or parking space or part thereof shall be located on the lot abutting the comer lot within 3 metres of any part of the comer lot.*
- 7.2.1.14** *Within a comer lot, no fence in excess of 1 metre in height shall be erected or used within 2 metres of the intersection of:*
- (i) the exterior lot line of the lot, and*
  - (ii) the closest limit of any residential driveway or parking space within such lot which connects to a street through the exterior lot line of such lot.*
- 7.2.1.15** *Within a comer lot, no residential driveway or parking space shall be erected or used if any fence which is in excess of one metre in height is located within 2 metres of the intersection of:*
- (i) the exterior lot line of such lot, and*
  - (ii) the limit of such residential driveway or parking space within such lot which connects to a street through the exterior lot line of such lot.*
- 7.2.1.16** *Where a residential driveway or parking space within a comer lot connects to a street through the exterior lot line of such lot, the lands within 2 metres of the intersection of the exterior lot line and the limits of such residential driveway or parking space shall not be used except for the growing of grass.*
- 7.2.1.17** *Within a through lot, no fence shall be erected or used within 6 metres of the intersection of either street lot line within either interior lot line of such lot if any part of the fence exceeds 1 metre in height.*

## **7.2.2 PROJECTIONS INTO YARDS IN RESIDENTIAL ZONES**

*In any residential zone, any structure forming part of the main building or part of an accessory building and specified in column 1 of this clause 7.2.2, may be erected, and used, so as to project or extend into the yard specified in column 2, but the projection into any such yard shall not exceed the maximum projection specified in column 3.*

<i>Structure</i>	<i>Yard</i>	<i>Maximum Projection into Yard</i>
<i>(Column 1)</i>	<i>(Column 2)</i>	<i>(Column 3)</i>
<i>Sills, belt courses, cornices, chimneys or pilasters.</i>	<i>Any required yard.</i>	<i>0.5 metres</i>
<i>Fire escape, exterior staircase.</i>	<i>Required rear yard.</i>	<i>1.5 metres</i>
<i>Bay window.</i>	<i>Any required yard except a required interior side yard.</i>	<i>1 metre</i>
<i>Uncovered stoop, uncovered steps and uncovered porch.</i>	<i>Required front yard, required interior side yard, required exterior side yard.</i>	<i>1.5 metres but not closer than .5 metres to any side lot line and not higher than 1.25 metres above grade.</i>
<i>Any of the following which are covered or uncovered and not wholly or partially enclosed: deck, stoop, steps, porch.</i>	<i>Required rear yard.</i>	<i>2.5 metres</i>
<i>Eaves and eavestrough.</i>	<i>Any required yard.</i>	<i>.75 metres</i>

## **7.2.3 SWIMMING POOLS IN RESIDENTIAL ZONES**

**7.2.3.1** *A swimming pool of any type may be erected, and used, in any interior side yard or any rear yard but no part of any such pool shall be closer than 1.5 metres to a rear lot line or interior side lot line or an exterior side lot line.*

**7.2.3.2** *No part of any swimming pool deck shall be located closer than 0.5 metres to any lot line.*

## **7.2.4 OTHER ACCESSORY BUILDINGS AND STRUCTURES IN RESIDENTIAL ZONES**

**7.2.4.1** *A garage may, subject to 7.2.4.3 and 7.2.4.4, be erected and used for accessory uses in any yard except a required interior side yard, a required exterior side yard, required exterior rear yard or a required front yard.*

**7.2.4.2** *A utility shed or other accessory building, other than a garage, may, subject to 7.2.4.3 and 7.2.4.4, be erected and used for accessory uses in any yard except a front yard, a required interior side yard, an exterior rear yard and an exterior side yard.*

**7.2.4.3** *No accessory building shall be erected or used between:*

- i) a main building wall and any required front yard except that a garage attached to a dwelling may be erected and used between any main building wall opposite the front lot line and its extensions and any required front yard.*
- ii) any main building wall opposite the exterior lot line and the exterior lot line if any part is within 1 metre of the exterior lot line or, in the case of a garage, if there is access for an automobile from the street to such garage through the exterior lot line.*

- 7.2.4.4** *An accessory building may be erected, and used, within a rear yard but no part shall be erected or used:*
- i) within 0.3 metres of the rear lot line or exterior lot line or, except as provided in clause 7.2.4.5, within 0.3 metres of any interior lot line; or*
  - ii) within 2 metres of the intersection of the rear lot line and the exterior lot line of such lot.*
- 7.2.4.5** *The common wall between two garages in the rear yards of two lots may be centred on a common interior lot line of such lots.*
- 7.2.4.6** *Subject to the provisions of 7.1.2, no accessory building shall be erected on a lot prior to the erection of a main building on the lot.*
- 7.2.4.7** *No accessory building shall be used for human habitation.*
- 7.2.4.8** *No accessory building shall exceed 5.5 metres in height.*
- 7.2.4.9** *The provisions of clause 7.2.4.1 to 7.2.4.8 inclusive shall not apply to swimming pools.*

### **7.2.5 USE OF YARDS IN RESIDENTIAL ZONES**

- 7.2.5.1** *No land in any front yard, exterior side yard, interior side yard, or rear yard shall be used for the maintenance or repair of any motor vehicle except for minor or operating repairs such as the changing of spark plugs, windshield wipers, headlights and tires or for the washing, polishing or cleaning of a motor vehicle.*
- 7.2.5.2** *No land in a front yard, exterior side yard or exterior rear yard shall be used for the storing or keeping of a boat, motor vehicle, motorcycle, school bus, trailer, tractor trailer, mobile home, boat trailer or camper.*
- 7.2.5.3** *No lot shall be used for the storing, placing or keeping of more than one mobile home.*
- 7.2.5.4** *No land or building or part thereof shall be used for offering for sale or selling any matter or thing and without limiting the generality of the foregoing, for a yard sale or a public or private auction sale.*

### **7.2.6 USE OF LANDS FOR PARKING IN RESIDENTIAL ZONES**

- 7.2.6.1** *Subject to the provisions of 7.2.6.2, no part of any lot shall be used for the parking of a motor vehicle or trailer.*
- 7.2.6.2** *Subject to the provisions of 7. 1.9.1, 7.2.6.3, and 7.2.6.4, a parking lot, parking space or residential driveway may be used for the parking of an automobile, motorcycle, snowmobile, trailer, mobile home, motor home, motor scooter, motor assisted bicycle or truck with not more than two axles or a truck for which the manufacturer's gross vehicle rating is less than 4,600 kilograms,*
- 7.2.6.3** *No parking lot, parking space or residential driveway shall be located or used:*
- (a) within those parts of a comer lot as described in clauses 7.1.6.1 and 7.1.6.2 in which no building or structure may be erected or used; .*
  - (b) within a landscaped area;*
  - (c) within a front yard if the area of all driveways, parking spaces and parking lots in such yard exceeds 50% of the area of such yard;*
  - (d) within a front yard or exterior side yard of a comer lot if the area of all residential driveways, parking lots and parking spaces in both of such yards exceeds twenty-five (25%) per cent of the area of both yards.*

**7.2.6.4** No residential driveway or parking space shall be located or used:

- (a) if the total width of all such driveways and parking spaces on a lot where they intersect the front lot line exceeds fifty (50%) per cent of the length of the front lot line; or
- (b) if the total width of all driveways and parking spaces on a lot where they intersect the exterior lot line exceeds fifty (50%) per cent of the length of the exterior lot line.

**7.2.6.5** No part of any lot shall be used for the parking of a motor vehicle having a manufacturer's gross vehicle weight in excess of 4,600 kilograms.

### **7.2.7 NUMBER OF BUILDINGS ON A LOT IN A RESIDENTIAL ZONE**

In any R1, R2 or R3 zone, not more than one main building shall be erected or used on a lot.

### **7.2.8 SUBSTANDARD LOTS IN A RESIDENTIAL ZONE**

**7.2.8.1** Where an existing building is located on a lot having less than the minimum lot frontage, lot area, setback, front yard depth, side yard depth or rear yard depth required by this by-law, the said building may be enlarged, reconstructed, repaired or renovated provided that the enlargement, reconstruction, repair or renovation does not further reduce any setback, front yard depth, side yard depth, or rear yard depth which is less than the minimum required by this by-law and all other applicable provisions of this by-law are complied with.

**7.2.8.2** An existing lot having less than the minimum lot frontage or minimum lot area required by this by-law may be used for any purpose permitted in any residential zone provided all other applicable provisions of this by-law are complied with and there are available to service the building or structure erected thereon and the lands on which it is situated:

- i) a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent;
- ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent;
- iii) a storm water drainage system.

**7.2.8.3** The required front yard depth for an existing interior lot shall be the lesser of:

- (a) the average of the front yard depths of the two abutting interior lots fronting on the same street, or
- (b) the required front yard depth for the lot.

### **7.2.9 SEVERANCE OF LOTS AND BUILDINGS**

Where a semi-detached dwelling is lawfully erected in accordance with the provisions of this by-law and any such dwelling and the lot on which it is located are lawfully severed, the zone requirements applicable to such semi-detached dwelling and the lot on which it is located shall apply to each lot created and the part of the building erected thereon except that the minimum lot area shall be 45% of the minimum for the lot before the severance, the minimum lot frontage shall be 45% of the minimum for the lot before the severance, the minimum lot coverage shall be 40% of the minimum for the lot before severance and the minimum for one side yard shall be nil and 1 metre for the other.

### **7.3 PROVISIONS APPLICABLE TO BUSINESS / COMMERCIAL ZONES**

The provisions of Paragraph 7.3.1 and all other paragraphs of subsection 7.3 shall, unless the context otherwise requires, apply to all lands, buildings and structures in each business or commercial zone, and in the event of any conflict between any provision in any paragraph in this subsection 7.3 and any provision of section 10, the provisions of the paragraph in this subsection shall prevail except in the case of special provisions set out in any business or commercial use zone.

### **7.3.1 SUBSTANDARD LOTS IN BUSINESS / COMMERCIAL ZONES**

**7.3.1.1** *Where an existing building is located on a lot having less than the minimum lot frontage, lot area, setback, front yard depth, side yard depth or rear yard depth required by this by-law, the said building may be enlarged, reconstructed, repaired or renovated provided that the enlargement, reconstruction, repair or renovation does not further reduce any setback, front yard depth, side yard depth, or rear yard depth which is less than the minimum required by this by-law and all other applicable provisions of this by-law are complied with.*

**7.3.1.2** *An existing lot having less than the minimum lot frontage or minimum lot area required by this by-law may be used for any purpose permitted in any business or commercial zone provided all other applicable provisions of this by-law are complied with and there are available to service the building or structure thereon and the lands on which it is situate:*

- i) a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent;*
- ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent;*
- iii) a storm water drainage system.*

### **7.3.2 USE OF LANDS FOR PARKING IN BUSINESS/COMMERCIAL ZONES**

**7.3.2.1** *Subject to the provisions of 7.3.2.2, no part of any lot shall be used for the parking of a motor vehicle or a trailer.*

**7.3.2.2** *Subject to the provisions of paragraph 7.1.9.1 and 7.3.2.3, a parking lot or parking space may be located anywhere in a business or commercial zone and may be used for the parking of a motor vehicle or a trailer.*

**7.3.2.3** *No parking lot or parking space shall be located or used:*

- (a) within those parts of a corner lot as described in clauses 7.1.6.1 and 7.1.6.2 in which no building or structure may be erected or used, or*
- (b) within a landscaped area.*

### **7.4 PROVISIONS APPLICABLE TO INDUSTRIAL ZONES**

*The provisions of paragraph 7.4.1 and all other paragraphs of this subsection 7.4 shall, unless the context otherwise requires, apply to all lands, buildings and structures in each industrial zone and in the event of any conflict between any provision in any paragraph in this subsection 7.4 and any provision in section 12, the provisions of the paragraph in this subsection shall prevail except in the case of special provisions set out in any industrial use zone.*

#### **7.4.1 LOCATION OF DRIVEWAYS IN INDUSTRIAL ZONES**

*No land shall be used in any Industrial Zone as a driveway for motor vehicles if any part of such driveway, where it intersects or crosses a front lot line or an exterior lot line, is within 16 metres of the intersection of any front lot line and an exterior lot line of any corner lot.*

#### **7.4.2 STORAGE IN YARDS IN INDUSTRIAL ZONES**

*No land in any front yard, exterior side yard and exterior rear yard in any Industrial Zone shall be used for the storing, keeping, piling or placing of any substance or thing and without limiting the generality of the foregoing, any raw material, waste, goods, container, equipment or machinery.*

#### **7.4.3 SUBSTANDARD LOTS IN INDUSTRIAL ZONES**

**7.4.3.1** *Where an existing building is located on a lot having less than the minimum lot frontage, lot area, setback, front yard depth, side yard depth or rear yard depth required by this by-law, the said building may be enlarged, reconstructed, repaired or renovated provided that the enlargement, reconstruction, repair or renovation does not further reduce any setback, front yard depth, side yard depth, or rear yard depth which is less than the*

*minimum required by this by-law and all other applicable provisions of this by-law are complied with.*

**7.4.3.2** *An existing lot having less than the minimum lot frontage or minimum lot area required by this by-law may be used for any purpose permitted in any commercial zone provided all other applicable provisions of this by-law are complied with and there are available to service the building or structure thereon and the lands on which it is situate:*

- i) a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent;*
- ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent;*
- iii) a storm water drainage system.*

#### **7.4.4 USE OF LANDS FOR PARKING IN INDUSTRIAL ZONES**

**7.4.4.1** *Subject to the provisions of 7.4.4.2, no part of any lot shall be used for the parking of a motor vehicle or a trailer.*

**7.4.4.2** *Subject to the provisions of paragraph 7.1.10 and 7.4.4.3, a parking lot or parking space may be located anywhere in an Industrial Zone and may be used for the parking of a motor vehicle or a trailer.*

**7.4.4.3** *No parking lot or parking space shall be located or used:*

- (a) within those parts of a comer lot as described in clauses 7.1.6.1 and 7.1.6.2 in which no building or structure may be erected or used, or*
- (b) within a landscaped area.<sup>12</sup>*

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<sup>12</sup> Section 7 replaced by Clause 4. of By-law 3459, August 12<sup>th</sup>, 1996.

## **7.5 MINIMUM DISTANCE SEPARATION**

- 7.5.1** Notwithstanding any other provisions of Zoning By-law 1998, no building or structure for residential, institutional, business, commercial, industrial or recreational purposes, with the exception of a permitted fence or sign, located on a lot within the **MDS Area** as shown on "Map A-4", shall be erected or enlarged unless it complies with the Minimum Distance Separation (MDS I) calculated in accordance with subsection 7.5.5 MDS I-Calculation Form, to this By-law.
- 7.5.2** Notwithstanding any other provisions of Zoning By-law 1998, no livestock/poultry facility located on a lot within the **MDS Area** as shown on "Map A-4", shall be erected or enlarged unless it complies with the Minimum Distance Separation (MDS II) calculated in accordance with subsection 7.5.6 MDS II-Calculation Form, to this By-law.
- 7.5.3** In the calculation of the Minimum Distance Separation, MDS I and MDS II all measurements shall be taken as the shortest distance along a continuous straight line path.
- 7.5.4** The following definitions apply when utilizing the minimum distance separation formulae:
- (i) AGRICULTURALLY RELATED COMMERCIAL/INDUSTRIAL USE** means uses directly related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.
  - (ii) ANIMAL GROUP** means livestock and poultry grouped according to their manure production.
  - (iii) HOUSING CAPACITY** means the total maximum livestock/poultry capacity for the facility at any one time.
  - (iv) LIVESTOCK HOUSING CAPACITY** means the total maximum number of livestock / poultry that can be accommodated in a livestock / poultry facility at any one time.
  - (v) LIVESTOCK/POULTRY FACILITY** means barns, buildings or structures which are structurally sound and reasonably capable of housing animals or poultry, including beef feedlots, and includes the associated manure storage facilities and without limiting the generality of the foregoing shall include all the types of animals and poultry identified in Table 1. Animal Groups of subsection 4.18.5 of this By-law.
  - (vi) LIVESTOCK UNIT** means the equivalent values for various types of animals and poultry based on manure production and production cycles.
  - (vii) MANURE STORAGE FACILITIES** means a containment system, with or without a roof or covering, used for the storage of liquid or solid livestock/poultry manure.
  - (viii) MINIMUM DISTANCE SEPARATION (MDS I and MDS II)** means the formulae used for the purpose of determining in the case of MDS I, the minimum distance to be maintained between new dwelling units and existing livestock/poultry facilities or manure storage facilities and, in the case of MDS II, the minimum distance to be maintained between new or expanding livestock/poultry facilities or manure storage facilities and non agricultural uses located on a separate lot.
  - (ix) MULTIPLE RESIDENTIAL** means a residential building or structure containing three or more dwelling units.
  - (x) RECREATIONAL USE-ACTIVE** means a recreational use or activity usually with buildings or requires alteration of soil or topography and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.
  - (xi) RECREATIONAL USE-PASSIVE** means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of soil or topography and includes open space and environmental areas.

(xii) **TILLABLE HECTARES** means the total area of land including pasture that can be worked or cultivated.

(xiii) **URBAN AREA** means lands located within a non-agricultural designation of the Official Plan and includes a Hamlet, Urban Development Area, Rural Development Area, Highway Commercial or Major Industrial designation.

(xiv) **URBAN EXPANSION** means the outward expansion of an urban area.

### 7.5.5 MDS I - Calculation Form

#### STEP 1. TOTAL LIVESTOCK UNITS

Column 1 TYPE OF LIVESTOCK	Column 2 HOUSING CAPACITY	Column 3 NUMBER OF ANIMALS PER LIVESTOCK UNIT	Column 4 NUMBER OF LIVESTOCK UNITS (Col. 2/Col. 3)
(A) =TOTAL LIVESTOCK UNITS (sum of Column 4)			(A)

If there are more than 300 livestock units, reference must be made to a full set of tables available from the Ontario Ministry of Agriculture, Food and Rural Affairs.

**TABLE 1: ANIMAL GROUPS**

ANIMAL GROUP 1	ANIMAL GROUP 2	ANIMAL GROUP 3	ANIMAL GROUP 4	ANIMAL GROUP 5
1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals
200..Chicken Broilers 1.....Horse <sup>3</sup>	4.....Adult Sheep <sup>3</sup> 1.....Beef Cow <sup>1</sup> confinement 10....Feeder Lambs 100...Ducks 5.....Emu 4.....Adult Goats <sup>3</sup> 10....Feeder Goats 3.....Ostrich 500..Pullets 50....Turkeys (>10kg) 75....Turkeys (5-10kg) 100..Turkeys (<5kg)	1...Beef Cow <sup>1</sup> Yard/Barn 2...Beef Feeder Yard/Barn 1...Dairy Cow <sup>1,2</sup> 2..Dairy Heifer Yard/Barn 40..Adult Rabbits <sup>4</sup> 3...Red Veal <300kg 125..Chicken Breeder Layers 75....Turkey Breeder Layers	80.....Adult MInk <sup>4</sup> 40.....Adult Fox <sup>4</sup> 125...Caged Flyers	4.....Feeder Hogs 5.....Sows/Boars 20...Weaners 4-30kg 6.....White Veal

<sup>1</sup>Includes calf to 150 kg. <sup>2</sup>Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm. <sup>3</sup>Includes offspring until weaned. <sup>4</sup>Includes offspring to market size.

Select Animal Group 1 2 3 4 or 5. depending on type of animals on farm. If there are animals from different groups, select the highest group number. The group number is used when referring to Table 2.

#### STEP 2. LAND BASE ASSESSMENT (B)

Number of tillable hectares\* on site \_\_\_\_\_ x 5 = \_\_\_\_\_ (B) Potential Livestock Units

\*Maximum (B) is 150 Livestock Units.

**STEP 3.**

Enter the GREATER OF (A) Total Livestock Units OR (B) Potential Livestock Units \_\_\_\_\_

Use this figure to enter Column 1 of Table 2.

**STEP 4. TABLE 2: MINIMUM DISTANCE SEPARATION FROM LIVESTOCK FACILITY**

Read across appropriate line from Column 1 to respective Animal Group and Land Use Type. This the Minimum Distance Separation requirement in metres from a livestock facility.

COLUMN 1	TYPE "A" LAND USE To permit:					TYPE "B" LAND USE To permit:				
	<ul style="list-style-type: none"> <li>• up to 3 rural residential lots, either by consent or by plan of subdivision</li> <li>• the severance of an existing dwelling</li> <li>• passive recreational</li> <li>• the building of a dwelling on an existing lot of record</li> <li>• agriculturally related commercial</li> <li>• industrial</li> </ul>					<ul style="list-style-type: none"> <li>• residential subdivision</li> <li>• active recreational</li> <li>• institutional</li> <li>• commercial</li> <li>• urban expansion</li> <li>• multiple residential</li> <li>• or result in a Rural Residential Cluster</li> </ul>				
Greater of Livestock Units (A) or Potential Livestock Units (B)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345
75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	194	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

Continue to TABLE 3 (next page).

**STEP 5. TABLE 3: MINIMUM DISTANCE SEPARATION FROM MANURE STORAGE**

The following table is used to calculate MDS requirements in metres from manure storages associated with livestock facilities.

Using the resulting MDS distance from Table 2, read across the appropriate line to Column 1, 2, 3 or 4. Select the distance under the appropriate Land Use Type.

This is the **MINIMUM DISTANCE SEPARATION REQUIREMENT** from the manure storage of a livestock facility for the establishment of a non-farm use.

- Column 1: Roofed or covered storages for manure, runoff, and milkhous washwater. Includes any covered or roofed concrete, steel or earthen storages, in-bam solid manure packs, and storages under fully slatted floors.
- Column 2: Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhous washwater may be added to runoff storage.
- Column 3: Open concrete or steel tanks used for storing liquid manure, milkhous washwater, or yard runoff where yard is scraped into storage.
- Column 4: Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhous washwater.

**MANURE STORAGE DISTANCE**

Distance for Livestock Facility from Table 2 (Step 4).  (m)	Column 1		Column 2		Column 3		Column 4	
	Covered Storage Systems (m)		Open Solid and Runoff Storage Systems (m)		Open Liquid Tank and Runoff Storage Systems (m)		Earthen Liquid and Runoff Storage Systems(m)	
	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use
40	40	-	55	-	119	-	324	-
45	45	-	60	-	123	-	326	-
50	50	-	65	-	127	-	328	-
55	55	-	70	-	132	-	331	-
60	60	-	74	-	136	-	333	-
65	65	-	79	-	140	-	335	-
70	70	70	84	103	144	241	337	686
75	75	75	89	107	149	246	339	689
80	80	80	94	112	153	250	342	691
85	85	85	99	117	157	254	344	693
90	90	90	103	122	161	258	346	695
95	95	95	108	127	165	263	348	698
100	100	100	113	132	170	267	351	700
110	110	110	123	141	178	275	355	704
120	120	120	133	151	187	284	359	709
130	130	130	142	161	195	292	364	713
140	140	140	152	171	203	301	368	717
150	150	150	162	180	212	309	373	722
160	160	160	172	190	220	318	377	726
170	170	170	181	200	229	326	382	731
180	180	180	191	209	237	335	386	735
190	190	190	201	219	246	343	390	740
200	200	200	210	229	254	351	395	744
210	210	210	220	239	263	360	399	749
220	220	220	230	248	271	368	404	753
230	230	230	239	258	280	377	408	757
240	240	240	249	268	288	385	413	762
260	260	260	268	287	305	402	421	771
280	280	280	288	307	322	419	430	780
300	300	300	307	326	339	436	439	788
320	320	320	327	346	356	453	448	797
340	340	340	346	365	372	470	457	806
360	360	360	366	385	389	487	466	815
380	380	380	385	404	406	504	475	825
400	400	400	404	423	423	521	483	833
450	450	450	453	472	465	563	506	855
500	500	500	501	520	508	605	528	877
550	550	550	550	569	550	648	550	899



**TABLE 1: FACTOR 'A' (Barn Odour Potential).**  
and Animals per Livestock Unit (based on housing capacity).

A:		Animals per Livestock Unit	Factor
BEEF	1	Beef Cow <sup>1</sup> .....(barn confinement).....	0.7
	1	" " .....(barn with yard).....	0.8
	2	Beef Feeders .....(barn confinement).....	0.7
	2	" " .....(barn with yard).....	0.8
CHICKEN	125	Caged Layers....(manure stored in barn)....	1.0
	125	Caged Layers....(daily manure removal).....	0.8
	125	Chicken Breeder Layers	0.8
	200	Chicken Broilers/Roasters	0.65
	500	Pullets (replacement layers)	0.7
DAIRY	1	Milking Cow <sup>1,2</sup> .....(tie stall).....	0.65
	1	" " .....(free-stall).....	0.7
	2	Dairy Heifers .....(barn confinement).....	0.7
	2	" " .....(barn with yard).....	0.8
DUCK	100	Ducks.....	0.7
EMU	5	Emu.....	0.7
FOX	40	Adult Fox <sup>4</sup> .....	1.1
GOAT	4	Adult Goats <sup>3</sup> .....	0.7
	10	Feeder Goats (>20 kg).....	0.7
HORSE	1	Horse <sup>3</sup> .....	0.65
MINK	80	Adult Mink <sup>4</sup> .....	1.1
OSTRICH	3	Ostrich.....	0.7
RABBIT	40	Adult Rabbits <sup>4</sup> .....	0.8
SHEEP	4	Adult Sheep <sup>3</sup> .....	0.7
	10	Feeder Lambs (>20 kg).....	0.7
SWINE	5	Sows/Boars.....	1.0
	20	Weaners (4-30 kg) <sup>5</sup> .....	1.0
	4	Feeder Hogs (30-120 kg).....	1.0
TURKEY	50	Meat Turkeys (>10 kg).....	0.7
	75	Meat Turkeys (5-10 kg).....	0.7
	75	Turkey Breeder Layers.....	0.8
	100	Meat Turkeys «5 kg).....	0.7
	500	Pullets (replacement breeders).....	0.7
VEAL	6	White Veal.....	1.0
	3	Red Veal (<300 kg).....	0.8

Notes: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time (A =0.8).

<sup>1</sup>Includes calf to 150 kg.

<sup>2</sup>A dairy farm usually has milking cows, dry cows, heifers and calves. Multiply the number of milking cows by 1.5 to account for the followers when they are all kept on the same farm.

<sup>3</sup>Includes offspring until weaned.

<sup>4</sup>Includes offspring to market size.

<sup>5</sup>Multiply number of sows by 2.4 to determine the number of weaners.

**TABLE 2: FACTOR 'B' (Final Livestock Units).**

Livestock Units	Factor B	Livestock Units	Factor B	Livestock Units	Factor B	Livestock Units	Factor B
5	- 107	95	- 313	500	- 578	1600	- 821
6	- 119	100	- 318	520	- 585	1650	- 829
7	- 129	110	- 327	540	- 592	1700	- 836
8	- 138	120	- 335	560	- 598	1750	- 844
9	- 145	130	- 343	580	- 605	1800	- 851
10	- 152	140	- 350	600	- 611	1850	- 858
12	- 164	150	- 357	620	- 617	1900	- 865
14	- 175	160	- 366	640	- 623	1950	- 872
16	- 183	170	- 374	660	- 629	2000	- 879
18	- 191	180	- 383	680	- 635	2100	- 892
20	- 198	190	- 392	700	- 640	2200	- 905
22	- 205	200	- 400	720	- 646	2300	- 917
24	- 210	210	- 409	740	- 651	2400	- 929
26	- 216	220	- 418	760	- 656	2500	- 941
28	- 221	230	- 426	780	- 661	2600	- 952
30	- 225	240	- 435	800	- 666	2700	- 963
32	- 230	250	- 444	850	- 679	2800	- 974
34	- 234	260	- 452	900	- 690	2900	- 985
38	- 241	280	- 470	1000	- 713	3200	- 1015
40	- 245	290	- 478	1050	- 723	3400	- 1034
45	- 253	300	- 487	1100	- 733	3600	- 1053
50	- 261	320	- 501	1150	- 743	3800	- 1071
60	- 275	360	- 522	1250	- 762	4200	- 1105
65	- 281	380	- 531	1300	- 771	4400	- 1121
70	- 287	400	- 540	1350	- 780	4600	- 1136
75	- 293	420	- 548	1400	- 789	4800	- 1152
80	- 298	440	- 556	1450	- 797	5000	- 1166
85	- 304	460	- 564	1500	- 805	7500	- 1326
90	- 309	480	- 571	1550	- 813	10000	- 1455

**TABLE 3: FACTOR 'C' (Percentage Increase).**

Percentage Increase	Factor C	Percentage Increase	Factor C	Percentage Increase	Factor C
0-50	- 0.70	120	- 0.86	280	- 1.03
55	- 0.72	130	- 0.88	300	- 1.04
60	- 0.73	140	- 0.90	325	- 1.05
65	- 0.75	150	- 0.91	350	- 1.06
70	- 0.76	160	- 0.92	375	- 1.07
75	- 0.77	170	- 0.94	400	- 1.08
80	- 0.78	180	- 0.95	425	- 1.09
85	- 0.79	190	- 0.96	450	- 1.10
90	- 0.81	200	- 0.97	500	- 1.11
95	- 0.82	220	- 0.99	550	- 1.12
100	- 0.83	240	- 1.00	650	- 1.13
110	- 0.85	260	- 1.02	700	- 1.14

Note: For new livestock farms or if the % increase is greater than 700 percent, use Factor C = 1.14.

**TABLE 4: SITING DISTANCES FOR MANURE STORAGE (metres).**

- Column 1: *Roofed or covered storages for manure, runoff, and milkhous washwater. Includes any covered or roofed concrete, steel or earthen storages, in-bam solid manure packs, and storages under fully slatted floors.*
- Column 2: *Open solid manure pile on concrete slab. Includes the runoff storages (concrete or earthen) used for capturing seepage liquids from solid manure storage or runoff liquids from yards. If yards are scraped into runoff storage, use column 3 when runoff storage is a concrete or steel tank and column 4 when runoff storage is earthen. Milkhous washwater may be added to runoff storage.*
- Column 3: *Open concrete or steel tanks used for storing liquid manure, milkhous washwater, or yard runoff where yard is scraped into storage.*
- Column 4: *Open earth-sided or earth-sided storage with concrete floor to be used for storing liquid manure or yard runoff when yard is scraped into storage or milkhous washwater.*

**MANURE STORAGE BASIC DISTANCE 'S'**

Minimum Base Distance 'F' for the Building (m)	Column 1	Column 2	Column 3	Column 4
	Covered Storage Systems (m)	Open Solid and Runoff Storage Systems (m)	Open Liquid Tank and Runoff Storage Systems (m)	Earthen Liquid and Runoff Storage Systems (m)
40	40	55	119	324
45	45	60	123	326
50	50	65	128	328
55	55	70	132	331
60	60	74	136	333
65	65	79	140	335
70	70	84	144	337
75	75	89	149	340
80	80	94	153	342
85	85	99	157	344
90	90	104	161	346
95	95	108	166	348
100	100	113	170	351
105	105	118	174	353
110	110	123	178	355
115	115	128	182	357
120	120	133	187	360
125	125	138	191	362
130	130	142	195	364
135	135	147	199	366
140	140	152	204	368
145	145	157	208	371
150	150	162	212	373
160	160	172	220	377
170	170	181	229	382
180	180	191	237	386
190	190	201	246	391
200	200	210	254	395
210	210	220	263	399
220	220	230	271	404
230	230	239	280	408
240	240	249	288	413
260	260	269	305	422
280	280	288	322	430
300	300	307	339	439
320	320	327	356	448
360	360	366	389	466
380	380	385	406	475
400	400	404	423	484
420	420	424	440	492
440	440	443	457	501
480	480	482	491	519
500	500	502	508	528
550	550	550	550	550 <sup>13</sup>

<sup>13</sup> New subsection added by Clause 2. of By-law 239, September 18<sup>th</sup>, 2000.

## **7.6 ADDITIONAL RESIDENTIAL UNITS**

*The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.*

**7.6.1** *Additional residential units shall be permitted within any zone in association with the following uses:*

- (a) Single detached dwelling*
- (b) Semi-detached dwelling*
- (c) Townhouse dwelling*

*Single detached dwellings, semi-detached dwellings or townhouse dwellings containing an additional residential unit on the date of the passing of this by-law, may continue to be used for that purpose if a building permit has been issued under sections 8 or 10 of the Building Code Act, 1992, S.O. 1992, c.23 permitting the erection, alteration, occupancy or use for the additional residential unit, and if the additional residential unit complies with the regulations of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.*

**7.6.2** *No building or structure shall be erected or used for any purpose permitted by subsection 7.6 unless a municipal water supply system and a municipal sanitary supply system are available to service the use.*

**7.6.3** *A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in the main dwelling and a maximum of one (1) additional residential unit in an accessory structure.*

- 7.6.4**
- (a) An additional residential unit shall not be permitted on a separate lot from the primary dwelling unit that it is accessory to.*
  - (b) An additional residential unit or part thereof shall not be permitted in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.*
  - (c) An additional residential unit shall not be permitted within or upon hazardous lands that are subject to flooding, erosion and/or dynamic beach hazards as regulated by the associated Conservation Authority having jurisdiction for that area;*
  - (d) Despite policy 7.6.4 c) an additional residential unit may be permitted within the flood fringe portion of the flooding hazard where a two-zone concept for floodplains is applied and subject to appropriate floodproofing standards.*

- 7.6.5**
- (a) An additional residential unit may be permitted in an accessory structure on the same lot as the primary dwelling.*
  - (b) An additional residential unit in an accessory structure shall be required to meet the regulations of the zone which apply to accessory structures, with exception to the following:*
    - 1) Minimum Rear Yard Setback – 1.2 metres*
    - 2) Minimum Side Yard Setback – 1.2 metres*
    - 3) Maximum Height – 4 metres*
  - (c) An additional residential unit within an accessory structure may only be permitted in the rear yard or interior side yard.*

**7.6.6** *The floor area of additional residential unit(s) shall not be greater than 40% of the combined total floor area of the primary dwelling unit and the additional residential units. For the purposes of calculating gross floor area requirements for additional residential units the following shall not be included:*

- (a) additions to dwelling units completed after the date of passage of this by-law; and,*
- (b) the floor area of accessory structures, where an accessory structure does not include an additional residential unit.*

**7.6.7** *Exterior alterations to provide for entrances to the additional residential unit within interior or rear yards of the primary dwelling unit may be permitted.*

**7.6.8** *The minimum of 1 parking space is required for each additional residential unit. Notwithstanding the provisions of subsection 2.110 ii), a parking space for an additional residential unit may be located in tandem with parking spaces provided for the main residential unit.*

**7.6.9** *Additional Residential Units shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations.<sup>14</sup>*

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<sup>14</sup> New subsection added by Clause 1. of By-law 2621, August 16<sup>th</sup>, 2021.

**OPEN SPACE ZONES**

## **OPEN SPACE (OS) ZONE REGULATIONS**

### **SECTION 8**

#### **8.1. EXISTING USES IN OPEN SPACE ZONES**

- 8.1.1. The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces, shall remain as they lawfully exist on the day of the passing of this by-law.
- 8.1.2. Sub-section 8.1.1. shall not prohibit the erection of accessory building or the enlargement or extension of buildings and other structures which are permitted under the provisions of sub-sections 8.2. *and* 8.3, provided the erection, enlargement, or extension is in conformity with the applicable provisions of this by-law other than subsection 8.1.1.
- 8.1.3. Where the frontage and area of a lot on which buildings and other structures are located is less than that required in sub-sections 8.2. *and* 8.3, the lot frontage and lot area which lawfully exist on the day of the passing of this by-law shall be the minimum lot frontage and the minimum lot area of such lot for the purposes of this by-law.

## **8.2. OPEN SPACE ZONE 1 (OS1) REGULATIONS**

### **8.2.1. GENERAL USE REGULATIONS**

- 8.2.1.1. Permitted Uses:
- (a) Farm uses;
  - (b) Rural-residential uses;
  - (c) Institutional uses;
  - (d) Home Occupations;
  - (e) Accessory uses.
- 8.2.1.2 Permitted Buildings and other Structures:
- (a) Farm buildings including one farm dwelling;
  - (b) One single detached dwelling on a Rural Residential lot;
  - (c) Institutional buildings;
  - (d) Accessory buildings and structures.<sup>15</sup>
- 8.2.1.3 Lot Area for Rural Residential uses: 1858 square metres.<sup>16</sup>
- 8.2.1.4. Lot Frontage: 100 feet.
- 8.2.1.5. Ground Floor Area of Dwellings:
- (a) 800 square feet for a one storey dwelling;
  - (b) 950 square feet for a split level dwelling;
  - (c) 750 square feet for a dwelling having more than one storey.
- 8.2.1.6. Coverage: 20% maximum for rural-residential and institutional uses.
- 8.2.1.7. Location of Buildings and other Structures:
- 8.2.1.7.1. Front Yard: 65 feet.
  - 8.2.1.7.2. Side Yards: 15 feet.
  - 8.2.1.7.3. Rear Yard: Equal to the height of the main building except that a detached accessory building shall not be erected within 2 feet from the rear lot line.
- 8.2.1.8. Rural-Residential Uses on large Lots : No lot having an area of ten acres or more shall be used for rural-residential purposes unless it has a minimum frontage of 700 feet on a public road.
- 8.2.1.9. Off-Street Parking:
- (a) In the case of rural-residential uses: 1½ parking spaces per dwelling unit on the lot on which the dwelling is located plus one additional parking space for every 100 square feet or portion thereof over the first 100 square feet of floor area devoted to or used

<sup>15</sup> Subsection 8.2.1.2 repealed and replaced by Clause 5. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>16</sup> Subsection 8.2.1.3 repealed and replaced by Clause 6. of By-law 3459, August 12<sup>th</sup>, 1996.

- for the purposes of a home occupation;
- (b) In the case of farm use: 4 parking spaces per farm;
- (c) In the case of institutional uses: one space for each 250 square feet of floor area.

**8.2.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 8.2.1., the special regulations contained in this subsection shall apply to the area or areas defined:

- 8.2.2.1.
  - 8.2.2.1.1. Defined Area: OS1-1 as shown on the Zoning Map, Part 29.
  - 8.2.2.1.2. Other Permitted Uses: Broadcasting operation.
  - 8.2.2.1.3. Other Permitted Structures: Broadcasting towers.
- 8.2.2.2.
  - 8.2.2.2.1. Defined Area: OS1-2 as shown on the Zoning Map, Part 41.<sup>17</sup>
  - 8.2.2.2.2. Other Permitted Uses: Flour mill and logging operation.
  - 8.2.2.2.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses.
- 8.2.2.3.
  - 8.2.2.3.1. Defined Area: OS1-3 as shown on the Zoning Map, Part 28.
  - 8.2.2.3.2. Other Permitted Uses: Motor vehicles repair.
  - 8.2.2.3.3. Other Permitted Buildings: Buildings or structures for the permitted uses.
- 8.2.2.4.
  - 8.2.2.4.1. Defined Area: OS1-4 as shown on the Zoning Map, Part 34.
  - 8.2.2.4.2. Other Permitted Uses: Automobile racing.
  - 8.2.2.4.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses.
- 8.2.2.5.
  - 8.2.2.5.1. Defined Area: OS1-5 as shown on the Zoning Map, Part 23.
  - 8.2.2.5.2. Other Permitted Uses: Tool and die shop.
  - 8.2.2.5.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses.
- 8.2.2.6.
  - 8.2.2.6.1. Defined Area: OS1-6 as shown on the Zoning Map, Part 23.
  - 8.2.2.6.2. Other Permitted Uses: General store and school bus storage.
  - 8.2.2.6.3. Other Permitted Buildings

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<sup>17</sup> Map Part Number changed through Clause 1.(4) of By-law 2249, March 25<sup>th</sup>, 1974.

	<u>or Structures:</u>	Buildings or structures for the permitted uses.
8.2.2.7.		
8.2.2.7.1.	<u>Defined Area:</u>	OS1-7 as shown on the Zoning Map, Part 12.
8.2.2.7.2.	<u>Other Permitted Uses:</u>	Furrier business.
8.2.2.7.3.	<u>Other Permitted Buildings or Structures:</u>	Buildings or other structures for the permitted uses.
8.2.2.8.		
8.2.2.8.1.	<u>Defined Area:</u>	OS1-8 as shown on the Zoning Map, Part 20.
8.2.2.8.2.	<u>Other Permitted Uses:</u>	Automobile wrecking.
8.2.2.8.3.	<u>Other Permitted Buildings or Structures:</u>	Buildings or other structures for the permitted uses.
8.2.2.9.		
8.2.2.9.1.	<u>Defined Area:</u>	OS1-9 as shown on the Zoning Map, Part 20.
8.2.2.9.2.	<u>Other Permitted Uses:</u>	Automobile wrecking.
8.2.2.9.3.	<u>Other Permitted Buildings or Other Structures:</u>	Buildings or other structures for the permitted uses.
8.2.2.10.		
8.2.2.10.1.	<u>Defined Area:</u>	OS1-10 as shown on the Zoning Map, Part 12.
8.2.2.10.2.	<u>Other Permitted Uses:</u>	Automobile wrecking.
8.2.2.10.3.	<u>Other Permitted Buildings or Other Structures:</u>	Buildings or other structures for the permitted uses.
8.2.2.11.		
8.2.2.11.1.	<u>Defined Area:</u>	OS1-11 as shown on the Zoning Map, Part 33.
8.2.2.11.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.12.		
8.2.2.12.1.	<u>Defined Area:</u>	OS1-12 as shown on the Zoning Map, Part 30.
8.2.2.12.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.13.		
8.2.2.13.1.	<u>Defined Area:</u>	OS1-13 as shown on the Zoning Map, Part 35.
8.2.2.13.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.14.		
8.2.2.14.1.	<u>Defined Area:</u>	OS1-14 as shown on the Zoning Map, Part 12.
8.2.2.14.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.15.		
8.2.2.15.1.	<u>Defined Area:</u>	OS1-15 as shown on the Zoning Map, Part 12.

8.2.2.15.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.16.		
8.2.2.16.1.	<u>Defined Area:</u>	OS1-16 as shown on the Zoning Map, Part 11.
8.2.2.16.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.17.		
8.2.2.17.1.	<u>Defined Area:</u>	OS1-17 as shown on the Zoning Map, Part 19.
8.2.2.17.2.	<u>Other Permitted Uses:</u>	Gravel pit.
8.2.2.18		
8.2.2.18.1	<u>Defined Area:</u>	OS1-18 as shown on Zoning Map Parts 17(b), 17(c) and 18(a). <sup>18</sup>
8.2.2.18.2	<u>Other Permitted Uses:</u>	<i>Airport uses including hangars, landing strips, fuel storage for aircraft, places for maintenance of aircraft, airport terminal facilities including accommodation for flying clubs, administration and government office for airport purposes, industrial uses for the manufacturing and repair of aircraft or parts thereof; aerial spraying operations and uses accessory to all of the foregoing uses.</i>
8.2.2.18.3	<u>Other Permitted Buildings and Structures:</u>	<i>Buildings and structures for the permitted use.</i> <sup>19</sup>
8.2.2.19		
8.2.2.19.1	<u>Defined Area:</u>	OS1-19 as shown on the Zoning Map, Part 36(b).
8.2.2.19.2	<u>Other Permitted Uses:</u>	<i>Servicing of school buses.</i>
8.2.2.19.3	<u>Other Permitted Buildings or Structures:</u>	<i>One building for the permitted use.</i>
8.2.2.19.4	<u>For Uses Permitted in 8.2.2.19.2:</u>	(a) lot depth - 110 feet (b) lot width - 50 feet (c) front yard - 60 feet (d) side yard - 8 feet (e) rear yard - 3 feet
8.2.2.19.5	<u>For Permitted Buildings or Structures:</u>	(a) coverage - 75% (b) height - 25 feet <sup>20</sup>

**(Note: OS1-20 zone - By-law 2217 never finally approved, file closed.)**

8.2.2.21		
8.2.2.21.1	<u>Defined Area:</u>	OS1-21 as shown on the Zoning Map, Part 11(a).
8.2.2.21.2	<u>Other Permitted Uses:</u>	<i>Notwithstanding subsections 7.15.3 and 7.20.2, asphalt processing.</i>
8.2.2.21.3	<u>Other Permitted Buildings</u>	

<sup>18</sup> Map Part numbers changed by By-law 2273, November 11<sup>th</sup>, 1974.

<sup>19</sup> New subsection added by Clause 5.(1) of By-law 2124, December 8<sup>th</sup>, 1970

<sup>20</sup> New subsection added by Clause 3.(2) of By-law 2214, 1973, then again by By-law 2226, September 10<sup>th</sup>, 1973; By-law 2214 repealed by By-law 2246 on March 11, 1974

	<u>and Structures:</u>	Notwithstanding subsections 7.15.3 and 7.20.2, asphalt processing plant and buildings or structures for the permitted uses.
8.2.2.21.4	<u>Location of Buildings and Structures:</u>	Front yard - 150 feet Side yards - 125 feet Rear yard - notwithstanding subsection 8.2.1.7.3, no rear yard shall be required.
8.2.2.21.5	<u>Off-Street Parking:</u>	There shall be provided and maintained eight parking spaces which shall be within the area within which buildings and structures may lawfully be erected. <sup>21</sup>

**(Note: OS1-22 zone deleted by Clause 1 of By-law 190, April 25<sup>th</sup>, 2000.)**

**(Note: By-law 2284 (OS1-23 zone) never approved by OMB, file closed.)**

8.2.2.25		
8.2.2.25.1	<u>Defined Area:</u>	OS1-25 as shown on the Zoning Map, Part 12(b).
8.2.2.25.2	<u>Other Permitted Uses:</u>	As provided on Schedule 2 to this By-law.
8.2.2.25.3	<u>Other Permitted Buildings and Structures:</u>	As provided on Schedule 2 to this By-law.
8.2.2.25.4	<u>Height:</u>	35 feet for buildings and structures permitted by subsection 8.2.2.25.3.
8.2.2.25.5	<u>Other Requirements:</u>	Any permitted use, building or structure shall be located as permitted in Schedule 2 to this By-law. <sup>22</sup>
8.2.2.26		
8.2.2.26.1.	<u>Defined Area:</u>	OS1-26 as shown on the Zoning Map, Parts 43 and 44.
8.2.2.26.2.	<u>Other Permitted Uses:</u>	As provided on Schedule 3 to this By-law.
8.2.2.26.3.	<u>Other Permitted Buildings and Structures:</u>	As provided on Schedule 3 to this By-law.
8.2.2.26.4.	<u>Height:</u>	35 feet for buildings and structures permitted by subsection 8.2.2.26.3.
8.2.2.26.5.	<u>Other Requirements:</u>	Any permitted use, building or Structure shall be located as permitted in Schedule 3 to this By-law. <sup>23</sup>

**(Note: OS1-27 zone deleted by Clause 1 of By-law 427, March 4<sup>th</sup>, 2002.)**

<sup>21</sup> New subsection added by Clause 1.(1) of By-law 2282, February 17<sup>th</sup>, 1975.

<sup>22</sup> New subsection added by Clause 5. of By-law 2369, January 17<sup>th</sup>, 1977.

<sup>23</sup> New subsection added by Clause 5. of By-law 2381, March 8<sup>th</sup>, 1977.

8.2.2.28		
8.2.2.28.1	<u>Defined Area:</u>	OS1-28 as shown on the Zoning Map, Part 43(a).
8.2.2.28.2	<u>Other Permitted Uses:</u>	As provided on Schedule 7 to this by-law.
8.2.2.28.3	<u>Other Permitted Buildings and Structures:</u>	As provided on Schedule 7 to this by-law.
8.2.2.28.4	<u>Height:</u>	35 feet for buildings and structures permitted by subsections 8.2.2.28.3.
8.2.2.28.5	<u>Other Requirements:</u>	Any permitted use, building or Structure shall be located in accordance with Schedule 7 to this By-law. <sup>24</sup>

**(Note: OS1-30 zone deleted by Clause 1. Of By-law 2871, May 13<sup>th</sup>, 1985)**

**(Note: OS1-31 zone deleted by Clause 2. Of By-law 219, July 24<sup>th</sup>, 2000)**

8.2.2.32		
8.2.2.32.1	<u>Defined Area:</u>	OS1-32 as shown on Map, Part 19(k).
8.2.2.32.2	<u>Front Yard:</u>	(a) Notwithstanding subsection 8.2.1.7.1 but subject to (b) below, the existing front yard with respect to the dwelling and accessory buildings located within the area defined in subsection 8.2.2.32.1 on December 1/1979, shall be the minimum front yard required for the purposes of this By-law.  (b) Any new building or structure to be erected within the area defined in subsection 8.2.2.32.1 after December 1, 1979, shall be subject to the front yard requirement set out in subsection 8.2.1.7.1 of By-law No. 1998 as amended. <sup>25</sup>
8.2.2.32.3	<u>Other Permitted Uses:</u>	A Machine Shop. <sup>26</sup>
8.2.2.33		
8.2.2.33.1	<u>Defined Area:</u>	OS1-33 as shown on the Zoning Map Part 49.
8.2.2.33.2	<u>Other Permitted Uses:</u>	Repair of farm machinery and vehicles.
8.2.2.33.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted in Subsection 8.2.2.33.2. <sup>27</sup>
8.2.2.34		
8.2.2.34.1	<u>Defined Area:</u>	OS1-34 as shown on the Zoning Map, Part 50.
8.2.2.34.2	<u>Other Permitted Uses:</u>	Radio Broadcasting Facilities.
8.2.2.34.3	<u>Other Permitted Buildings</u>	

<sup>24</sup> New subsection added by Clause 3. of By-law 2422, September 12<sup>th</sup>, 1977.

<sup>25</sup> New subsection added by Clause 3. of By-law 2547, December 10<sup>th</sup>, 1979.

<sup>26</sup> New line added to subsection by Clause 1. of By-law 2591, December 8<sup>th</sup>, 1980.

<sup>27</sup> New subsection added by Clause 4. of By-law 2617, May 25<sup>th</sup>, 1981.

	<u>and Structures:</u>	<i>Building and structures for the uses permitted in subsection 8.2.2.34.2.</i>
8.2.2.34.4	<u>Exceptions:</u>	<i>The following phrase contained in subsection 2.31, "which said parcel or parcels abut upon a public street" and the following phrase contained in subsection 2.33 "or street lot line" shall not apply to the uses permitted by subsections 8.2.1.1 and 8.2.2.34.2.<sup>28</sup></i>
8.2.2.35		
8.2.2.35.1	<u>Defined Area:</u>	<i>OS1-35 as shown on the Zoning Map, Part 34(a).</i>
8.2.2.35.2	<u>Other Permitted Uses:</u>	<i>Cutting, storage and manufacturing of clothes and products made of cotton, polyester, wool, silk or combinations thereof.</i>
8.2.2.35.3	<u>Other Permitted Buildings and Structures:</u>	<i>No additional buildings or structures are permitted for the uses permitted in Subsection 8.2.2.35.2.</i>
8.2.2.35.4	<u>Maximum Floor Area:</u>	<i>The maximum floor area permitted for the permitted uses in subsection 8.2.2.35.2 shall not exceed 140 square metres within the buildings and structures existing on the lot on October 1st, 1981.</i>
8.2.2.35.5	<u>Prohibited Uses:</u>	<i>(a) Retail sales shall be prohibited.</i>
8.2.2.35.6	<u>Exceptions:</u>	<i>The provisions of Subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), and 8.2.1.2(c) shall not apply to the area defined in Subsection 8.2.2.35.1.<sup>29</sup></i>

**(Note: OS1-36 zone deleted by Clause 1. Of By-law 684, July 26<sup>th</sup>, 2004)**

8.2.2.37.		
8.2.2.37.1.	<u>Defined Area:</u>	<i>OS1-37 as shown on the Zoning Map, Part 43(b).</i>
8.2.2.37.2.	<u>Other Permitted Uses:</u>	<i>Gravel pit.<sup>30</sup></i>

**(OS1-38 NOT PASSED)**

**(Note: OS1-39 zone deleted by Clause 4. Of By-law 149, September 27<sup>th</sup>, 1999)**

8.2.2.40		
8.2.2.40.1	<u>Defined Area:</u>	<i>OS1-40, as shown on Zoning Map, Part 35(a).</i>
8.2.2.40.2	<u>Other Permitted Uses:</u>	<i>Gravel pit.<sup>31</sup></i>
8.2.2.41		
8.2.2.41.1	<u>Defined Area:</u>	<i>OS1-41 as shown on the Zoning Map, Part 51.</i>
8.2.2.41. 2	<u>Other Permitted Uses:</u>	<i>1) A depot and repair shop for trucks.</i>

<sup>28</sup> New subsection added by Clause 4. of By-law 2647, October 12<sup>th</sup>, 1981.

<sup>29</sup> New subsection added by Clause 3. of By-law 2656, November 9<sup>th</sup>, 1981.

<sup>30</sup> New subsection added by Clause 3. of By-law 2845, December 17<sup>th</sup>, 1984.

<sup>31</sup> New subsection added by Clause 3. of By-law 2940, April 14<sup>th</sup>, 1986.

- 2) A repair shop for farm equipment.
- 3) An office use in connection with the other permitted uses.

8.2.2.41.3 Other Permitted Buildings and Structures: Buildings and structures for the uses permitted in subsection 8.2.2.41.2.<sup>32</sup>

**(OS1-42 NOT PASSED)**

8.2.2.43

8.2.2.43.1 Defined Area: OS1-43 as shown on Zoning Map, Part 36(h).

8.2.2.43.2 Other Permitted Uses:

- a) retail sale of crafts, collectables and antiques;
- b) storage and refinishing of furniture;
- c) "bed and breakfast" service.

8.2.2.43.3 Off-Street Parking: The lands outlined in heavy solid lines on Schedule "A" to this By-law, shall not be used for any purpose permitted by subsection 8.2.2.43.2, unless seven (7) off-street parking spaces are provided and maintained during such use.

8.2.2.43.4 Exceptions: The provisions of subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), 8.2.1.2(c), 8.2.1.8, and 8.2.1.9 shall not apply to the area defined in subsection 8.2.2.43.1.<sup>33</sup>

8.2.2.44

8.2.2.44.1 Defined Area: OS1-44, as shown on Zoning Map, Part 37(a).

8.2.2.44.2 Other Permitted Uses:

- a) Woodworking shop;
- b) Taxidermy shop;
- c) Retail sale of cheese.

8.2.2.44.3 Permitted Buildings and Other Structures:

- a) Buildings and structures existing on September 1, 1986.

8.2.2.44.4 Off-Street Parking: The lands outlined in heavy solid lines on Schedule "I" to this By-law shall not be used for any purpose permitted by subsection 8.2.2.44.2 unless five (5) off-street parking spaces are provided and maintained during such use.

8.2.2.44.5 Exceptions: The provisions of subsections 8.2.1.1(a) and (c), 8.2.1.2(a) and (c), 8.2.1.8 and 8.2.1.9 shall not apply to the area defined in subsection 8.2.2.44.1.<sup>34</sup>

**(Original OS1-45 zone repealed by Clause 1. of By-law 3020, August 10<sup>th</sup>, 1987. New OS1-45 repealed by OMB Order O880178, May 10<sup>th</sup>, 1989.)**

<sup>32</sup> New subsection added by Clause 4. of By-law 2900, October 15<sup>th</sup>, 1985.

<sup>33</sup> New subsection added by Clause 3. of By-law 2931, March 17<sup>th</sup>, 1986.

<sup>34</sup> New subsection added by Clause 3. of By-law 2979, February 2<sup>nd</sup>, 1987.

8.2.2.46			
	8.2.2.46.1	<u>Defined Area:</u>	OS1-46, as shown on Zoning Map, Part 44(a).
	8.2.2.46.2	<u>Permitted Buildings and Structures:</u>	<p>a) Existing buildings and structures located on Part 1 of Plan IIR-1529, as shown on Schedule "B" to this By-law.</p> <p>b) Buildings and structures erected on the lands defined in subsection 8.2.2.46.1. after the date of the passing of this By-law, shall be in accordance with the General Regulations of subsection 8.2.1 of By-law No. 1998 of the Township of Yarmouth.<sup>35</sup></p>

**(OS1-47 zone deleted by Clause 1. of By-law 2276, July 23<sup>rd</sup>, 2018.)**

8.2.2.48			
	8.2.2.48.1.	<u>Defined Area:</u>	OS1-48 as shown on the Zoning Map, Part 43(b).
	8.2.2.48.2.	<u>Other Permitted Uses:</u>	Gravel pit. <sup>36</sup>

**(OS1-49 zone deleted by Clause 1. of By-law 3517, June 23<sup>rd</sup>, 1997.)**

**(OS1-50 zone expired through Clause 4. of By-law 3118, February 8<sup>th</sup>, 1992.)**

**(OS1-51 zone expired through Clause 4. of By-law 3146, August 14<sup>th</sup>, 1992.)**

8.2.2.52			
	8.2.2.52.1	<u>Defined Area:</u>	OS1-52 as shown on the Zoning Map, Part 43(c).
	8.2.2.52.2	<u>Other Permitted Uses:</u>	Tool and Die Shop
	8.2.2.52.2	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses. <sup>37</sup>
8.2.2.53			
	8.2.2.53.1	<u>Defined Area</u>	OS1-53 as shown on Zoning Map, Part 52.
	8.2.2.53.2	<u>Other Permitted Uses:</u>	<p>a) Gravel Pit.</p> <p>b) Accessory uses.</p>
	8.2.2.53.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and Structures for the uses permitted in subsection 8.2.2.53.2 above.
	8.2.2.53.4	<u>Location of other Uses Buildings and Structures:</u>	Other Uses, Buildings and Structures permitted by subsections 8.2.2.53.2 and 8.2.2.53.3 shall be located as shown on "Schedule 31" to this By-law.
	8.2.2.53.5	<u>Buffer Strip:</u>	The "Buffer Strip" shown on "Schedule 31" shall consist of a coniferous tree screen. The maximum

<sup>35</sup> New subsection added by Clause 3. of By-law 3028, August 10<sup>th</sup>, 1987.

<sup>36</sup> New subsection added by Clause 3. of By-law 3067, March 24<sup>th</sup>, 1988.

<sup>37</sup> New subsection added by Clause 3. of By-law 3174, April 9<sup>th</sup>, 1990.

		spacing between trees shall be 3.7 metres.
8.2.2.53.6	<u>Planting Area:</u>	The "Planting Area" shown on "Schedule 31" shall contain an earth berm having a minimum height of 2.5 metres.
8.2.2.53.7	<u>Setback:</u>	Neither the excavation nor the stockpiling of materials shall be permitted within the "Setback Area" shown on "Schedule 31". <sup>38</sup>
8.2.2.54		
8.2.2.54.1	<u>Defined Area:</u>	OS1-54 as shown on Zoning Map, Part 53.
8.2.2.54.2	<u>Permitted Buildings and Structures:</u>	<p>a) 2 one family dwelling units existing at the date of the passing of this by-law, on one lot.</p> <p>b) Farm buildings or structures but no farm residences, notwithstanding subsection 2.21 of By-law 1998.</p> <p>c) Accessory buildings and structures.</p>
8.2.2.54.3	<u>Lot Area:</u>	5 hectares.
8.2.2.54.4	<u>Lot Frontage:</u>	210 metres.
8.2.2.54.5	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1(c), 8.2.1.2, 8.2.1.3, 8.2.1.4, and 8.2.1.8 shall not apply to the area defined in subsection 8.2.2.54.1. <sup>39</sup>
8.2.2.55		
8.2.2.55.1	<u>Defined Area:</u>	OS1-55, as shown on Zoning Map, Part 36(q).
8.2.2.55.2	<u>Other Permitted Uses:</u>	a) An Art Gallery.
8.2.2.55.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the permitted use.
8.2.2.55.4	<u>Maximum Floor Area:</u>	The maximum floor area devoted to the use permitted by subsection 8.2.2.55.2 shall not exceed 45 square metres.
8.2.2.55.5	<u>Off Street Parking:</u>	There shall be provided and maintained at all times, for the use permitted by subsection 8.2.2.55.2., a minimum of 3 off street parking spaces. <sup>40</sup>
8.2.2.56		
8.2.2.56.1	<u>Defined Area:</u>	OS1-56, as shown on Zoning Map, Part 42(b).
8.2.2.56.2	<u>Other Permitted Uses:</u>	a) Manufacturing of Wooden Furniture,

<sup>38</sup> New subsection added by Clause 4. of By-law 3196, August 13<sup>th</sup>, 1990.

<sup>39</sup> New subsection added by Clause 4. of By-law 3199, September 4<sup>th</sup>, 1990.

<sup>40</sup> New subsection added by Clause 3. of By-law 3226, June 10<sup>th</sup>, 1991.

		<ul style="list-style-type: none"> <li>b) Retail sales, of products manufactured onsite, as an accessory use</li> <li>c) An office, accessory to the use permitted by (a) above.</li> </ul>
8.2.2.56.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses.
8.2.2.56.4	<u>Maximum Floor Area:</u>	<ul style="list-style-type: none"> <li>a) The maximum floor area devoted to the use permitted by subsection 8.2.2.56.2 (a) shall not exceed 200 square metres.</li> <li>b) The maximum floor area devoted to the use permitted by subsection 8.2.2.56.2 (b) shall not exceed 40 square metres.</li> </ul>
8.2.2.56.5	<u>Outside Storage:</u>	No outside storage of goods, materials, or products associated with the uses permitted by subsection 8.2.2.56.2 shall be permitted.
8.2.2.56.6	<u>Signs:</u>	<ul style="list-style-type: none"> <li>a) fascia signs not exceeding 10 square metres shall be permitted.</li> <li>b) Pylon, freestanding and portable signs shall not be permitted within the defined area.</li> </ul>
8.2.2.56.7	<u>Off Street Parking:</u>	A minimum of six parking spaces shall be provided and maintained at all times. <sup>41</sup>
8.2.2.57		
8.2.2.57.1	<u>Defined Area:</u>	OS1-57, as shown on Zoning Map, Part 36(r).
8.2.2.57.2	<u>Other Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) Custom Woodworking shop,</li> <li>b) Retail sale of woodstoves, furniture hardware and products manufactured on the site as accessory uses only,</li> <li>c) Uses accessory to the uses permitted above.</li> </ul>
8.2.2.57.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and Structures for the permitted uses.
8.2.2.57.4	<u>Maximum Floor Area:</u>	The maximum floor area devoted to all of the uses permitted by subsection 8.2.2.57.2 shall not exceed 115 square metres.
8.2.2.57.5	<u>Outside Storage:</u>	No outside storage of goods, materials, or products associated with the uses permitted by subsection 8.2.2.57.2 shall be permitted.
8.2.2.57.6	<u>Off Street Parking:</u>	A minimum of six parking spaces shall be provided and maintained at all times.

<sup>41</sup> New subsection added by Clause 3. of By-law 3222, June 10<sup>th</sup>, 1991.

8.2.2.57.7 Restricted Development Area: No buildings, structures or the placement or removal of fill shall be permitted within the area shown hatched on Schedule "A".<sup>42</sup>

**(OS1-58 zone deleted by Clause 1. of By-law 3366, December 5<sup>th</sup>, 1994.)**

**(OS1-59 zone expired through Clause 4. of By-law 3251, February 10<sup>th</sup>, 1995.)**

8.2.2.60

8.2.2.60.1 Defined Area: OS1-60 as shown on Zoning Maps, Part 23(e), Part 42(c), Part 43(d) and Part 49(a).

8.2.2.60.2 Other Permitted Uses: a) Gravel Pit  
b) Accessory Uses

8.2.2.60.3 Other Permitted Buildings and Structures: Buildings and Structures for the uses permitted in subsection 8.2.2.60.2 above.

8.2.2.60.4 Setback: No excavation/mining shall be Permitted within 15 metres of any adjacent property boundary.<sup>43</sup>

**(OS1-61 zone deleted by Clause 1. of By-law 1772, September 8<sup>th</sup>, 2014.)**

8.2.2.62

8.2.2.62.1 Defined Area: OS1-62 as shown on Zoning Maps, Parts 23(f) and 43(e).

8.2.2.62.2 Other Permitted Uses: a) Gravel Pit  
b) Accessory Uses

8.2.2.62.3 Other Permitted Buildings and Structures: Buildings and Structures for the uses permitted in subsection 8.2.2.62.2 above.<sup>44</sup>

**(OS1-63 zone expired through Clause 8.2.2.63.3. of By-law 3313, July 12<sup>th</sup>, 1995.)**

8.2.2.64

8.2.2.64.1 Defined Area: OS1-64 as shown on the Zoning Map, Part 29(a).

8.2.2.64.2 Additional Permitted Use: a) FM radio transmission site.  
b) accessory uses.

8.2.2.64.3 Additional Permitted Buildings and Structures: a) radio transmission tower.  
b) transmitter building.  
c) antenna and guywires.  
d) accessory buildings and structures.<sup>45</sup>

**(OS1-65 zone expired through Clause 5. of By-law 3366, December 5<sup>th</sup>, 1999.)**

8.2.2.66

8.2.2.66.1 Defined Area: OS1-66 as shown on Zoning Map, Part 19(j).

<sup>42</sup> New subsection added by Clause 3. of By-law 3246, January 13<sup>th</sup>, 1992.

<sup>43</sup> New subsection added by Clause 3. of By-law 3282, September 21<sup>st</sup>, 1992.

<sup>44</sup> New subsection added by Clause 3. of By-law 3303, March 8<sup>th</sup>, 1993.

<sup>45</sup> New subsection added by Clause 3. of By-law 3329, February 14<sup>th</sup>, 1994.

8.2.2.66.2	<u>Additional Permitted Uses:</u>	<i>Machine Shop.</i>
8.2.2.66.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by subsection 8.2.2.66.2.</i>
8.2.2.66.4	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the use permitted by subsection 8.2.2.66.2 shall not exceed 105 square metres.</i>
8.2.2.66.5	<u>Outside Storage:</u>	<i>No outside storage of goods, materials or products associated with the uses permitted by subsection 8.2.2.66.2 shall be permitted.</i>
8.2.2.66.6	<u>Exceptions:</u>	<i>The provisions of subsection 7.21 shall not apply to the area defined in subsection 8.2.2.66.1.<sup>46</sup></i>
8.2.2.67		
8.2.2.67.1	<u>Defined Area:</u>	<i>OS1-67 as shown on Zoning Map, Part 12(d).</i>
8.2.2.67.2	<u>Additional Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>machine shop;</i></li> <li>(b) <i>woodworking shop;</i></li> <li>(c) <i>retail sales of precast concrete products and products manufactured or assembled on site;</i></li> <li>(d) <i>accessory uses including storage.</i></li> </ul>
8.2.2.67.3	<u>Additional Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Buildings and structures for the uses permitted by subsection 8.2.2.67.2.</i></li> <li>(b) <i>Notwithstanding subsections 2.52 and 8.2.1.1(a) of this By-law, the buildings and structures that exist at the time of passing of this by-law shall not be used for a livestock/poultry facility as defined in subsection 7.504(v) or a manure storage facility as defined in subsection 7.504(vii).<sup>47</sup></i></li> </ul>
8.2.2.67.4	<u>Maximum Floor Area:</u>	<ul style="list-style-type: none"> <li>(a) <i>The maximum floor area devoted to the uses permitted by subsection 8.2.2.67.2 (a) and (b) shall not exceed 140 square metres.</i></li> <li>(b) <i>The maximum floor area devoted to the uses permitted by subsection 8.2.2.67.2 (c) shall not exceed 28 square metres.</i></li> <li>(c) <i>The maximum floor area devoted to storage shall not exceed 300 square metres.</i></li> </ul>
8.2.2.67.5	<u>Outside Storage:</u>	<i>No outside storage of goods,</i>

<sup>46</sup> New subsection added by Clause 3. of By-law 3378, February 13<sup>th</sup>, 1995.

<sup>47</sup> New sub-clause added by Clause 4. of By-law 556, May 26<sup>th</sup>, 2003.

		<i>materials or products associated with the uses permitted by subsection 8.2.2.67.2 shall be permitted.</i>
8.2.2.67.6	<u>Off Street Parking:</u>	<i>A maximum of five parking spaces shall be provided and maintained at all times.</i>
8.2.2.67.7	<u>Exceptions:</u>	<i>The provisions of subsection 7.21 shall not apply to the area defined in subsection 8.2.2.67.1.<sup>48</sup></i>
8.2.2.68		
8.2.2.68.1	<u>Defined Area:</u>	<i>OS1-68, as shown on Zoning Map, Part 12(e).</i>
8.2.2.68.2	<u>Additional Permitted Uses:</u>	<i>automobile repair shop</i>
8.2.2.68.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and Structures for the uses permitted by subsection 8.2.2.68.2.</i>
8.2.2.68.4	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the uses permitted by subsection 8.2.2.68.2 shall not exceed 255 square metres.</i>
8.2.2.68.5	<u>Outside Storage:</u>	<i>The storage area for the uses permitted by subsection 8.2.2.68.2 shall not exceed 120 square metres in area and shall be enclosed with a board privacy fence with a minimum height of 1.82 metres.</i>
8.2.2.68.6	<u>Off-Street Parking:</u>	<i>A minimum of four parking spaces shall be provided and maintained at all times.</i>
8.2.2.68.7	<u>Exceptions:</u>	<i>The provisions of subsection 7.21 shall not apply to the area defined in subsection 8.2.2.68.1.<sup>49</sup></i>
8.2.2.69		
8.2.2.69.1	<u>Defined Area:</u>	<i>OS1-69, as shown on Zoning Map, Part 36 (t) and Part 44(b).</i>
8.2.2.69.2	<u>Other Permitted Uses:</u>	(a) <i>Industrial Sheet Metal Fabrication.</i> (b) <i>Uses accessory to the above permitted uses, located within the main building only.</i>
8.2.2.69.3	<u>Other Permitted Buildings and Structures:</u>	<i>One building for the uses permitted by subsection 8.2.2.69.2.</i>
8.2.2.69.4	<u>Off-Street Parking:</u>	<i>A minimum of twenty five parking Spaces shall be provided and maintained at all times.</i>
8.2.2.69.5	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the uses permitted by subsection 8.2.2.69.2 shall not exceed 744 square metres.<sup>50</sup></i>
8.2.2.70		
8.2.2.70.1	<u>Defined Area:</u>	<i>OS1-70 as shown on the Zoning Map,</i>

<sup>48</sup> New subsection added by Clause 3. of By-law 3388, May 8<sup>th</sup>, 1995.

<sup>49</sup> New subsection added by Clause 3. of By-law 3440, May 13<sup>th</sup>, 1996.

<sup>50</sup> New subsection added by Clause 3 of By-law 3500, April 14<sup>th</sup>, 1997.

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- 8.2.2.70.2 Other Permitted Uses: a) a dog kennel and training facility.  
b) accessory uses.
- 8.2.2.70.3 Other Permitted Buildings and Structures: The barn existing on the property at the date of the passing of this by-law is the only building that may be used for the uses permitted by subsection 8.2.2.70.2.<sup>51</sup>

**(OS1-71 zone expired through Clause 5. of By-law 3487, January 13<sup>th</sup>, 2002.)**

**(OS1-72 zone expired through Clause 4 of By-law 3491, March 10<sup>th</sup>, 2002.)**

- 8.2.2.73
- 8.2.2.73.1 Defined Area: OS1-73 as shown on the Zoning Map, Part 59.
- 8.2.2.73.2 Other Permitted Buildings: A second single detached dwelling within the defined area.<sup>52</sup>
- 8.2.2.74
- 8.2.2.74.1 Defined Area: OS1-74, as shown on Zoning Maps, Part 59(a) and 60.
- 8.2.2.74.2 Other Permitted Uses: (a) The retail sale and storage of seed corn and bean products.  
(b) An office use in association with the above.
- 8.2.2.74.3 Other Permitted Buildings and Structures: The barn existing on the property at the date of the passing of this by-law is the only building that may be used for the uses permitted by subsection 8.2.2.74.2.
- 8.2.2.74.4 Maximum Floor Area: (a) The maximum floor area devoted to the uses permitted by subsection 8.2.2.74.2 (a) shall not exceed 510 square metres.  
(b) The maximum floor area devoted to the use permitted by subsection 8.2.2.74.2 (b) shall not exceed 35 square metres.
- 8.2.2.74.5 Outside Storage: No outside storage of goods, materials or products associated with the uses permitted by subsection 8.2.2.74.2 shall be permitted.
- 8.2.2.74.6 Off-Street Parking: A minimum of ten parking spaces shall be provided and maintained at all times for the uses permitted by subsection 8.2.2.74.2.<sup>53</sup>

**(OS1-75 zone expired through Clause 4 of By-law 34, April 27<sup>th</sup>, 2001.)**

- 8.2.2.76
- 8.2.2.76.1 Defined Area: OS1-76, as shown on Zoning Maps,

<sup>51</sup> New subsection added by Clause 4. of By-law 3481, December 9<sup>th</sup>, 1996.

<sup>52</sup> New subsection added by Clause 4 of By-law 3504, May 12<sup>th</sup>, 1997.

<sup>53</sup> New subsection added by Clause 4 of By-law 23, February 26<sup>th</sup>, 1998.

Parts 15(an) and 56(a).

8.2.2.76.2	<u>Only Permitted Uses:</u>	(a) Farm Uses; (b) Accessory uses.
8.2.2.76.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm Buildings and structures but no farm residence notwithstanding subsection 2.52 of By-law 1998. (b) Accessory buildings and structures.
8.2.2.76.4	<u>Lot Area:</u>	37 hectares.
8.2.2.76.5	<u>Lot Frontage:</u>	590 metres.
8.2.2.76.6	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.5, 8.2.1.6 and 8.2.1.8 shall not apply to the area defined in subsection 8.2.2.76. <sup>54</sup>
8.2.2.77		
8.2.2.77.1	<u>Defined Area:</u>	OS1-77, as shown on Zoning Map, Part 61.
8.2.2.77.2	<u>Permitted Uses:</u>	(a) rural residential uses; (b) home occupations; (c) accessory uses.
8.2.2.77.3	<u>Permitted Buildings and Structures:</u>	(a) two single detached dwellings existing at the date of the passing of this by-law on one lot; (b) accessory buildings and structures.
8.2.2.77.4	<u>Lot Area:</u>	1.48 hectares.
8.2.2.77.5	<u>Lot Frontage:</u>	1.14 metres.
8.2.2.77.6	<u>Front Yard:</u>	Existing at the date of the passing of this by-law.
8.2.2.77.7	<u>Side Yard Exception:</u>	Notwithstanding the provisions of subsection 8.2.1.7.2, the required minimum side yard to the implement shed existing at the date of the passing of this by-law is 2 metres.
8.2.2.77.8	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.7.1 and 8.2.1.8 shall not apply to the area defined in subsection 8.2.2.77.1. <sup>55</sup>
8.2.2.78		
8.2.2.78.1	<u>Defined Area:</u>	OS1-78, as shown on Zoning Map, Part 62.
8.2.2.78.2	<u>Other Permitted Buildings:</u>	A second single detached dwelling within the defined area. <sup>56</sup>

<sup>54</sup> New subsection added by Clause 5 of By-law 74, November 23<sup>rd</sup>, 1998.

<sup>55</sup> New subsection added by Clause 4 of By-law 110, May 25<sup>th</sup>, 1999.

<sup>56</sup> New subsection added by Clause 4 of By-law 131, July 26<sup>th</sup>, 1999.

8.2.2.79		
8.2.2.79.1	<u>Defined Area:</u>	OS1-79, as shown on Zoning Map, Part 36(u).
8.2.2.79.2	<u>Lot Frontage:</u>	20 metres.
8.2.2.79.3	<u>Exceptions:</u>	The provisions of subsection 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.79.1 of this by-law. <sup>57</sup>

**(OS1-80 zone repealed through Clause 1 of By-law 907, September 17<sup>th</sup>, 2006.)**

8.2.2.81		
8.2.2.81.1	<u>Defined Area:</u>	OS1-81, as shown on Zoning Map, Part 57(a).
8.2.2.81.2	<u>Other Permitted Use:</u>	A Bed and Breakfast Establishment.
8.2.2.81.3	<u>Only Permitted Buildings and Structures:</u>	One farm dwelling containing a maximum of two dwelling units.
8.2.2.81.4	<u>Definition:</u>	For the purposes of this amendment, a Bed and Breakfast Establishment means a detached dwelling in which the owner resides and in which no more than 3 rooms are supplied for gain and profit, with or without meals, for the temporary accommodation of the traveling public, but does not include a boarding house, motel or restaurant.
8.2.2.81.5	<u>Off-Street Parking:</u>	One parking space per room shall be provided and maintained at all times for the use permitted by subsection 8.2.2.8 1.2.
8.2.2.8 1.6	<u>Exceptions:</u>	The provisions of subsections 8.2.1.2(a), 8.2.1.2(b) and 8.2. 1.2(d) shall not apply the area defined in subsection 8.3.2.58.1. <sup>58</sup>
8.2.2.82		
8.2.2.82.1	<u>Defined Area:</u>	OS1-82, as shown on Zoning Map, Part 42(d).
8.2.2.82.2	<u>Other Permitted Uses:</u>	The sale, storage, repair and Reconditioning of equipment and machinery directly associated with the operation of a farm.
8.2.2.82.3	<u>Prohibited use:</u>	The spray painting of equipment and machinery.
8.2.2.82.4	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses.
8.2.2.82.5	<u>Lot Area:</u>	6 hectares.
8.2.2.82.6	<u>Lot Frontage:</u>	150 metres.
8.2.2.82.7	<u>Coverage:</u>	5%.
8.2.2.82.8	<u>Setback from Lot Line:</u>	No buildings, structures, open storage

<sup>57</sup> New subsection added by Clause 3 of By-law 137, August 23<sup>rd</sup>, 1999.

<sup>58</sup> New subsection added by Clause 3 of By-law 154, October 25<sup>th</sup>, 1999.

areas, display areas or parking areas shall be permitted within 5 metres of a lot line.

8.2.2.82.9 Off Street Parking: A minimum of 20 off street parking spaces shall be provided and maintained at all times.

8.2.2.82.10 Exceptions: The provisions of section 8.2.1 shall not apply to the area defined in subsection 8.2.2.82.1.<sup>59</sup>

8.2.2.87

8.2.2.87.1 Defined Area: OS1-87, as shown on Zoning Map, Part 36(v).

8.2.2.87.2 Lot Frontage: 20 metres.

8.2.2.87.3 Exceptions: The provisions of subsection 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.87.1 of this by-law.<sup>60</sup>

8.2.2.88

8.2.2.88.1 Defined Area: OS1-88, as shown on Zoning Map, Part 36(w).

8.2.2.88.2 Lot Frontage: 25 metres.

8.2.2.88.3 Exceptions: The provisions of subsection 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.88.1 of this by-law.<sup>61</sup>

**(OS1-89 zone expired through Clause 5 of By-law 233, August 28<sup>th</sup>, 2003.)**

8.2.2.90

8.2.2.90.1 Defined Area: OS1-90, as shown on Zoning Map, Part 12(f).

8.2.2.90.2 Additional Permitted Uses: (a) The cutting and engraving of stone;  
(b) The sale of memorials and stone;  
(c) Landscaping services including the sale of topsoil and garden monuments;  
(d) The mixing of concrete as a use accessory to the uses permitted by subsection 8.2.2.90.2 (a), (b) and (c).

8.2.2.90.3 Additional Permitted Buildings and Structures: Buildings and structures for the uses permitted in subsection 8.2.2.90.2.

8.2.2.90.4 Minimum Lot Area: .69 hectares.

8.2.2.90.5 Minimum Lot Frontage: 65 metres.

8.2.2.90.6 Coverage: 15%

8.2.2.90.7 Off Street Parking: A minimum of 10 off street parking

<sup>59</sup> New subsection added by Clause 4 of By-law 190, April 25<sup>th</sup>, 2000.

<sup>60</sup> New subsection added by Clause 3 of By-law 176, January 10<sup>th</sup>, 2000.

<sup>61</sup> New subsection added by Clause 3 of By-law 183, January 24<sup>th</sup>, 2000.

spaces shall be provided and maintained, at all times, within the defined area.

8.2.2.90.8	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1(a), (c), (d), 8.2.1.2 (a) and (c), 8.2.1.3, 8.2.1.4, 8.2.1.6, 8.2.1.8 and 8.2.1.9 shall not apply to the area defined in subsection 8.2.2.90.1. <sup>62</sup>
8.2.2.91		
8.2.2.91.1	<u>Defined Area:</u>	OS1-91, as shown on Zoning Map, Part 47(a).
8.2.2.91.2	<u>Front Yard:</u>	15 metres.
8.2.2.91.3	<u>Exceptions:</u>	The provisions of subsection 8.2.1.7.1 Shall not apply to the area defined in subsection 8.2.2.91.1 of this by-law. <sup>63</sup>

**(OS1-92 zone expired through Clause 5 of By-law 247, May 16<sup>th</sup>, 2004.)**

8.2.2.93		
8.2.2.93.1	<u>Defined Area:</u>	OS1-93, as shown on Zoning Map, Part 65.
8.2.2.93.2	<u>Other Permitted Uses:</u>	Outdoor sales, shows and exhibitions.
8.2.2.93.3	<u>Other Permitted Buildings and Structures:</u>	No permanent buildings and structures shall be permitted for the uses permitted by subsection 8.2.2.93.2. <sup>64</sup>
8.2.2.94		
8.2.2.94.1	<u>Defined Area:</u>	OS1-94, as shown on Zoning Map, Part 46(a).
8.2.2.94.2	<u>Additional Permitted Use:</u>	a) Aquaculture - fish farming operation. b) Accessory Uses.
8.2.2.94.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the use permitted in subsection 8.2.2.94.2.
8.2.2.94.4	<u>Minimum Lot Area:</u>	4 hectares.
8.2.2.94.5	<u>Minimum Lot Frontage:</u>	221 metres.
8.2.2.94.6	<u>Coverage:</u>	20%
8.2.2.94.7	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1(b), 8.2.1.1(c), 8.2.1.2 (b), 8.2.1.2(c), 8.2.1.3, 8.2.1.4, 8.2.1.6 and 8.2.1.8 shall not apply to the area defined in subsection 8.2.2.94.1. <sup>65</sup>
8.2.2.95		
8.2.2.95.1	<u>Defined Area:</u>	OS1-95, as shown on Zoning Map, Part 46(a).
8.2.2.95.2	<u>Minimum Lot Area:</u>	5 hectares

<sup>62</sup> New subsection added by Clause 3 of By-law 214, June 26<sup>th</sup>, 2000.

<sup>63</sup> New subsection added by Clause 3 of By-law 234, August 28<sup>th</sup>, 2000.

<sup>64</sup> New subsection added by Clause 4 of By-law 258, October 23<sup>rd</sup>, 2000.

<sup>65</sup> New subsection added by Clause 3 of By-law 270, December 11<sup>th</sup>, 2000.

8.2.2.95.3	<u>Minimum Lot Frontage:</u>	107 metres
8.2.2.95.4	<u>Coverage:</u>	20%
8.2.2.95.5	<u>Exceptions:</u>	<i>The provisions of subsection 8.2.1.1(b), 8.2.1.1(c), 8.2.1.2 (h), 8.2.1.2(c), 8.2.1.3, 8.2.1.4, 8.2.1.6 and 8.2.1.8 shall not apply to the area defined in subsection 8.2.2.95.1.<sup>66</sup></i>
8.2.2.96		
8.2.2.96.1	<u>Defined Area:</u>	<i>OS 1-96, as shown on Zoning Map, Part 56(b).</i>
8.2.2.96.2	<u>Location of Buildings and Structures:</u>	<p>(i) <i>Notwithstanding any other provisions of this By-law, the location of buildings and structures shall be as shown on Schedule 54.</i></p> <p>(ii) <i>All new buildings and structures, or additions to existing buildings and structures, shall comply with the standard provisions of Section 8.2.1 of the By-law.<sup>67</sup></i></p>
8.2.2.97		
8.2.2.97.1	<u>Defined Area:</u>	<i>OS1-97, as shown on Zoning Map, Part 56(b).</i>
8.2.2.97.2	<u>Location of Buildings And Structures:</u>	<i>Notwithstanding any other provisions of Bylaw 1998 as amended, no buildings and structures shall be located within the area shown hatched on "Schedule 55" to this Bylaw.</i>
8.2.2.97.3	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), 8.2.1.2(c), 8.2.1.9(b) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.97.1.<sup>68</sup></i>
8.2.2.98		
8.2.2.98.1	<u>Defined Area:</u>	<i>OS1-98, as shown on Zoning Maps, Part 10(f), Part 11(d), Part 45(a) and Part 46(b).</i>
8.2.2.98.2	<u>Prohibited Uses:</u>	<i>Notwithstanding the provisions of Subsection 8.2.1.1 (a) and Subsection 2.2 of By-law 1998, facilities for livestock and poultry as defined by Table 1 of Subsection 7.5.5 of By-law 1998 shall be prohibited within the area defined by Subsection 8.2.2.98.1.</i>
8.2.2.98.3	<u>Additional Permitted Uses:</u>	<p>(a) <i>A golf course, within the area shown on Schedule "E" to this By-law.</i></p> <p>(b) <i>A bed and breakfast establishment</i></p>

<sup>66</sup> New subsection added by Clause 5 of By-law 270, December 11<sup>th</sup>, 2000.

<sup>67</sup> New subsection added by Clause 4 of By-law 372, October 22<sup>nd</sup>, 2001.

<sup>68</sup> New subsection added by Clause 4 of By-law 385, December 17<sup>th</sup>, 2001.

- (c) *Notwithstanding the provisions of Subsection 8.2.2.98.2, a horse barn with a capacity not to exceed 5 horses, and its associated manure storage facility.*
- (d) *Uses accessory to the permitted uses*
- 8.2.2.98.4 *Additional Permitted Buildings and Structures:* *Buildings and structures for the uses permitted in Subsection 8.2.2.98.3.*
- 8.2.2.98.5 *Maximum Accommodation Units:* *The maximum number of accommodation units accessory to a golf course permitted under Subsection 8.2.2.98.3(a) shall be 24.*
- 8.2.2.98.6 *Location of Permitted Uses, Buildings and Structures:*
- (i) *Uses, buildings and structures for a permitted golf course, shall only be permitted within the area shown on Schedule "E" to this By-law.*
- (ii) *The horse barn permitted in Subsection 8.2.2.98.3(c), and its associated manure storage facility shall, within the defined area, comply with the Minimum Distance Separation (MDS) calculated in accordance with Subsection 7.5.6 of By-law 1998 relative to the location of a permitted golf course.*
- 8.2.2.98.7 *Environmental Protection Area:* *Notwithstanding any other provision of this By-law, the area shown as "Environmental Protection Area" on Schedule "E" shall only be used for the purposes of drainage, conservation and erosion control. Only buildings and structures approved by the municipality and the Kettle Creek Conservation Authority shall be permitted.*
- 8.2.2.98.8 *Definitions:*
- (i) *A golf course means facilities and areas for the purposes of playing golf, including fairways, greens, tee areas, a clubhouse and maintenance/greenskeeping facilities. A golf course may also include accessory uses and facilities such as a driving range, practice greens, restaurant and lounge facilities, a pro shop, exercise facilities, recreational facilities and accommodation.*
- (ii) *For the purposes of this amendment, a bed and breakfast establishment means a single detached dwelling in which the owner resides and in which no more than 6 rooms are supplied for*

*gain and profit, with or without meals, for the temporary accommodation of the traveling public, but does not include a boarding house, motel or restaurant.*

- 8.2.2.98.9 Maximum Coverage: .5 % for buildings and structures Permitted under Subsection 8.2.2.98.4 and Subsection 8.2.1.2 of By-law No. 1998.
- 8.2.2.98.10 Minimum Lot Area: 50 hectares for the uses permitted Under Subsection 8.2.2.98.3 and Subsection 8.2.1.1 of By-law No. 1998.
- 8.2.2.98.11 Off-Street Parking:
- (a) For the golf course use: 60 spaces.
  - (b) For accommodation accessory to the golf course use: 1 space for each accommodation unit.
  - (c) For the bed and breakfast establishment: One parking space per room.
- 8.2.2.98.12 Holding Zone:

*Use of Holding Symbol:*

*Where the symbol "h" appears on a Zoning Map Part and/or Schedule, notwithstanding the provisions that apply to that zone or special zone, unless this by-law has been amended to remove the relevant "h" symbol, those lands shall not be developed or used except for the uses permitted by paragraph c). The removal of the "h" symbol from the Zoning Map Part and/or Schedule is subject to the following requirements:*

*Holding Zone Provisions:*

- a) *Site Plan and Course Routing - To ensure the orderly development of lands, the "h 1" symbol shall not be removed until the following requirements have been satisfied:*
  - (i) *a "Permit to Take Water" under Section 34 of the Ontario Water Resources Act has been issued by the Ministry of the Environment for the purposes of irrigating the golf course, or alternatively the use of municipal water for irrigation has been approved by the Municipality.*
  - (ii) *a final traffic report has been prepared to the satisfaction of the Municipality.*
  - (iii) *a Stage 3 Archaeological Assessment, in accordance with the recommendations of Mayer Heritage Consultants (Project Number 01-012, dated August 2001) has been prepared to the satisfaction of the Municipality.*
  - (iv) *a stormwater management report has been prepared to the satisfaction of the Municipality.*
  - (v) *a routing plan has been prepared to the satisfaction of the Municipality.*
  - (vi) *a site plan agreement has been entered into with the Municipality pursuant to Section 41(7)(c) of the Planning Act, R.S.O. 1990, as amended, with respect to technical, financial, administrative and other matters related thereto.*

- b) *Environmental Impact Statement - To ensure that environmental concerns are addressed, the "h2" symbol shall not be removed until the following requirements have been satisfied:*
- (i) *the proponent has prepared, submitted and received approval of an Environmental Impact Statement (EIS) for the proposed use by the appropriate authorities. The Terms of Reference for the EIS are to be approved by the Municipality and any other Provincial Ministry or outside agency that the Municipality determines may have an interest in the proposal.*
- c) *Interim Permitted Uses:*  
*Uses existing as of the date of the passing of this By-law.*

*The removal of the "h" symbol requires an amendment to this By-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended.*

8.2.2.98.13	<u>Exceptions:</u>	<i>The provisions of Subsections 8.2.1.1(b), 8.2.1.1(c), 8.2.1.2(b), 8.2.1.2(c), 8.2.1.3, 8.2.1.6, 8.2.1.8, 8.2.1.9(a) and 8.2.1.9(c) shall not apply to the area defined in Subsection 8.2.2.98.1.<sup>69</sup></i>
8.2.2.99		
8.2.2.99.1	<u>Defined Area:</u>	<i>OS1-99, as shown on Zoning Map, Part 22(f).</i>
8.2.2.99.2	<u>Additional Permitted Uses:</u>	a) <i>The preparation and sale of soil mixtures.</i>
8.2.2.99.3	<u>Accessory Uses:</u>	a) <i>The sale of landscaping products.</i> b) <i>The sale of ornamental pond fish.</i>
8.2.2.99.4	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by 8.2.2.99.2.</i>
8.2.2.99.5	<u>Lot Area:</u>	<i>11 hectares.</i>
8.2.2.99.6	<u>Lot Frontage:</u>	<i>134m.</i>
8.2.2.99.7	<u>Off Street Parking:</u>	<i>10 parking spaces shall be provided and maintained, at all times.</i>
8.2.2.99.8	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1(b), 8.2.1.1(c), 8.2.1.2(b), 8.2.1.2(c), 8.2.1.3, 8.2.1.4, 8.2.1.9(a) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.99.1.<sup>70</sup></i>
8.2.2.100		
8.2.2.100.1	<u>Defined Area:</u>	<i>OS1-100, as shown on Zoning Map Part 39(a).</i>
8.2.2.100.2	<u>Prohibited Uses:</u>	<i>Notwithstanding subsections 2.52 and 8.2.1.1(a) and 8.2.1.7.1 of this By-law, a livestock/poultry facility as defined in subsection 7.5.4(v) and a manure storage facility as defined in</i>

<sup>69</sup> New subsection added by Clause 8 of By-law 427, March 4<sup>th</sup>, 2002.

<sup>70</sup> New subsection added by Clause 3 of By-law 472, July 15<sup>th</sup>, 2002.

subsection 7.5.4 (vii) shall be prohibited within the defined area.<sup>71</sup>

8.2.2.101

8.2.2.101.1 Defined Area:

OS1-101, as shown on Zoning Map Part 39(b).

8.2.2.101.2 Additional Permitted Uses:

Notwithstanding subsection 8.2.2.100.2 of By-law No. 1998, the livestock/poultry facility use and the barn and manure storage facility existing on the date of passing of this by-law shall be permitted within the defined area for the term of this bylaw.<sup>72</sup>

8.2.2.102

8.2.2.102.1 Defined Area:

OS1-102, as shown on Zoning Map, Part 17(k).

8.2.2.102.2 Only Permitted Uses:

- a) Retail sale and leasing of motorcycles, all terrain vehicles, snowmobiles and personal watercraft.
- b) A service department as an accessory use to the use permitted in subsection 8.2.2.102.2(a).
- c) Accessory uses.

8.2.2.102.3 Permitted Buildings and Structures:

Buildings and structures for the uses permitted by 8.2.2.102.2.

8.2.2.102.4 Lot Area:

.81 hectares.

8.2.2.102.5 Lot Frontage:

91m.

8.2.2.102.6 Maximum Floor Area:

The maximum floor area devoted to the uses permitted by subsection 8.2.2.102.2 shall not exceed 700 square metres.

8.2.2.102.7 Services Required:

Within the area defined by subsection 8.2.2.102.1 no buildings or structures shall be erected or used for any purpose permitted unless the following services are available to service the building or structure and the land on which it is situate:

- i) a municipal water supply system; and
- ii) a sewage disposal system approved by the designated regulatory authority.

8.2.2.102.8 Off Street Parking:

30 parking spaces shall be provided and maintained, at all times.

8.2.2.102.9 Site Access:

The access from Talbot Line shall be located adjacent to the easterly limits of the area defined in subsection 8.2.2.102.1, and designed in accordance with the standards and specifications of the Ontario Ministry of Transportation.

<sup>71</sup> New subsection added by Clause 3 of By-law 473, July 29<sup>th</sup>, 2002.

<sup>72</sup> New subsection added by Clause 3 of By-law 474, July 29<sup>th</sup>, 2002.

8.2.2.102.10	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.5, 8.2.1.8, and 8.2.1.9 shall not apply to the area defined in subsection 8.2.2.102.1.<sup>73</sup></i>
8.2.2.103		
8.2.2.103.1	<u>Defined Area:</u>	<i>OS1-103, as shown on Zoning Map, Part 55(d).</i>
8.2.2.103.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural-residential uses.</i></li> <li>(b) <i>Home occupations.</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.2.2.103.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>One single detached dwelling on a rural residential lot.</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.103.4	<u>Lot Frontage:</u>	<i>30 metres</i>
8.2.2.103.5	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), 8.2.1.2(c), 8.2.1.4, 8.2.1.9(b) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.103.1.<sup>74</sup></i>
8.2.2.104		
8.2.2.104.1	<u>Defined Area:</u>	<i>OS1-104, as shown on Zoning Map, Part 55(d).</i>
8.2.2.104.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural-residential uses.</i></li> <li>(b) <i>Home occupations.</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.2.2.104.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Two single detached dwellings on a rural residential lot.</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.104.4	<u>Lot Area:</u>	<i>1.7 hectares.</i>
8.2.2.104.5	<u>Lot Frontage:</u>	<i>170 metres on Ron McNeil Line.</i>
8.2.2.104.6	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), 8.2.1.2(c), 8.2.1.3, 8.2.1.4, 8.2.1.9(b) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.104.1.<sup>75</sup></i>

**(OS1-105 zone repealed by Clause 1 of By-law 1840, March 23<sup>rd</sup>, 2015.)**

8.2.2.106		
8.2.2.106.1	<u>Defined Area:</u>	<i>OS1-106, as shown on Zoning Map, Part 19(j).</i>
8.2.2.106.2	<u>Only Permitted Uses:</u>	<ul style="list-style-type: none"> <li><i>Single detached dwelling.</i></li> <li><i>Home occupations.</i></li> <li><i>Accessory uses.</i></li> </ul>

<sup>73</sup> New subsection added by Clause 3 of By-law 476, July 29<sup>th</sup>, 2002.

<sup>74</sup> New subsection added by Clause 3 of By-law 481, September 16<sup>th</sup>, 2002.

<sup>75</sup> New subsection added by Clause 5 of By-law 481, September 16<sup>th</sup>, 2002.

8.2.2.106.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the permitted uses.</i>
8.2.2.106.4	<u>Lot Area:</u>	<i>3.201 hectares.</i>
8.2.2.106.5	<u>Lot Frontage:</u>	<i>285m</i>
8.2.2.106.6	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1, 8.2.1.2, 8.2.1.3 and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.106.1.<sup>76</sup></i>
8.2.2.107		
8.2.2.107.1	<u>Defined Area:</u>	<i>OS1-107, as shown on Zoning Map Part 67.</i>
8.2.2.107.2	<u>Lake Erie Erosion Setback:</u>	<i>Notwithstanding the provisions of Subsection 8.2.1.7.1 of this By-law, new buildings and structures, and additions to existing buildings and structures, shall be located a minimum of 55m from the front lot line.<sup>77</sup></i>
8.2.2.108		
8.2.2.108.1	<u>Defined Area:</u>	<i>OS1-108, as shown on Zoning Map Part 67.</i>
8.2.2.108.2	<u>Only Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) <i>Rural-residential Use</i></li> <li>b) <i>Accessory Uses</i></li> </ul>
8.2.2.108.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>a) <i>Single detached dwelling</i></li> <li>b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.108.4	<u>Lake Erie Erosion Setback:</u>	<i>Notwithstanding the provisions of Subsection 8.2.1.7.1 of this By-law, new buildings and structures, and additions to existing buildings and structures, shall be located a minimum of 55m from the front lot line.<sup>78</sup></i>
8.2.2.109		
8.2.2.109.1	<u>Defined Area:</u>	<i>OS1-109, as shown on Zoning Map, Part 36(z).</i>
8.2.2.109.2	<u>Additional Permitted Use:</u>	<i>A farmer's market, accessory to a permitted institutional use.</i>
8.2.2.109.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by subsection 8.2.2.109.2.</i>
8.2.2.109.4	<u>Definition:</u>	<i>For the purposes of this amendment, as it applies to the area defined in subsection 8.2.2.109.1, a farmer's market means a place where vendors, operating from portable booths, stalls or motor vehicles, may offer goods and services for sale, and without limiting the generality of the forgoing may include produce, baked</i>

<sup>76</sup> New subsection added by Clause 3 of By-law 508, January 13<sup>th</sup>, 2003.

<sup>77</sup> New subsection added by Clause 4 of By-law 554, May 26<sup>th</sup>, 2003.

<sup>78</sup> New subsection added by Clause 6 of By-law 554, May 26<sup>th</sup>, 2003.

goods, preserves, plants and flowers, and handmade crafts.<sup>79</sup>

8.2.2.110

8.2.2.110.1 Defined Area: OS1-110, as shown on Zoning Map Part 12(g).

8.2.2.110.2 Only Permitted Uses: a) Rural-residential Use  
b) Accessory Uses

8.2.2.110.3 Permitted Buildings and Structures: a) Single detached dwelling  
b) Accessory buildings and structures.

8.2.2.110.4 Exceptions: The provisions of subsection 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.110.1 of this By-law.<sup>80</sup>

8.2.2.111

8.2.2.111.1 Defined Area: OS1-111, as shown on Zoning Map Part 62(a).

8.2.2.111.2 Only Permitted Uses: a) Rural-residential Use  
b) Accessory Uses

8.2.2.111.3 Permitted Buildings and Structures: a) Single detached dwelling  
b) Accessory buildings and structures.

8.2.2.111.4 Exceptions: The provisions of subsection 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.111.1 of this By-law.<sup>81</sup>

8.2.2.112

8.2.2.112.1 Defined Area: OS1-112, as shown on Zoning Maps, Part 63(a) and 37(c).

8.2.2.112.2 Other Permitted Buildings: A second single detached dwelling.<sup>82</sup>

**(OS1-113 zone expired through Clause 5 of By-law 621, February 9<sup>th</sup>, 2014.)**

8.2.2.114

8.2.2.114.1 Defined Area: OS1-114, as shown on Zoning Map, Part 6(j).

8.2.2.114.2 Additional Permitted Uses: (a) Restricted business office.  
(b) Personal Trainer/Fitness Consultant.  
(c) Accessory uses.

8.2.2.114.3 Additional Permitted Buildings and Structures: Buildings and structures for the uses permitted by subsection 8.2.2.114.2.

8.2.2.114.4 Off-Street Parking: (a) 3 spaces per 100 square metres of floor area for the use permitted by 8.2.2.114.2(a).

<sup>79</sup> New subsection added by Clause 3 of By-law 555, May 26<sup>th</sup>, 2003.

<sup>80</sup> New subsection added by Clause 3 of By-law 556, May 26<sup>th</sup>, 2003.

<sup>81</sup> New subsection added by Clause 4 of By-law 566, June 23<sup>rd</sup>, 2003.

<sup>82</sup> New subsection added by Clause 3 of By-law 603, September 22<sup>nd</sup>, 2003.

- (b) 20 spaces for the use permitted by 8.2.2.114.2(b).<sup>83</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

8.2.2.114		
8.2.2.114.1	<u>Defined Area:</u>	OS1-114, as shown on Zoning Map, Part 64.
8.2.2.114.2	<u>Other Permitted Uses:</u>	(a) a paintball game playing area; (b) accessory uses.
8.2.2.114.3	<u>Other Permitted Buildings and Structures:</u>	(a) buildings and structures for the use permitted by subsection 8.2.2.114.2; (b) accessory buildings and structures.
8.2.2.114.4	<u>Location of Other Permitted Uses, Buildings and Structures:</u>	The location of other uses, buildings and structures permitted by subsections 8.2.2.114.2 and 8.2.2.114.3 shall be in accordance with "Schedule 59" to this By-law.
8.2.2.114.5	<u>Lot Area:</u>	19 hectares.
8.2.2.114.6	<u>Lot Frontage:</u>	197 metres.
8.2.2.114.7	<u>Exceptions:</u>	The provisions of subsection 8.2.1.3 and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.114.1. <sup>84</sup>
8.2.2.115		
8.2.2.115.1	<u>Defined Area:</u>	OS1-115, as shown on Zoning Map, Part 15(ar).
8.2.2.115.2	<u>Additional Permitted Uses:</u>	(a) Retail tack shop. (b) Accessory uses.
8.2.2.115.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by subsection 8.2.2.115.2.
8.2.2.115.4	<u>Minimum Lot Area:</u>	9 acres.
8.2.2.115.5	<u>Minimum Lot Frontage:</u>	229 metres.
8.2.2.115.6	<u>Off-Street Parking:</u>	3 spaces per 100 square metres of floor area for the use permitted by 8.2.2.115.2.
8.2.2.115.7	<u>Permitted Livestock:</u>	Notwithstanding the provisions of Subsection 2.52 of this by-law, a maximum of 4 horses may be kept within the existing barns located within the defined area.
8.2.2.115.8	<u>Definition:</u>	For the purposes of this amendment, a retail tack shop means a retail store devoted to the sale of equestrian riding supplies including, but not limited to, reins, saddles, bridles,

<sup>83</sup> New subsection added by Clause 3 of By-law 643, February 26<sup>th</sup>, 2004.

<sup>84</sup> New subsection added by Clause 4 of By-law 647, March 22<sup>nd</sup>, 2004.

*grooming supplies, helmets and boots.<sup>85</sup>*

**(OS1-116 zone deleted by Clause 1 of By-law 912, September 25<sup>th</sup>, 2006.)**

8.2.2.117

8.2.2.117.1 Defined Area:

*OS1-117, as shown on Zoning Map, Part 54(d).*

8.2.2.117.2 Location of Buildings And Structures:

*Notwithstanding any other provisions of By-law 1998 as amended, no buildings and structures with the exception of a permitted fence shall be located within the area shown hatched on "Schedule 60" to this By-law.*

8.2.2.117.3 Exceptions:

*The provisions of subsections 8.2.1.1(a), 8.2.1.1(c), 8.2.1.2(a), 8.2.1.2(c), 8.2.1.9(b) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.117.1<sup>86</sup>*

**(OS1-118 zone repealed by Clause 1 of By-law 1017, November 26<sup>th</sup>, 2007.)**

8.2.2.119

8.2.2.119.1 Defined Area:

*OS1-119, as shown on Zoning Maps, Part 35(b) and Part 43(f).*

8.2.2.119.2 Additional Permitted Use:

*Bed and Breakfast Establishment.*

8.2.2.119.3 Definition:

*The following definition shall apply to The area defined in subsection 8.2.2.119.1: Bed and Breakfast Establishment means a single detached dwelling in which the owner resides and in which no more than four rooms are supplied for gain and profit, with or without meals, for the temporary accommodation of the traveling public, but does not include a boarding house, motel or restaurant.*

8.2.2.119.4 Off-Street Parking:

*1 parking space for each room used as part of the Bed and Breakfast Establishment.<sup>87</sup>*

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<sup>85</sup> New subsection added by Clause 3 of By-law 650, April 26<sup>th</sup>, 2004.

<sup>86</sup> New subsection added by Clause 4 of By-law 687, July 26<sup>th</sup>, 2004.

<sup>87</sup> New subsection added by Clause 4 of By-law 701, September 13<sup>th</sup>, 2004.

8.2.2.120		
8.2.2.120.1	<u>Defined Area:</u>	OS1-120, as shown on Zoning Map, Part 45(b).
8.2.2.120.2	<u>Other Permitted Uses:</u>	(a) Rural-residential Use (b) Accessory uses.
8.2.2.120.3	<u>Other Permitted Buildings and Structures:</u>	(a) Single detached dwelling (b) Accessory buildings and structures.
8.2.2.120.4	<u>Minimum Lot Frontage:</u>	50 metres
8.2.2.120.5	<u>Mimumum Lot Area:</u>	1 hectare.
8.2.2.120.6	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1, 8.2.1.2, 8.2.1.3, and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.120.1 of this By-law. <sup>88</sup>
8.2.2.121		
8.2.2.121.1	<u>Defined Area:</u>	OS1-121, as shown on Zoning Map, Part 69.
8.2.2.121.2	<u>Additional Permitted Uses:</u>	(a) Kennel. (b) Retail sale of pet supplies as an accessory use to a permitted kennel. (c) Accessory uses.
8.2.2.121.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by subsection 8.2.2.121.2.
8.2.2.121.4	<u>Minimum Lot Area:</u>	1hectare
8.2.2.121.5	<u>Minimum Lot Frontage:</u>	80 metres.
8.2.2.121.6	<u>Exceptions:</u>	The provisions of subsection 8.2.1 (General Use Regulations) shall not apply to the area defined in subsection 8.2.2.121.1 of this By-law. <sup>89</sup>
8.2.2.122		
8.2.2.122.1	<u>Defined Area:</u>	OS1-122, as shown on Zoning Map, Part 23(b) and Part 41(b).
8.2.2.122.2	<u>Other Permitted Uses:</u>	(a) manufacturing, assembly, wholesale and retail sale of buildings, building components and building systems for use in the agricultural and general construction industries. (b) manufacturing, assembly, wholesale and retail sale of material handling equipment, miscellaneous components, subassemblies and agricultural equipment (c) uses accessory to the foregoing.
8.2.2.122.3	<u>Other Permitted Buildings</u>	

<sup>88</sup> New subsection added by Clause 3 of By-law 816, October 24<sup>th</sup>, 2005.

<sup>89</sup> New subsection added by Clause 4 of By-law 908, August 28<sup>th</sup>, 2006.

	<u>and Structures:</u>	<i>Buildings and structures for the uses permitted by subsection 8.2.2.122.2.</i>
8.2.2.122.4	<u>Lot Area:</u>	6.0 hectares.
8.2.2.122.5	<u>Lot Frontage:</u>	250 metres.
8.2.2.122.6	<u>Exceptions:</u>	<i>The provisions of subsection 8.2.1 (General Use Regulations) shall not apply to the area defined in subsection 8.2.2.122.1 of this By-law.<sup>90</sup></i>
8.2.2.123		
8.2.2.123.1	<u>Defined Area:</u>	<i>OS1-123, as shown on Zoning Maps, Part 36(aa) and Part 49(b).</i>
8.2.2.123.2	<u>Additional Permitted Use:</u>	<i>Bed and Breakfast Establishment</i>
8.2.2.123.3	<u>Definition:</u>	<i>The following definition shall apply to the area defined in subsection 8.2.2.123.1: Bed and Breakfast Establishment means a single detached dwelling in which the owner resides and in which no more than four rooms are supplied for gain and profit, with or without meals, for the temporary accommodation of the traveling public, but does not include a boarding house, motel or restaurant.</i>
8.2.2.123.4	<u>Off-Street Parking:</u>	<i>1 parking space for each room used as part of the Bed and Breakfast Establishment.<sup>91</sup></i>
8.2.2.124		
8.2.2.124.1	<u>Defined Area:</u>	<i>OS1-124, as shown on Zoning Map, Part 66(b).</i>
8.2.2.124.2	<u>Additional Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) <i>the sale, leasing and servicing of all terrain vehicles, motorcycles, snowmobiles, generators and water pumps as an accessory use to a permitted farm use.</i></li> <li>b) <i>the sale of parts and accessories for all terrain vehicles, motorcycles, snowmobiles, generators and water pumps as an accessory use to a use permitted by Subsection 8.2.2.124.2(a).</i></li> </ul>
8.2.2.124.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 8.2.2.124.2.</i>
8.2.2.124.4	<u>Maximum Floor Area for Additional Permitted Uses:</u>	535 square metres.
8.2.2.124.5	<u>Outdoor Display:</u>	<i>Outdoor display of all terrain vehicles, parts or accessories associated with the uses permitted by Subsection 8.2.2.124.2 shall be prohibited.</i>
8.2.2.124.6	<u>Off-Street Parking:</u>	<i>A minimum of 15 parking spaces shall</i>

<sup>90</sup> New subsection added by Clause 5 of By-law 907, September 11<sup>th</sup>, 2006.

<sup>91</sup> New subsection added by Clause 4 of By-law 911, September 25<sup>th</sup>, 2006.

be provided and maintained for the uses permitted by Subsection 8.2.2.124.2.

8.2.2.124.7 Signs:

- a) A sign in support of the uses permitted by Subsection 8.2.2.124.2 of this by-law, and not exceeding 6.0 square metres in area, shall be permitted.
- b) Portable signs shall not be permitted within the -area defined by Subsection 8.2.2.124.1.

8.2.2.124.8 Front Yard Setback for Signs:

A sign permitted by Subsection 8.2.2.124.5 shall be located a minimum of 6 metres from the front lot line of the area defined by Subsection 8.2.2.124.1.<sup>92</sup>

**(OS1-125 zone expired through Clause 4 of By-law 918, October 23<sup>rd</sup>, 2009.)**

8.2.2.126

8.2.2.126.1 Defined Area:

OS1-126, as shown on Zoning Map, Part 19(l).

8.2.2.126.2 Only Permitted Buildings and Structures:

- (a) farm buildings and structures.
- (b) one farm dwelling containing a maximum of two dwelling units.
- (c) accessory buildings and structures.

8.2.2.126.3 Exceptions:

The provisions of subsection 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.126.1 of this By-law.<sup>93</sup>

8.2.2.127

8.2.2.127.1 Defined Area:

OS1-127, as shown on Zoning Map, Part 33(a).

8.2.2.127.2 Additional Permitted Buildings and Structures:

One bunkhouse for farm help purposes with a maximum gross floor area of 67m<sup>2</sup>.

8.2.2.127.3 Definition:

For the purposes of this amendment, a "bunkhouse" means a building intended for sleeping accommodations but does not include kitchen and sanitary facilities and is not a dwelling unit as defined by this By-law.<sup>94</sup>

8.2.2.128

8.2.2.128.1 Defined Area:

OS1-128, as shown on Zoning Map, Part 22(h).

8.2.2.128.2 Permitted Uses:

- a) One single detached dwelling.
- b) Electrical contracting business.
- c) Accessory uses.

<sup>92</sup> New subsection added by Clause 4 of By-law 912, September 25<sup>th</sup>, 2006.

<sup>93</sup> New subsection added by Clause 3 of By-law 921, December 11<sup>th</sup>, 2006.

<sup>94</sup> New subsection added by Clause 3 of By-law 936, February 19<sup>th</sup>, 2007.

8.2.2.128.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by paragraph 8.2.2.128.2.</i>
8.2.2.128.4	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the use permitted by paragraph 8.2.2.128.2(b) shall not exceed 350 square metres.</i>
8.2.2.128.5	<u>Outside Storage:</u>	<i>No outside storage of goods, materials or products associated with the uses permitted by subsection 8.2.2.128.2(b) shall be permitted.</i>
8.2.2.128.6	<u>Lot Frontage:</u>	<i>150 metres.</i>
8.2.2.128.7	<u>Lot Area:</u>	<i>50,000 square metres.</i>
8.2.2.128.8	<u>Definition:</u>	<i>For the purposes of paragraph 8.2.2.128.2(b), "electrical contracting business" shall mean a wholesale establishment for the sale of electrical products and services including the installation of such products and the storage of such product and equipment as required for installation.</i>
8.2.2.128.9	<u>Exceptions:</u>	<i>The provisions of subsection 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4 and 8.2.1.8 shall not apply to the area defined in paragraph 8.2.2.128.1.<sup>95</sup></i>
8.22.129		
8.2.2.129.1	<u>Defined Area:</u>	<i>OS1-129, as shown on Zoning Map, Part 22(i).</i>
8.2.2.129.2	<u>Additional Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>Business of renting of limousines and carriages.</i></li> <li>(b) <i>Sale of limousines.</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.22.129.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by subsection 8.2.2.129.2.</i>
8.2.2.129.4	<u>Minimum Lot Area:</u>	<i>5 hectares.</i>
8.2.2.129.5	<u>Minimum Lot Frontage:</u>	<i>200 metres.</i>
8.2.2.129.6	<u>Off-Street Parking:</u>	<i>A minimum of 12 spaces for the uses permitted by 8.2.2.129.2.</i>
8.2.2.129.7	<u>Maximum Number of Limousines for Sale:</u>	<i>The maximum number of limousines within the area defined in subsection 8.2.2.129.1 for the purposes of the use permitted by subsection 8.2.2.129.2(b) shall be three (3).</i>
8.2.2.129.8	<u>Exceptions:</u>	<i>The provisions of subsection 8.2.1.1(a), 8.2.1.2(a), 8.2.1.4 and 8.2.1.9(b) shall not apply to the area defined in subsection 8.2.2.129.1.<sup>96</sup></i>

**(OS1-130 zone expired by Clause 7 of By-law 1073, July 21<sup>st</sup>, 2011.)**

<sup>95</sup> New subsection added by Clause 3 of By-law 1015, November 26<sup>th</sup>, 2007.

<sup>96</sup> New subsection added by Clause 4 of By-law 1017, November 26<sup>th</sup>, 2007.

8.2.2.131		
8.2.2.131.1	<u>Defined Area:</u>	OS1-131, as shown on Zoning Map, Part 41(c).
8.2.2.131.2	<u>Only Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) Rural residential use;</li> <li>(b) Bed and breakfast establishment;</li> <li>(c) A massage therapy clinic as a home occupation;</li> <li>(d) Home occupations;</li> <li>(e) Accessory uses.</li> </ul>
8.2.2.131.3	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses.
8.2.2.131.4	<u>Definitions:</u>	<ul style="list-style-type: none"> <li>(i) For the purposes of subsection 8.2.2.131.2(b) of this amendment, a <u>Bed and breakfast establishment</u> means a single detached dwelling in which the owner resides and in which not more than two rooms are supplied for gain and profit, with or without meals, for the temporary accommodation of the travelling public, but does not include a group home, boarding house, motel or restaurant.</li> <li>(i) For the purposes of subsection 8.2.2.131.2(c) of this amendment, a <u>massage therapy clinic as a home occupation</u> means a dwelling or part of a dwelling in which a massage therapist, registered by the College of Massage Therapists of Ontario, resides and provides services for the assessment of the soft tissue and joint of the body and the treatment and prevention of physical dysfunction and pain of the soft tissues and joints by manipulation to develop, maintain, rehabilitate or augment physical function, or relieve pain.</li> </ul>
8.2.2.131.5	<u>Off-Street Parking:</u>	<p>Parking shall be provided and maintained at the following rates:</p> <p>Rural-Residential use: 2 spaces.</p> <p>Bed and breakfast use: 1 space for every room dedicated to the use.</p> <p>Registered massage therapy use: 2 spaces.</p>
8.2.2.131.6	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1, 8.2.1.2 and 8.2.1.9 shall not apply to the area defined in subsection 8.2.2.131.1. <sup>97</sup>

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<sup>97</sup> New subsection added by Clause 3 of By-law 1155, July 20<sup>th</sup>, 2009.

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

8.2.2.131		
8.2.2.131.1	<u>Defined Area:</u>	OS1-131, as shown on Zoning Maps, Parts 11(t) and 12(h).
8.2.2.131.2	<u>Other Permitted Buildings:</u>	a Garden Suite
8.2.2.131.3	<u>Definition:</u>	a "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
8.2.2.131.4	<u>Exceptions:</u>	The provisions of subsection 7.1.17 shall not apply to the area defined in subsection 8.2.2.131.1. <sup>98</sup>
8.2.2.132		
8.2.2.132.1	<u>Defined Area:</u>	OS1-132, as shown on Zoning Map, Part 6(k).
8.2.2.132.2	<u>Applicable Provisions:</u>	The provisions of subsection 8.2.1 and all other applicable provisions of this by-law shall apply to the area defined by Subsection 8.2.2.132.1. <sup>99</sup>
8.2.2.133		
8.2.2.133.1	<u>Defined Area:</u>	OS1-133, as shown on Zoning Map, Part 17(n).
8.2.2.133.2	<u>Other Permitted Uses:</u>	(a) Servicing of travel trailers and recreational vehicles accessory to a permitted rural-residential use. (b) Sale of travel trailers, parts and accessories accessory to a used permitted by Subsection 8.2.2.133.2(a).
8.2.2.133.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by Subsection 8.2.2.133.2.
8.2.2.133.4	<u>Minimum Lot Area:</u>	1.5 hectares.
8.2.2.133.5	<u>Minimum Lot Frontage:</u>	170metres.
8.2.2.133.6	<u>Maximum Gross Floor Area:</u>	350 square metres, for the uses permitted by Subsection 8.2.2.133.2.
8.2.2.133.7	<u>Minimum Side Yard:</u>	15 metres, for the uses permitted by Subsection 8.2.2.133.2.
8.2.2.133.8	<u>Maximum Number of Employees:</u>	2, not residing in the defined area.
8.2.2.133.9	<u>Off-Street Parking:</u>	10 spaces for the uses permitted by Subsection 8.2.2.133.2.
8.2.2.133.10	<u>Outdoor Storage:</u>	Outdoor storage shall only be permitted in the area shown on Schedule 70 to this By-law.
8.2.2.133.11	<u>Coverage:</u>	15% maximum for all buildings,

<sup>98</sup> New subsection added by Clause 4 of By-law 1170, August 24<sup>th</sup>, 2009.

<sup>99</sup> New subsection added by Clause 3 of By-law 1311, January 24<sup>th</sup>, 2011.

outdoor storage and parking area associated with the uses permitted by Subsection 8.2.2.133.2.

8.2.2.133.12 Signs:

One sign shall be permitted for the uses permitted by Subsection 8.2.2.133.2, with a surface area not to exceed 3.0 square metres.

8.2.2.133.13 Exceptions:

The provisions of subsections 8.2.1.4, 8.2.1.6 and 8.2.1.7.2 shall not apply to the uses permitted by subsection 8.2.2.133.2.<sup>100</sup>

**(OS1-134 zone expired through Clause 4 of By-law 1442, March 26<sup>th</sup>, 2015.)**

8.2.2.135

8.2.2.135.1 Defined Area:

OS1-135, as shown on Zoning Map, Part 24(f).

8.2.2.135.2 Other Permitted Buildings: A Garden Suite.

8.2.2.135.3 Definition:

A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.<sup>101</sup>

8.2.2.136

8.2.2.136.1 Defined Area:

OS1-136, as shown on Zoning Map Part 39(e).

8.2.2.136.2 Additional Permitted Use: Billboard.

8.2.2.136.3 Other Permitted Structures:

One billboard with a total surface area not to exceed 16 square metres.

8.2.2.136.4 Maximum Height:

The maximum height of any Permitted billboard shall not exceed 6.1 metres.

8.2.2.136.5 Location of Structures:

A billboard permitted by subsection 8.2.2.136.2 shall be located a minimum of 3 metres from the exterior lot line.<sup>102</sup>

8.2.2.137

8.2.2.137.1 Defined Area:

OS1-137, as shown on Zoning Map Part 51(a).

8.2.2.137.2 Additional Permitted Use:

- (a) A depot and repair shop for trucks.
- (b) A repair shop for farm equipment.
- (c) An office use in connection with the other permitted uses.

8.2.2.137.3 Other Permitted Structures:

Buildings and structures for the uses permitted in subsection 8.2.2.137.2<sup>103</sup>

8.2.2.138

8.2.2.138.1 Defined Area:

OS1-138, as shown on Zoning Map

<sup>100</sup> New subsection added by Clause 4 of By-law 1380, September 19<sup>th</sup>, 2011.

<sup>101</sup> New subsection added by Clause 3 of By-law 1485, May 28<sup>th</sup>, 2012.

<sup>102</sup> New subsection added by Clause 3 of By-law 1496, June 25<sup>th</sup>, 2012.

<sup>103</sup> New subsection added by Clause 3 of By-law 1534, November 26<sup>th</sup>, 2012.

Part 18(c).

- 8.2.2.138.2 Additional Permitted Use: (a) A home renovation business Accessory to a permitted rural-residential use.  
(b) An office use. in connection with the other permitted use.
- 8.2.2.138.3 Other Permitted Structures: Buildings and structures for the uses permitted in subsection 8.2.2.138.2.
- 8.2.2.138.4 Maximum Floor Area: The maximum floor area devoted to the use permitted by paragraph 8.2.2.138.2(a) shall not exceed 185 square metres.
- 8.2.2.138.5 Outside storage: No outside storage of goods, materials or products associated with the use permitted by subsection 8.2.2.138.2(a) shall be permitted.
- 8.2.2.138.6 Minimum Lot Frontage: 95 metres.
- 8.2.2.138.7 Minimum Lot Area: 2 hectares.
- 8.2.2.138.8 Exceptions: The provisions of subsections 8.2.1.3 and 8.2.1.4 shall not apply to the area defined in paragraph 8.2.2.138.1.<sup>104</sup>
- 8.2.2.139
- 8.2.2.139.1 Defined Area: OS1-139, as shown on Zoning Map, Part 19(n).
- 8.2.2.139.2 Other Permitted Buildings: A Garden Suite.
- 8.2.2.139.3 Definition: A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.<sup>105</sup>
- 8.2.2.140
- 8.2.2.140.1 Defined Area: OS1-140, as shown on Zoning Map, Part 36(ab).
- 8.2.2.140.2 Only Permitted Use: Growing of field crops.
- 8.2.2.140.3 Only Permitted Buildings and Structures: (a) Farm buildings including one farm dwelling.  
(b) Accessory buildings and structures.
- 8.2.2.140.3 Minimum Lot Frontage: 70 meters.
- 8.2.2.140.4 Minimum Lot Area: 7 hectares.<sup>106</sup>
- 8.2.2.141
- 8.2.2.141.1 Defined Area: S1-141, as shown on Zoning Map, Part 6(l).
- 8.2.2.141.2 Other Permitted Buildings: A second dwelling unit existing at the time of passing of this by-law.<sup>107</sup>

<sup>104</sup> New subsection added by Clause 3 of By-law 1535, November 26<sup>th</sup>, 2012.

<sup>105</sup> New subsection added by Clause 3 of By-law 1574, March 25<sup>th</sup>, 2013.

<sup>106</sup> New subsection added by Clause 5 of By-law 1615, June 24<sup>th</sup>, 2013.

8.2.2.142		
8.2.2.142.1	<u>Defined Area:</u>	OS1-142, as shown on Zoning Map, Part 37(d).
8.2.2.142.2	<u>Only Permitted Use:</u>	(a) Farm uses. (b) Accessory uses.
8.2.2.142.3	<u>Only Permitted Buildings and Other Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.142.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2, 8.2.1.3, 8.2.1.5, 8.2.1.6, 8.2.1.8, 8.2.1.9(a) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.142.1. <sup>108</sup>
8.2.2.143		
8.2.2.143.1	<u>Defined Area:</u>	OS1-143, as shown on Zoning Maps, Part 36(ac) and 69(a).
8.2.2.143.2	<u>Only Permitted Use:</u>	(a) Farm uses. (b) Accessory uses.
8.2.2.143.3	<u>Only Permitted Buildings and Other Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.143.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2, 8.2.1.3, 8.2.1.5, 8.2.1.6, 8.2.1.8, 8.2.1.9(a) and 8.2.1.9(c) shall not apply to the area defined in subsection 8.2.2.143.1. <sup>109</sup>
8.2.2.142		
8.2.2.142.1	<u>Defined Area:</u>	OS1-144, as shown on Zoning Map, Part 46(d).
8.2.2.142.2	<u>Applicable Provisions:</u>	The provisions of subsection 8.2.1 and all other applicable provisions of this by-law shall apply to the area defined by Subsection 8.2.2.142.1 <sup>110</sup>
8.2.2.145		
8.2.2.145.1	<u>Define Area:</u>	OS1-145, as shown on Zoning Map, Parts 15(as) and 56(c).
8.2.2.145.2	<u>Only Permitted Use:</u>	(a) Rural-residential use. (b) Accessory uses.
8.2.2.145.3	<u>Only Permitted Buildings and Structures:</u>	(a) One single detached dwelling existing at the time of passing of this by-law.

<sup>107</sup> New subsection added by Clause 3 of By-law 1640, September 16<sup>th</sup>, 2013.

<sup>108</sup> New subsection added by Clause 3 of By-law 1647, October 15<sup>th</sup>, 2013.

<sup>109</sup> New subsection added by Clause 4 of By-law 1648, October 15<sup>th</sup>, 2013.

<sup>110</sup> New subsection added by Clause 3 of By-law 1661, November 25<sup>th</sup>, 2013.

(b) Accessory buildings and structures.

8.2.2.145.4 Front Yard: 15 metres.

8.2.2.145.5 Exceptions: The provisions of subsections 8.2.1.1, 8.2.1.2, and 8.2.1.7.1 shall not apply to the area defined by subsection 8.2.2.145.1.<sup>111</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

8.2.2.145

8.2.2.145.1 Defined Area: OS1-145, as shown on Zoning Map, Part 70.

8.2.2.145.2 Only Permitted Use: (a) Farm use.  
(b) Home occupations.  
(c) Accessory uses.

8.2.2.145.3 Only Permitted Buildings and Other Structures: (a) Farm buildings, including one farm dwelling.  
(b) Accessory buildings and structures.

8.2.2.145.4 Livestock Prohibited in Existing Barns: Notwithstanding the provisions of subsections 2.2 and 2.52 of By-law 1998, as amended, the barns existing as of the date of passing of this by-law shall not be used as a livestock/poultry facility as defined by Subsection 7.5.4(v) of By-law 1998, as amended.

8.2.2.145.5 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.145.1.<sup>112</sup>

8.2.2.146

8.2.2.146.1 Defined Area: OS1-146, as shown on Zoning Map, Part 70.

8.2.2.146.2 Only Permitted Use: (a) Rural residential use.  
(b) Home occupations.  
(c) Accessory uses.

8.2.2.146.3 Only Permitted Buildings and Other Structures: (a) One single detached dwelling on a rural residential lot.  
(b) Accessory buildings and structures.

8.2.2.146.4 Lot Frontage: 25 metres.

8.2.2.146.5 Exceptions: The provisions of subsections 8.2.1.1, 8.2.1.2 and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.146.1.<sup>113</sup>

<sup>111</sup> New subsection added by Clause 5 of By-law 1703, March 24<sup>th</sup>, 2014.

<sup>112</sup> New subsection added by Clause 4 of By-law 1750, June 23<sup>rd</sup>, 2014.

<sup>113</sup> New subsection added by Clause 6 of By-law 1750, June 23<sup>rd</sup>, 2014.

8.2.2.147		
8.2.2.147.1	<u>Defined Area:</u>	OS1-147, as shown on Zoning Map, Part 17(p).
8.2.2.147.2	<u>Only Permitted Use:</u>	(a) Naturopathic clinic. (b) Accessory uses.
8.2.2.147.3	<u>Only Permitted Buildings and Other Structures:</u>	The uses permitted by Subsection 8.2.2.147.2 may only be permitted within the building existing on the date of the passing of this by-law.
8.2.2.147.4	<u>Definition:</u>	For the purposes of this amendment, a <u>naturopathic clinic</u> means a clinic offering a distinct system of primary health care that emphasizes prevention and the self-healing process through the use of natural therapies including, but not limited to, physical manipulation, acupuncture, massage therapy, yoga, clinical nutrition, botanical medicine, herbal remedies and teas, homeopathy and hydrotherapy.
8.2.2.147.5	<u>Off-Street Parking:</u>	15 spaces for the uses permitted by Subsection 8.2.2.147.2.
8.2.2.147.6	<u>Signs:</u>	The pylon sign existing on the date of passing of this by-law may be used for the purposes of the uses permitted by subsection 8.2.2.147.2.
8.2.2.147.7	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.147.1. <sup>114</sup>
8.2.2.148		
8.2.2.148.1	<u>Defined Area:</u>	OS1-148, as shown on Zoning Map, Part 10(h) and Part 11(g).
8.2.2.148.2	<u>Applicable Provisions:</u>	The provisions of subsection 8.2.1 and all other applicable provisions shall apply to the area defined by subsection 8.2.2.148.1. <sup>115</sup>
8.2.2.149		
8.2.2.149.1	<u>Defined Area:</u>	OS1-149, as shown on Zoning Map, Part 56(d).
8.2.2.149.2	<u>Additional Permitted Buildings and Structures:</u>	A second single detached dwelling existing at the time of passing of this by-law. <sup>116</sup>
8.2.2.150		
8.2.2.150.1	<u>Defined Area:</u>	OS1-150, as shown on Zoning Map, Parts 35(c) and 44(c).
8.2.2.150.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Home occupations. (c) Accessory uses.

<sup>114</sup> New subsection added by Clause 6 of By-law 1749, June 23<sup>rd</sup>, 2014.

<sup>115</sup> New subsection added by Clause 5 of By-law 1772, September 8<sup>th</sup>, 2014.

<sup>116</sup> New subsection added by Clause 3 of By-law 1797, December 15<sup>th</sup>, 2014.

8.2.2.150.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.150.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.150.1. <sup>117</sup>
8.2.2.151		
8.2.2.151.1	<u>Defined Area:</u>	OS1-151, as shown on Zoning Map, Parts 35(c) and 44(c).
8.2.2.151.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Rural residential use.</li> <li>(b) Accessory uses.</li> </ul>
8.2.2.151.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) One single detached dwelling.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.151.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.151.1. <sup>118</sup>
8.2.2.152		
8.2.2.152.1	<u>Defined Area:</u>	OS1-152, as shown on Zoning Map, Part 71.
8.2.2.152.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Farm use.</li> <li>(b) Accessory uses.</li> </ul>
8.2.2.152.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.152.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.152.1. <sup>119</sup>
8.2.2.153		
8.2.2.153.1	<u>Defined Area:</u>	OS1-153, as shown on Zoning Map, Part 66(b).
8.2.2.153.2	<u>Applicable Provisions:</u>	The provisions of subsection 8.2.1 and all other applicable provisions shall apply to the area defined by subsection 8.2.2.153.1. <sup>120</sup>

<sup>117</sup> New subsection added by Clause 4 of By-law 1798, December 15<sup>th</sup>, 2014.

<sup>118</sup> New subsection added by Clause 6 of By-law 1798, December 15<sup>th</sup>, 2014.

<sup>119</sup> New subsection added by Clause 4 of By-law 1808, December 22<sup>nd</sup>, 2014.

<sup>120</sup> New subsection added by Clause 4 of By-law 1840, March 23<sup>rd</sup>, 2015.

8.2.2.154		
8.2.2.154.1	<u>Defined Area:</u>	OS1-154, as shown on Zoning Maps, Part 68(a).
8.2.2.154.2	<u>Other Permitted Buildings:</u>	a Garden Suite
8.2.2.154.3	<u>Definition:</u>	a "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. <sup>121</sup>
8.2.2.155		
8.2.2.155.1	<u>Defined Area:</u>	OS1-155, as shown on Zoning Map Part 47(g).
8.2.2.155.2	<u>Additional Permitted Use:</u>	Billboard.
8.2.2.155.3	<u>Other Permitted Structures:</u>	One billboard with a total surface area not to exceed 18 square metres.
8.2.2.155.4	<u>Maximum Height:</u>	The maximum height of any permitted billboard shall not exceed 6.1 metres.
8.2.2.155.5	<u>Location of Structures:</u>	A billboard permitted by subsection 8.2.2.155.2 shall be located a minimum of 3 metres from any lot line. <sup>122</sup>
8.2.2.156		
8.2.2.156.1	<u>Defined Area:</u>	OS1-156, as shown on Zoning Map Part 39(f).
8.2.2.156.2	<u>Additional Permitted Use:</u>	Billboard.
8.2.2.156.3	<u>Other Permitted Structures:</u>	One billboard with a total surface area not to exceed 18 square metres.
8.2.2.156.4	<u>Maximum Height:</u>	The maximum height of any permitted billboard shall not exceed 6.1 metres.
8.2.2.156.5	<u>Location of Structures:</u>	A billboard permitted by subsection 8.2.2.156.2 shall be located a minimum of 3 metres from any lot line. <sup>123</sup>
8.2.2.157		
8.2.2.157.1	<u>Defined Area:</u>	OS1-157, as shown on Zoning Map, Part 73.
8.2.2.157.2	<u>Additional Permitted Building:</u>	An apartment dwelling located within the existing detached garage. <sup>124</sup>
8.2.2.158		
8.2.2.158.1	<u>Defined Area:</u>	OS1-158, as shown on Zoning Map, Part 54(h).
8.2.2.158.2	<u>Additional Permitted Buildings:</u>	Two mobile homes for accommodation for seasonal farm labourers. <sup>125</sup>

<sup>121</sup> New subsection added by Clause 3 of By-law 1863, April 27<sup>th</sup>, 2015.

<sup>122</sup> New subsection added by Clause 3 of By-law 1876, May 25<sup>th</sup>, 2015.

<sup>123</sup> New subsection added by Clause 3 of By-law 1877, May 25<sup>th</sup>, 2015.

<sup>124</sup> New subsection added by Clause 3 of By-law 1894, June 22<sup>nd</sup>, 2015.

- 8.2.2.159
- 8.2.2.159.1 *Defined Area:* OS1-159, as shown on Zoning Map, Part 24(g).
- 8.2.2.159.2 *Other Permitted Building:* A Garden Suite.
- 8.2.2.159.3 *Definition:* A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.<sup>126</sup>

**(Note: OS1-160 zone deleted by Clause 1. Of By-law 2303, October 9<sup>th</sup>, 2018)**

- 8.2.2.161
- 8.2.2.161.1 *Defined Area:* OS1-161, as shown on Zoning Map, Parts 74, 33(b) and 50(a).
- 8.2.2.161.2 *Only Permitted Use:*
- (a) Farm use.
  - (b) Accessory uses.
- 8.2.2.161.3 *Only Permitted Buildings and Structures:*
- (a) Farm buildings and structures, but no dwelling shall be permitted.
  - (b) Accessory buildings and structures.
- 8.2.2.161.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.161.1.<sup>127</sup>

- 8.2.2.162
- 8.2.2.162.1 *Defined Area:* OS1-162, as shown on Zoning Map, Part 18(d).
- 8.2.2.162.2 *Only Permitted Use:*
- (a) Farm use.
  - (b) Accessory uses.
- 8.2.2.162.3 *Only Permitted Buildings and Structures:*
- (a) Farm buildings and structures, but no dwelling shall be permitted.
  - (b) Accessory buildings and structures.
- 8.2.2.162.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.162.1.<sup>128</sup>

- 8.2.2.163
- 8.2.2.163.1 *Defined Area:* OS1-163, as shown on Zoning Map, Parts 45(d) and 46(e).
- 8.2.2.163.2 *Other Permitted Building:* A Garden Suite.
- 8.2.2.163.3 *Definition:* A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen

<sup>125</sup> New subsection added by Clause 3 of By-law 1895, June 22<sup>nd</sup>, 2015.

<sup>126</sup> New subsection added by Clause 3 of By-law 1896, June 22<sup>nd</sup>, 2015.

<sup>127</sup> New subsection added by Clause 6 of By-law 1917, September 14<sup>th</sup>, 2015.

<sup>128</sup> New subsection added by Clause 3 of By-law 1918, September 14<sup>th</sup>, 2015.

facilities that is ancillary to an existing residential structure and that is designed to be portable.<sup>129</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

- 8.2.2.163
- 8.2.2.163.1 Defined Area: OS1-163, as shown on Zoning Map, Parts 18(e) and 75
- 8.2.2.163.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.163.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.163.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.163.1.<sup>130</sup>
- 8.2.2.164
- 8.2.2.164.1 Defined Area: OS1-164, as shown on Zoning Map, Parts 7(q), 8(b), 10(i) and 11(h).
- 8.2.2.164.2 Additional Permitted Buildings: Three single detached dwellings existing at the time of the passing of this By-law.
- 8.2.2.164.3 Minimum Side Yard Setback: 3 metres.<sup>131</sup>
- 8.2.2.165
- 8.2.2.165.1 Defined Area: OS1-165, as shown on Zoning Map, Part 18(f).
- 8.2.2.165.2 Additional Permitted Buildings: Two single detached dwellings existing at the time of the passing of this By-law.
- 8.2.2.165.3 Minimum Front Yard Setback: 14 metres.
- 8.2.2.165.4 Exceptions: The provisions of subsection 8.2.1.7.1 shall not apply to the area defined in subsection 8.2.2.165.1.<sup>132</sup>
- 8.2.2.166
- 8.2.2.166.1 Defined Area: OS1-166, as shown on Zoning Map, Parts 46(f), 68(b) and 76.
- 8.2.2.166.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.

<sup>129</sup> New subsection added by Clause 4 of By-law 1919, September 14<sup>th</sup>, 2015.

<sup>130</sup> New subsection added by Clause 5 of By-law 1926, September 28<sup>th</sup>, 2015.

<sup>131</sup> New subsection added by Clause 6 of By-law 1970, January 25<sup>th</sup>, 2016.

<sup>132</sup> New subsection added by Clause 3 of By-law 2011, April 25<sup>th</sup>, 2016.

8.2.2.166.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.166.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.166.1. <sup>133</sup>
8.2.2.167		
8.2.2.167.1	<u>Defined Area:</u>	OS1-167, as shown on Zoning Map, Part 17(q).
8.2.2.167.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Rural residential use.</li> <li>(b) A towing business accessory to a permitted rural residential use.</li> <li>(c) Accessory uses.</li> </ul>
8.2.2.167.3	<u>Area for Towing Business:</u>	The area of the subject property that may be used for the use permitted by 8.2.2.167.2(b) shall be no more than 35% of the total area of the subject lands.
8.2.2.167.4	<u>Buildings for Towing Business:</u>	One building with a floor area of no more than 120m <sup>2</sup> may be used in association with the use permitted by 8.2.2.167.2(b).
8.2.2.167.5	<u>Outdoor Compound:</u>	An outdoor compound for secured parking of towed vehicles may be located within the defined area but shall be no larger than 344m <sup>2</sup> in area. This area shall be a part of the overall area permitted for the business as per subsection 8.2.2.167.3.
8.2.2.167.6	<u>Permitted Vehicles:</u>	The number of tow vehicles permitted in association with the use permitted by 8.2.2.167.2(b) shall be 2 tow trucks, each of which tow vehicles shall have a gross vehicle weight of no more than 3,200 kilograms as identified by the manufacturer on the vehicles at the time of manufacture.
8.2.2.167.7	<u>Exceptions:</u>	The provisions of subsection 8.2.1.1 shall not apply to the area defined in subsection 8.2.2.167.1. <sup>134</sup>
8.2.2.168		
8.2.2.168.1	<u>Defined Area:</u>	OS1-168, as shown on Zoning Map, Parts 29(b), 62(b) and 77.
8.2.2.168.2	<u>Additional Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) A facility for the storage, processing and sale of beans and grains.</li> <li>(b) Accessory uses.</li> </ul>

<sup>133</sup> New subsection added by Clause 6 of By-law 2024, May 24<sup>th</sup>, 2016.

<sup>134</sup> By-law 2052 ordered approved by the Local Planning Appeals Tribunal, Case No. PL160935, December 5<sup>th</sup>, 2018

8.2.2.168.3	<u>Additional Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Buildings and structures for the use permitted by subsection 8.2.2.168.2(a).</li> <li>(b) Accessory buildings and structures.<sup>135</sup></li> </ul>
8.2.2.169		
8.2.2.169.1	<u>Defined Area:</u>	OS1-169, as shown on Zoning Map, Parts 29(c), 30(a) and 77(a).
8.2.2.169.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Farm use.</li> <li>(b) Accessory uses.</li> </ul>
8.2.2.169.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.169.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.169.1. <sup>136</sup>
8.2.2.170		
8.2.2.170.1	<u>Defined Area:</u>	OS1-170, as shown on Zoning Map, Part 55(j).
8.2.2.170.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Farm use.</li> <li>(b) Accessory uses.</li> </ul>
8.2.2.170.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.170.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.170.1. <sup>137</sup>
8.2.2.171		
8.2.2.171.1	<u>Defined Area:</u>	OS1-171, as shown on Zoning Map, Part 55(j).
8.2.2.171.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Rural-residential use.</li> <li>(b) Home occupations.</li> <li>(c) Accessory uses.</li> </ul>
8.2.2.171.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) One single detached dwelling.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.171.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1

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<sup>135</sup> New subsection added by Clause 6 of By-law 2037, June 27<sup>th</sup>, 2016.

<sup>136</sup> New subsection added by Clause 5 of By-law 2038, June 27<sup>th</sup>, 2016.

<sup>137</sup> New subsection added by Clause 3 of By-law 2039, June 27<sup>th</sup>, 2016.

and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.171.1.<sup>138</sup>

#### 8.2.2.172

- 8.2.2.172.1 Defined Area: OS1-172, as shown on Zoning Map, Part 15(at).
- 8.2.2.172.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.172.3 Only Permitted Buildings and Structures: Buildings and structures existing at the time of the passing of this by-law.
- 8.2.2.172.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.172.1.<sup>139</sup>

#### 8.2.2.173

- 8.2.2.173.1 Defined Area: OS1-173, as shown on Zoning Map, Part 15(at).
- 8.2.2.173.2 Only Permitted Use: (a) Rural-residential use.  
(b) Accessory uses.
- 8.2.2.173.3 Only Permitted Buildings and Structures: (a) One single detached dwelling existing at the time of passing of this by-law.  
(b) Accessory buildings and structures.
- 8.2.2.173.4 Location of Existing Dwelling: (a) The location any dwelling shall remain as it lawfully exists on the day of passing of this by-law.
- 8.2.2.173.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.173.1.<sup>140</sup>

#### 8.2.2.174

- 8.2.2.174.1 Defined Area: OS1-174, as shown on Zoning Maps, Part 10(j), Part 11(i), Part 45(e) and Part 46(g).
- 8.2.2.174.2 Additional Permitted Buildings and Structures: A second single detached dwelling within the area defined by Subsection 8.2.2.174.1.<sup>141</sup>

#### 8.2.2.175

- 8.2.2.175.1 Defined Area: OS1-175, as shown on Zoning Map, Part 13(g).
- 8.2.2.175.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.

<sup>138</sup> New subsection added by Clause 5 of By-law 2039, June 27<sup>th</sup>, 2016.

<sup>139</sup> New subsection added by Clause 3 of By-law 2040, June 27<sup>th</sup>, 2016.

<sup>140</sup> New subsection added by Clause 5 of By-law 2040, June 27<sup>th</sup>, 2016.

<sup>141</sup> New subsection added by Clause 7 of By-law 2035, June 27<sup>th</sup>, 2016.

8.2.2.175.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.175.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.175.1. <sup>142</sup>
8.2.2.176		
8.2.2.176.1	<u>Defined Area:</u>	OS1-176, as shown on Zoning Map, Part 13(g).
8.2.2.176.2	<u>Only Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) Rural-residential use.</li> <li>(b) Accessory uses.</li> </ul>
8.2.2.176.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) One single detached dwelling existing at the time of the passing of this by-law.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.2.2.176.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.176.1. <sup>143</sup>
8.2.2.177		
8.2.2.177.1	<u>Defined Area:</u>	OS1-177, as shown on Zoning Map, Part 33(c).
8.2.2.177.2	<u>Additional Permitted Buildings and Structures:</u>	A second single detached dwelling. <sup>144</sup>
8.2.2.178		
8.2.2.178.1	<u>Defined Area:</u>	OS1-178, as shown on Zoning Map, Part 64(a).
8.2.2.178.2	<u>Other Permitted Building:</u>	A Garden Suite.
8.2.2.178.3	<u>Definition:</u>	A "Garden Suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable, and may include a mobile home. <sup>145</sup>
8.2.2.179		
8.2.2.179.1	<u>Defined Area:</u>	OS1-179, as shown on Zoning Map, Part 54(j).
8.2.2.179.2	<u>Additional Permitted Use:</u>	Retail farm market.
8.2.2.179.3	<u>Additional Permitted</u>	

<sup>142</sup> New subsection added by Clause 3 of By-law 2056, September 12<sup>th</sup>, 2016.

<sup>143</sup> New subsection added by Clause 5 of By-law 2056, September 12<sup>th</sup>, 2016.

<sup>144</sup> New subsection added by Clause 3 of By-law 2057, September 12<sup>th</sup>, 2016.

<sup>145</sup> New subsection added by Clause 3 of By-law 2064, September 26<sup>th</sup>, 2016.

Buildings:

*Buildings and structures for the use permitted by 8.2.2.179.2.*

8.2.2.179.4 Definition:

*A "retail farm market" means a retail store located on a farm, where farm food, including but not limited to fruits and vegetables, meat and dairy products, nuts and preserves/handicraft products are sold, and which are primarily produced and/or processed on the farm or sourced from local farms.<sup>146</sup>*

8.2.2.180

8.2.2.180.1 Defined Area:

*OS1-180, as shown on Zoning Map, Part 7(r).*

8.2.2.180.2 Additional Permitted Use:

*Agri-tourism use.  
Accessory uses.*

8.2.2.180.3 Additional Permitted Buildings:

*Buildings and structures for the use permitted by 8.2.2.180.2.*

8.2.2.180.4 Definition:

*For the purposes of this Subsection 8.2.2.180, an "agri-tourism use" means a building or place located on a farm or rural property, where goods and services are offered that benefit from, or add value to, the surrounding agricultural setting. This may include, but not be limited to, the preparation and sale of food and other products grown/produced on the property or sourced from local farms; gatherings and festivals, including wedding receptions; and the teaching of yoga, tai chi or similar meditative classes.<sup>147</sup>*

8.2.2.181

8.2.2.181.1 Defined Area:

*OS1-181, as shown on Zoning Map, Part 12(j).*

8.2.2.181.2 Applicable Provisions:

*The provisions of subsection 8.2.1 and all other applicable provisions of this by-law shall apply to the area defined by Subsection 8.2.2.181.1.*

*Holding Zone:*

*Notwithstanding any other provision of this By-law, where the Symbol "h" appears on Zoning Map Part 12(j) as a prefix to the OS1-181 zone, unless this by-law has been amended to remove the relevant "h" symbol, those lands shall not be developed or used except for uses permitted by paragraph c). The removal of the "h" symbol from a Zoning Map Part is subject to the following requirements:*

*Holding Zone Provisions:*

- a) *Defined Area: OS1-181 as shown on Zoning Map Part 12(j).*
- b) *To ensure the orderly development of lands and the protection of significant archaeological artifacts, the "h" symbol shall not be deleted until the following requirements have been satisfied:*

<sup>146</sup> New subsection added by Clause 3 of By-law 2143, April 24<sup>th</sup>, 2017.

<sup>147</sup> New subsection added by Clause 3 of By-law 2156, June 12<sup>th</sup>, 2017.

- (i) *The owner shall obtain the consent of the Ministry of Tourism, Culture and Sport, in accordance with Part VI of The Ontario Heritage Act, R.S.O. 1990, c.O.18 including obtaining a licensed archaeologist to mitigate the site through Stage 4 Mitigation of Development Impacts;*
  - (ii) *The owner shall agree that it shall not use the identified lands for any purpose that does not comply with Part VI of The Ontario Heritage Act, R.S.O. 1990, c.O.18;*
  - (iii) *The owner shall undertake a complete Stage 4 mitigation to address any potential development impacts on the lands, including avoidance and long term protection as the preferred option. Any archaeological assessment or activity shall be performed in accordance with the requirements of The Ontario Heritage Act, R.S.O. 1990, c.O.18, the "Standards and Guidelines for Consultant Archaeologists" (2011) and "Engaging Aboriginal Communities in Archaeology" (2011) by the Ministry of Tourism, Culture and Sport, as may be amended, and shall be conducted by a licensed archaeologist.*
- c) *Interim Permitted Uses: Uses existing as of the date of the passing of this By-law.<sup>148</sup>*

#### 8.2.2.182

- 8.2.2.182.1 Defined Area: OS1-182, as shown on Zoning Map, Part 52(a).
- 8.2.2.182.2 Additional Permitted Building: An apartment dwelling located within the existing detached garage.<sup>149</sup>

#### 8.2.2.183

- 8.2.2.183.1 Defined Area: OS1-183, as shown on Zoning Map 78.
- 8.2.2.183.2 Other Permitted Building: A Garden Suite.<sup>150</sup>

#### 8.2.2.184

- 8.2.2.184.1 Defined Area: OS1-184, as shown on Zoning Map, Part 17(r).
- 8.2.2.184.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.184.3 Only Permitted Buildings and Structures: Buildings and structures existing at the time of the passing of this by-law.
- 8.2.2.184.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.184.1.<sup>151</sup>

#### 8.2.2.185

<sup>148</sup> New subsection added by Clause 3 of By-law 2171, August 28<sup>th</sup>, 2017.

<sup>149</sup> New subsection added by Clause 3 of By-law 2192, November 13<sup>th</sup>, 2017.

<sup>150</sup> New subsection added by Clause 4 of By-law 2236, February 26<sup>th</sup>, 2018.

<sup>151</sup> New subsection added by Clause 3 of By-law 2232, February 26<sup>th</sup>, 2018.

8.2.2.185.1	<u>Defined Area:</u>	<i>OS1-185, as shown on Zoning Map, Part 17(r).</i>
8.2.2.185.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural-residential use.</i></li> <li>(b) <i>Accessory uses.</i></li> </ul>
8.2.2.185.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Buildings and structures existing at the time of passing of this by-law.</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.185.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.185.1.<sup>152</sup></i>
8.2.2.186		
8.2.2.186.1	<u>Defined Area:</u>	<i>OS1-186, as shown on Zoning Map 61(a).</i>
8.2.2.186.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural residential use.</i></li> <li>(b) <i>A home renovation company accessory to a rural residential use.</i></li> <li>(c) <i>Home occupations.</i></li> <li>(d) <i>Accessory uses.</i></li> </ul>
8.2.2.186.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Two single detached dwellings existing at the time of passing of this by-law.</i></li> <li>(b) <i>Buildings and structures for the use permitted by subsection 8.2.2.186.2(b).</i></li> <li>(c) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.186.4	<u>Floor Area for New Structures:</u>	<i>The maximum floor area for all new buildings and structures built for the use permitted by subsection 8.2.2.186.2(b) after the passing of this by-law shall be 850m<sup>2</sup>.</i>
8.2.2.186.5	<u>Front Yard:</u>	<i>Existing as at the date of passing of this by-law.</i>
8.2.2.186.6	<u>Lot Area:</u>	<i>1.48 hectares.</i>
8.2.2.186.7	<u>Lot Frontage:</u>	<i>114 metres.</i>
8.2.2.186.8	<u>Side Yard Exception:</u>	<i>Notwithstanding the provisions of subsection 8.2.1.7.2, the required minimum side yard to the implement shed existing at the date of the passing of this by-law is 2 metres.</i>
8.2.2.186.9	<u>Exceptions:</u>	<i>The provisions of subsection 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.7.1 and 8.2.1.8 shall not apply to the</i>

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<sup>152</sup> New subsection added by Clause 5 of By-law 2232, February 26<sup>th</sup>, 2018.

area defined in subsection  
8.2.2.186.1.<sup>153</sup>

#### 8.2.2.187

- 8.2.2.187.1 Defined Area: OS1-187, as shown on Zoning Maps, Parts 26(b), 58(a) and 78(a).
- 8.2.2.187.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.187.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.187.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.187.1.<sup>154</sup>

#### 8.2.2.188

- 8.2.2.188.1 Defined Area: OS1-188, as shown on Zoning Maps, Parts 26(c) and 58(b).
- 8.2.2.188.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.188.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.188.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.188.1.<sup>155</sup>

#### 8.2.2.189

- 8.2.2.189.1 Defined Area: OS1-189, as shown on Zoning Map, Part 42(e).
- 8.2.2.189.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.189.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.189.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.189.1.<sup>156</sup>

<sup>153</sup> New subsection added by Clause 3 of By-law 2256, May 14<sup>th</sup>, 2018.

<sup>154</sup> New subsection added by Clause 5 of By-law 2278, July 23<sup>rd</sup>, 2018.

<sup>155</sup> New subsection added by Clause 4 of By-law 2279, July 23<sup>rd</sup>, 2018.

<sup>156</sup> New subsection added by Clause 4 of By-law 2276, July 23<sup>rd</sup>, 2018.

8.2.2.190

- 8.2.2.190.1 Defined Area: OS1-190, as shown on Zoning Map, Part 42(e).
- 8.2.2.190.2 Only Permitted Use: (a) Rural residential use.  
(b) Accessory uses.
- 8.2.2.190.3 Permitted Buildings and Structures: (a) Buildings and structures existing at the time of the passing of this by-law.  
(b) Accessory buildings and structures.
- 8.2.2.190.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.190.1.<sup>157</sup>

8.2.2.193

- 8.2.2.193.1 Defined Area: OS1-193, as shown on Zoning Map, Part 79.
- 8.2.2.193.2 Only Permitted Use: (a) A facility for the storage, processing and sale of beans and grains.  
(b) Accessory uses.
- 8.2.2.193.3 Only Permitted Buildings and Structures: (a) Buildings and structures for the use permitted by subsection 8.2.2.193.2(a).  
(b) Accessory buildings and structures.<sup>158</sup>

8.2.2.194

- 8.2.2.194.1 Defined Area: OS1-194, as shown on Zoning Map, Part 80.
- 8.2.2.194.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.
- 8.2.2.194.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.194.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.194.1.<sup>159</sup>

8.2.2.195

- 8.2.2.195.1 Defined Area: OS1-195, as shown on Zoning Map, Part 80.
- 8.2.2.195.2 Only Permitted Use: (a) Rural residential use.

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<sup>157</sup> New subsection added by Clause 6 of By-law 2276, July 23<sup>rd</sup>, 2018.

<sup>158</sup> New subsection added by Clause 4 of By-law 2294, September 10<sup>th</sup>, 2018.

<sup>159</sup> New subsection added by Clause 4 of By-law 2293, September 10<sup>th</sup>, 2018.

		(b) Accessory uses.
8.2.2.195.3	<u>Permitted Buildings and Structures:</u>	(a) Buildings and structures existing at the time of the passing of this by-law. (b) Accessory buildings and structures.
8.2.2.195.4	<u>Lot Frontage:</u>	15 metres.
8.2.2.195.5	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.195.1. <sup>160</sup>
8.2.2.196		
8.2.2.196.1	<u>Defined Area:</u>	OS1-196, as shown on Zoning Map, Part 81.
8.2.2.196.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Accessory uses.
8.2.2.196.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.196.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.196.1. <sup>161</sup>
8.2.2.197		
8.2.2.197.1	<u>Defined Area:</u>	OS1-197, as shown on Zoning Map, Part 81.
8.2.2.197.2	<u>Only Permitted Use:</u>	(a) Rural residential use. (b) Accessory uses.
8.2.2.197.3	<u>Permitted Buildings and Structures:</u>	(a) Buildings and structures existing at the time of the passing of this by-law. (b) Accessory buildings and structures.
8.2.2.197.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.197.1. <sup>162</sup>
8.2.2.198		
8.2.2.198.1	<u>Defined Area:</u>	OS1-198, as shown on Zoning Map, Part 39(h).
8.2.2.198.2	<u>Only Permitted Use:</u>	(a) Retail farm market. (b) Accessory uses.
8.2.2.198.3	<u>Only Permitted Buildings and Structures:</u>	(a) Buildings and structures for the use permitted by subsection 8.2.2.193.2(a).

<sup>160</sup> New subsection added by Clause 6 of By-law 2293, September 10<sup>th</sup>, 2018.

<sup>161</sup> New subsection added by Clause 4 of By-law 2292, September 10<sup>th</sup>, 2018.

<sup>162</sup> New subsection added by Clause 6 of By-law 2292, September 10<sup>th</sup>, 2018.

(b) *Accessory buildings and structures.*

8.2.2.198.4 Definition:

*A "retail farm market" means a retail store located on a farm, where farm food, including by not limited to fruits and vegetables, meat and dairy products, nuts and preserves/handcraft products are sold, and which are primarily produced and/or processed on the farm or sourced from local farms.*<sup>163</sup>

8.2.2.199

8.2.2.199.1 Defined Area:

*OS1-199, as shown on Zoning Map, Parts 34(b), 36(ad), 50(b), and 69(b).*

8.2.2.199.2 Only Permitted Use:

(a) *Farm use.*  
(b) *Accessory uses.*

8.2.2.199.3 Only Permitted Buildings and Structures:

(a) *Farm buildings and structures, but no dwelling shall be permitted.*  
(b) *Accessory buildings and structures.*

8.2.2.199.4 Exceptions:

*The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.199.1.*<sup>164</sup>

8.2.2.200

8.2.2.200.1 Defined Area:

*OS1-200, as shown on Zoning Map, Part 34(b), 36(ad), and 50(b).*

8.2.2.200.2 Only Permitted Use:

(a) *Rural residential use.*  
(b) *Accessory uses.*

8.2.2.200.3 Permitted Buildings and Structures:

(a) *Buildings and structures existing at the time of the passing of this by-law.*  
(b) *Accessory buildings and structures.*

8.2.2.200.4 Exceptions:

*The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.200.1.*<sup>165</sup>

8.2.2.201

8.2.2.201.1 Defined Area:

*OS1-201, as shown on Zoning Map, Parts 34(c) and 50(c).*

8.2.2.201.2 Only Permitted Use:

(a) *Farm use.*  
(b) *Accessory uses.*

8.2.2.201.3 Only Permitted Buildings and Structures:

(a) *Farm buildings and structures, but no dwelling shall be permitted.*  
(b) *Accessory buildings and structures.*

<sup>163</sup> New subsection added by Clause 4 of By-law 2303, October 9<sup>th</sup>, 2018.

<sup>164</sup> New subsection added by Clause 3 of By-law 2318, January 14<sup>th</sup>, 2019.

<sup>165</sup> New subsection added by Clause 5 of By-law 2318, January 14<sup>th</sup>, 2019.

8.2.2.201.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.201.1.<sup>166</sup></i>
8.2.2.202		
8.2.2.202.1	<u>Defined Area:</u>	<i>OS1-202, as shown on Zoning Map, Part 34(c) and 50(c).</i>
8.2.2.202.2	<u>Only Permitted Use:</u>	(a) <i>Rural residential use.</i> (b) <i>Accessory uses.</i>
8.2.2.202.3	<u>Permitted Buildings and Structures:</u>	(a) <i>Buildings and structures existing at the time of the passing of this by-law.</i> (b) <i>Accessory buildings and structures.</i>
8.2.2.202.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.202.1.<sup>167</sup></i>
8.2.2.203		
8.2.2.203.1	<u>Defined Area:</u>	<i>OS1-203, as shown on Zoning Map, Part 36(ae) and 50(d).</i>
8.2.2.203.2	<u>Other Permitted Buildings and Structures:</u>	(a) <i>A secondary dwelling unit within a 9.2m (30ft) x 17.7m (58ft) accessory work shop.</i>
8.2.2.203.3	<u>Minimum Front Yard:</u>	<i>9.0 metres.<sup>168</sup></i>
8.2.2.204		
8.2.2.204.1	<u>Defined Area:</u>	<i>OS1-204, as shown on Zoning Map, Part 70(a).</i>
8.2.2.204.2	<u>Additional Permitted Use:</u>	(a) <i>A secondary dwelling unit for seasonal farm help.</i>
8.2.2.204.3	<u>Additional Permitted Buildings and Structures:</u>	(a) <i>A 3.66 m (12 ft) x 12.19 m (40 ft) mobile home for the use permitted by subsection 8.2.2.204.2.<sup>169</sup></i>
8.2.2.205		
8.2.2.205.1	<u>Defined Area:</u>	<i>OS1-205, as shown on Zoning Map, Part 43(g).</i>
8.2.2.205.2	<u>Additional Permitted Use:</u>	<i>Kenel</i>
8.2.2.205.3	<u>Additional Permitted Buildings and Structures:</u>	<i>A 16.15 m (53 ft) by 2.4 m (8 ft) trailer and a 9.4 m (31 ft) by 2.4 m (8 ft) shed for the use permitted by</i>

<sup>166</sup> New subsection added by Clause 3 of By-law 2317, January 14<sup>th</sup>, 2019.

<sup>167</sup> New subsection added by Clause 5 of By-law 2317, January 14<sup>th</sup>, 2019.

<sup>168</sup> New subsection added by Clause 3 of By-law 2351, April 8<sup>th</sup>, 2019.

<sup>169</sup> New subsection added by Clause 3 of By-law 2389, July 22<sup>nd</sup>, 2019.

subsection 8.2.2.205.2.<sup>170</sup>

#### 8.2.2.206

- 8.2.2.206.1 Defined Area: OS1-206, as shown on Zoning Map Part 49(b).
- 8.2.2.206.2 Additional Permitted Use: A garden suite.
- 8.2.2.206.3 Additional Permitted Buildings and Structures: A 92 square metre (990 square foot) structure that is designed to be portable for the use permitted by subsection 8.2.2.206.2.
- 8.2.2.206.4 Exceptions: The provisions of subsection 7.1.17 shall not apply to the area defined in subsection 8.2.2.206.1.<sup>171</sup>

#### 8.2.2.207

- 8.2.2.207.1 Defined Area: OS1-207, as shown on Zoning Map Part 10(l).
- 8.2.2.207.2 Additional Permitted Use: Accessory Residential Unit.
- 8.2.2.207.3 Other Permitted Buildings or Structures: A one-storey accessory residential dwelling.<sup>172</sup>

#### 8.2.2.208

- 8.2.2.208.1 Defined Area: OS1-208, as shown on Zoning Map Parts 66(c) and 68(c).
- 8.2.2.208.2 Additional Permitted Use: Dwelling unit for seasonal farm help.
- 8.2.2.208.3 Additional Permitted Buildings and Structures: Two 260 square metre trailers for the use permitted in subsection 8.2.2.208.2.<sup>173</sup>

#### 8.2.2.209

- 8.2.2.209.1 Defined Area: OS1-209, as shown on Zoning Map Part 39(i).
- 8.2.2.209.2 Additional Permitted Use: Secondary Dwelling Unit located above a permitted workshop/garage.
- 8.2.2.209.3 Maximum Floor Area for a Secondary Dwelling Unit: 130 square metres.<sup>174</sup>

#### 8.2.2.210

- 8.2.2.210.1 Defined Area: OS1-210, as shown on Zoning Map 46(g).
- 8.2.2.210.2 Additional Permitted Use: A Garden Suite.
- 8.2.2.210.3 Additional Permitted Buildings and Structures: A 117 square metre (1260 square foot) temporary building or structure for the use permitted in subsection 8.2.2.210.2.<sup>175</sup>

#### 8.2.2.211

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<sup>170</sup> New subsection added by Clause 3 of By-law 2403, September 9th, 2019.

<sup>171</sup> New subsection added by Clause 3 of By-law 2406, September 9th, 2019.

<sup>172</sup> New subsection added by Clause 3 of By-law 2445, January 27th, 2020.

<sup>173</sup> New subsection added by Clause 3 of By-law 2499, July 20th, 2020.

<sup>174</sup> New subsection added by Clause 3 of By-law 2500, July 20th, 2020.

<sup>175</sup> New subsection added by Clause 3 of By-law 2501, July 20th, 2020.

8.2.2.211.1	<u>Defined Area:</u>	OS1-211, as shown on Zoning Map Part 7(s).
8.2.2.211.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Accessory uses.
8.2.2.211.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.211.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.211.1. <sup>176</sup>
8.2.2.212		
8.2.2.212.1	<u>Defined Area:</u>	OS1-212, as shown on Zoning Map Part 7(s)
8.2.2.212.2	<u>Only Permitted Use:</u>	(a) Rural residential use. (b) Accessory uses.
8.2.2.212.3	<u>Permitted Buildings and Structures:</u>	(a) Buildings and structures existing at the time of the passing of this by-law. (b) Accessory buildings and structures.
8.2.2.212.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.212.1. <sup>177</sup>
8.2.2.213		
8.2.2.213.1	<u>Defined Area:</u>	OS1-213, as shown on Zoning Map Part 36(af), Map Part 49(c) and Map Part 74(a).
8.2.2.213.2	<u>Permitted Uses:</u>	a) Agricultural use; b) Agriculture-Related use; c) On-farm diversified use; d) Rural-residential use; e) Home occupations; f) Accessory uses.
8.2.2.213.3	<u>Permitted Buildings and Structures:</u>	a) Buildings and structures for the permitted uses. b) Accessory buildings and structures.
8.2.2.213.4	<u>Coverage:</u>	2% of the lot area to a maximum of 1 hectare for on-farm diversified use.
8.2.2.213.5	<u>Definitions:</u>	For the purposes of the permitted

<sup>176</sup> New subsection added by Clause 3 of By-law 2523, October 13th, 2020.

<sup>177</sup> New subsection added by Clause 5 of By-law 2523, October 13th, 2020.

uses in subsection 8.2.2.213.2, the following are definitions for "Agriculture-related use" and "On-farm diversified use":

a) **Agriculture-related use:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

b) **On-farm diversified use:** 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.

8.2.2.213.6 *Exceptions:*

The provisions of subsections 8.2.1.1, 8.2.1.2 and 8.2.1.6 shall not apply to the area defined in subsection 8.2.2.213.1.<sup>178</sup>

#### 8.2.2.214

8.2.2.214.1 *Defined Area:*

OS1-214, as shown on Zoning Map Part 49(d).

8.2.2.214.2 *Only Permitted Use:*

- (a) Farm use;
- (b) Accessory uses.

8.2.2.214.3 *Only Permitted Buildings and Structures:*

- (a) Farm buildings and structures, but no dwelling shall be permitted;
- (b) Accessory buildings and structures.

8.2.2.214.4 *Exceptions:*

The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.214.1.<sup>179</sup>

#### 8.2.2.215

8.2.2.215.1 *Defined Area:*

OS1-215, as shown on Zoning Map Part 49(d)

8.2.2.215.2 *Only Permitted Use:*

- (a) Rural residential use;
- (b) Home occupations;
- (c) Accessory uses.

8.2.2.215.3 *Permitted Buildings and Structures:*

- (a) Buildings and structures existing at the time of the passing of this by-law.
- (b) Accessory buildings and structures.

8.2.2.215.4 *Exceptions:*

The provisions of subsections 8.2.1.1

<sup>178</sup> New subsection added by Clause 5 of By-law 2549, January 11th, 2021.

<sup>179</sup> New subsection added by Clause 3 of By-law 2548, January 11th, 2021.

and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.215.1.<sup>180</sup>

#### 8.2.2.216

- 8.2.2.216.1 *Defined Area:* OS1-216, as shown on Zoning Map Part 42(f).
- 8.2.2.216.2 *Only Permitted Use:* (a) Farm use;  
(b) Accessory uses.
- 8.2.2.216.3 *Only Permitted Buildings and Structures:* (a) Farm buildings and structures, but no dwelling shall be permitted;  
(b) Accessory buildings and structures.
- 8.2.2.216.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.216.1.<sup>181</sup>

#### 8.2.2.217

- 8.2.2.217.1 *Defined Area:* OS1-217, as shown on Zoning Map Part 42(f)
- 8.2.2.217.2 *Only Permitted Use:* (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.
- 8.2.2.217.3 *Permitted Buildings and Structures:* (a) Single detached dwelling.  
(b) Accessory buildings and structures.
- 8.2.2.217.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.217.1.<sup>182</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

#### 8.2.2.217

- 8.2.2.217.1 *Defined Area:* OS1-217, as shown on Zoning Map Part 36(ag).
- 8.2.2.217.2 *Additional Permitted Use:* Additional Residential Unit
- 8.2.2.217.3 *Additional Permitted Buildings and Structures:* An approximately 88 square metre detached building or structure for the additional permitted use in subsection 8.2.2.217.2.
- 8.2.2.217.4 *Location of On-site Sewage Systems:* Notwithstanding any other provisions of By-law No. 1998 as amended, no buildings or structures, other than a sewage disposal system approved by the designated regulatory authority, shall be permitted within the area designated "Septic System and Contingency

<sup>180</sup> New subsection added by Clause 5 of By-law 2548, January 11th, 2021.

<sup>181</sup> New subsection added by Clause 3 of By-law 2572, March 8th, 2021.

<sup>182</sup> New subsection added by Clause 5 of By-law 2572, March 8th, 2021.

Area" as shown on "Schedule 73" to this By-law.<sup>183</sup>

#### 8.2.2.218

- 8.2.2.218.1 Defined Area: OS1-218, as shown on Zoning Map Part 18(f).
- 8.2.2.218.2 Only Permitted Use: (a) Farm use;  
(b) Accessory uses.
- 8.2.2.218.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted;  
(b) Accessory buildings and structures.
- 8.2.2.218.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.218.1.<sup>184</sup>

#### 8.2.2.219

- 8.2.2.219.1 Defined Area: OS1-219, as shown on Zoning Map Part 18(f)
- 8.2.2.219.2 Only Permitted Use: (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.
- 8.2.2.219.3 Permitted Buildings and Structures: (a) Single detached dwelling.  
(b) Accessory buildings and structures.
- 8.2.2.219.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.219.1.<sup>185</sup>

#### 8.2.2.220

- 8.2.2.220.1 Defined Area: OS1-220, as shown on Zoning Map Part 68(d)
- 8.2.2.220.2 Only Permitted Use: (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.
- 8.2.2.220.3 Permitted Buildings and Structures: (a) Single detached dwelling.  
(b) Accessory buildings and structures.
- 8.2.2.220.4 Side Yards: 1.5 metres for existing accessory buildings and structures.
- 8.2.2.220.5 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.220.1.<sup>186</sup>

<sup>183</sup> New subsection added by Clause 4 of By-law 2623, August 16th, 2021.

<sup>184</sup> New subsection added by Clause 3 of By-law 2651, November 8th, 2021.

<sup>185</sup> New subsection added by Clause 5 of By-law 2651, November 8th, 2021.

<sup>186</sup> New subsection added by Clause 3 of By-law 2663, December 13th, 2021.

### 8.2.2.221

- 8.2.2.221.1 Defined Area: OS1-221, as shown on Zoning Map Part 68(d).
- 8.2.2.221.2 Only Permitted Use: (a) Farm use;  
(b) Accessory uses.
- 8.2.2.221.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted;  
(b) Accessory buildings and structures.
- 8.2.2.221.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.221.1.<sup>187</sup>

### 8.2.2.222

- 8.2.2.222.1 Defined Area: OS1-222, as shown on Zoning Map Part 66(d)
- 8.2.2.222.2 Only Permitted Use: (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.
- 8.2.2.222.3 Permitted Buildings and Structures: (a) Single detached dwelling.  
(b) Accessory buildings and structures.
- 8.2.2.222.4 Frontage: 16.5 metres.
- 8.2.2.222.5 Exceptions: The provisions of subsections 8.2.1.1, 8.2.1.2 and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.220.1.<sup>188</sup>

### 8.2.2.223

- 8.2.2.223.1 Defined Area: OS1-223, as shown on Zoning Map Part 66(d).
- 8.2.2.223.2 Only Permitted Use: (a) Farm use;  
(b) Accessory uses.
- 8.2.2.223.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted;  
(b) Accessory buildings and structures.
- 8.2.2.223.4 Exceptions: The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.221.1.<sup>189</sup>

### 8.2.2.224

- 8.2.2.224.1 Defined Area: OS1-224, as shown on Zoning Map Part 51(a) and Part 82.
- 8.2.2.224.2 Only Permitted Use: (a) Farm use.

<sup>187</sup> New subsection added by Clause 5 of By-law 2663, December 13th, 2021.

<sup>188</sup> New subsection added by Clause 3 of By-law 2664, December 13th, 2021.

<sup>189</sup> New subsection added by Clause 5 of By-law 2664, December 13th, 2021.

		(b) Accessory uses.
8.2.2.224.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.224.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.224.1. <sup>190</sup>
8.2.2.225		
8.2.2.225.1	<u>Defined Area:</u>	OS1-225, as shown on Zoning Map Part 82.
8.2.2.225.2	<u>Only Permitted Use:</u>	(a) Rural residential use; (b) Home occupations; (c) Accessory uses.
8.2.2.225.3	<u>Permitted Buildings and Structures:</u>	(a) Single detached dwelling; (b) Accessory buildings and structures;
8.2.2.225.4	<u>Locations of Permitted Buildings and Structures:</u>	(a) The locations of existing buildings and structures shall remain as they exist at the time of the passing of this by-law. (b) Any new buildings, structures or additions to existing building or structures shall comply with the general provisions of the OS1 zone.
8.2.2.225.5	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.225.1. <sup>191</sup>
8.2.2.226		
8.2.2.226.1	<u>Defined Area:</u>	OS1-226, as shown on Zoning Map Part 82.
8.2.2.226.2	<u>Only Permitted Use:</u>	(a) Rural residential use; (b) Home occupations; (c) Accessory uses.
8.2.2.226.3	<u>Permitted Buildings and Structures:</u>	(a) Single detached dwelling; (b) Accessory buildings and structures; (c) Building and structures existing at the time of the passing of this by-law.
8.2.2.226.4	<u>Locations of Permitted Buildings and Structures:</u>	(a) The locations of existing buildings and structures shall remain as they exist at the time of the passing of this by-law.

<sup>190</sup> New subsection added by Clause 5 of By-law 2721, June 27th, 2022.

<sup>191</sup> New subsection added by Clause 7 of By-law 2721, June 27th, 2022.

		(b) Any new buildings, structures or additions to existing building or structures shall comply with the general provisions of the OS1 zone.
8.2.2.226.5	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.226.1. <sup>192</sup>
8.2.2.227		
8.2.2.227.1	<u>Defined Area:</u>	OS1-227, as shown on Zoning Map Part 83.
8.2.2.227.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Accessory uses.
8.2.2.227.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.2.2.227.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.227.1. <sup>193</sup>
8.2.2.228		
8.2.2.228.1	<u>Defined Area:</u>	OS1-228, as shown on Zoning Map Part 83.
8.2.2.228.2	<u>Only Permitted Use:</u>	(a) Rural residential use; (b) Home occupations; (c) Accessory uses.
8.2.2.228.3	<u>Permitted Buildings and Structures:</u>	(a) Single detached dwelling; (b) Accessory buildings and structures.
8.2.2.228.4	<u>Exceptions:</u>	The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.228.1. <sup>194</sup>
8.2.2.229		
8.2.2.229.1	<u>Defined Area:</u>	OS1-229, as shown on Zoning Map Part 76(a).
8.2.2.229.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Accessory uses.
8.2.2.229.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.

<sup>192</sup> New subsection added by Clause 9 of By-law 2721, June 27th, 2022.

<sup>193</sup> New subsection added by Clause 4 of By-law 2781, April 11th, 2023.

<sup>194</sup> New subsection added by Clause 6 of By-law 2781, April 11th, 2023.

8.2.2.227.4 Exceptions: *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.229.1.<sup>195</sup>*

#### 8.2.2.230

8.2.2.230.1 Defined Area: *OS1-230, as shown on Zoning Map Part 76(a).*

8.2.2.230.2 Only Permitted Use: (a) *Rural residential use;*  
(b) *Home occupations;*  
(c) *Accessory uses.*

8.2.2.230.3 Permitted Buildings and Structures: (a) *Single detached dwelling;*  
(b) *Accessory buildings and structures.*

8.2.2.230.4 Exceptions: *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.230.1.<sup>196</sup>*

#### 8.2.2.231

8.2.2.231.1 Defined Area: *OS1-231, as shown on Zoning Map Part 71(a).*

8.2.2.231.2 Only Permitted Use: (a) *Rural residential use;*  
(b) *Home occupations;*  
(c) *Accessory uses.*

8.2.2.231.3 Permitted Buildings and Structures: (a) *Single detached dwelling;*  
(b) *Accessory buildings and structures.*

8.2.2.231.4 Exceptions: *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.231.1.<sup>197</sup>*

#### 8.2.2.232

8.2.2.232.1 Defined Area: *OS1-232, as shown on Zoning Map Part 71(a).*

8.2.2.232.2 Only Permitted Use: (a) *Farm use.*  
(b) *Accessory uses.*

8.2.2.232.3 Only Permitted Buildings and Structures: (a) *Farm buildings and structures, but no dwelling shall be permitted.*  
(b) *Accessory buildings and structures.*

8.2.2.232.4 Exceptions: *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.232.1.<sup>198</sup>*

#### 8.2.2.234

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<sup>195</sup> New subsection added by Clause 3 of By-law 2782, April 11th, 2023.

<sup>196</sup> New subsection added by Clause 5 of By-law 2782, April 11th, 2023.

<sup>197</sup> New subsection added by Clause 3 of By-law 2789, May 8th, 2023.

<sup>198</sup> New subsection added by Clause 5 of By-law 2789, May 8th, 2023.

8.2.2.234.1	<u>Defined Area:</u>	<i>OS1-234, as shown on Zoning Map Part 55(k).</i>
8.2.2.234.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural residential use;</i></li> <li>(b) <i>Home occupations;</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.2.2.234.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Single detached dwelling;</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.234.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.234.1.<sup>199</sup></i>
<b>8.2.2.235</b>		
8.2.2.235.1	<u>Defined Area:</u>	<i>OS1-235, as shown on Zoning Map Part 55(k).</i>
8.2.2.235.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) <i>Farm use.</i></li> <li>(b) <i>Accessory uses.</i></li> </ul>
8.2.2.235.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Farm buildings and structures, but no dwelling shall be permitted.</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.235.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.235.1.<sup>200</sup></i>
<b>8.2.2.236</b>		
8.2.2.236.1	<u>Defined Area:</u>	<i>OS1-236, as shown on Zoning Map Part 22(i).</i>
8.2.2.236.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural residential use;</i></li> <li>(b) <i>Home occupations;</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.2.2.236.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>Single detached dwelling;</i></li> <li>(b) <i>Accessory buildings and structures.</i></li> </ul>
8.2.2.236.4	<u>Lot Area:</u>	<i>1372 square metres.</i>
8.2.2.236.5	<u>Front Yard:</u>	<i>7.5 metres.</i>
8.2.2.236.6	<u>Interior Side Yard:</u>	<i>2.0 metres.</i>
8.2.2.236.7	<u>Exterior Side Yard:</u>	<i>4.5 metres.</i>
8.2.2.236.8	<u>Location of On-site Sewage Systems:</u>	<i>Notwithstanding any other provisions of By-law No. 1998 as amended, no buildings or structures, other than a sewage disposal system approved by the designated regulatory authority, shall be permitted within the area designated "Septic System and Contingency</i>

<sup>199</sup> New subsection added by Clause 3 of By-law 2812, July 17th, 2023.

<sup>200</sup> New subsection added by Clause 5 of By-law 2812, July 17th, 2023.

Area" as shown on "Schedule 74" to this By-law.

8.2.2.236.9 Exceptions:

The provisions of subsections 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.7.1 and 8.2.1.7.2 shall not apply to the area defined in subsection 8.2.2.236.1.<sup>201</sup>

8.2.2.237

8.2.2.237.1 Defined Area:

OS1-237, as shown on Zoning Map Part 84(a).

8.2.2.237.2 Only Permitted Use:

- (a) Rural residential use;
- (b) Home occupations;
- (c) Accessory uses.

8.2.2.237.3 Permitted Buildings and Structures:

- (a) Single detached dwelling;
- (b) Accessory buildings and structures.

8.2.2.237.4 Exceptions:

The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.237.1.<sup>202</sup>

8.2.2.238

8.2.2.238.1 Defined Area:

OS1-238, as shown on Zoning Map Part 84(a).

8.2.2.238.2 Only Permitted Use:

- (a) Farm use.
- (b) Accessory uses.

8.2.2.238.3 Only Permitted Buildings and Structures:

- (a) Farm buildings and structures, but no dwelling shall be permitted.
- (b) Accessory buildings and structures.

8.2.2.238.4 Exceptions:

The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.238.1.<sup>203</sup>

8.2.2.239

8.2.2.239.1 Defined Area:

OS1-239, as shown on Zoning Map Parts 19(p).

8.2.2.239.2 Only Permitted Use:

- (a) Rural residential use;
- (b) Home occupations;
- (c) Accessory uses.

8.2.2.239.3 Permitted Buildings and Structures:

- (a) Single detached dwelling;
- (b) Accessory buildings and structures.

8.2.2.239.4 Frontage:

10 metres.

8.2.2.239.5 Exceptions:

The provisions of subsections 8.2.1.1, 8.2.1.2 and 8.2.1.4 shall not apply to the area defined in subsection 8.2.2.239.1.<sup>204</sup>

<sup>201</sup> New subsection added by Clause 4 of By-law 2817, August 24th, 2023.

<sup>202</sup> New subsection added by Clause 4 of By-law 2837, November 13th, 2023.

<sup>203</sup> New subsection added by Clause 6 of By-law 2837, November 13th, 2023.

8.2.2.240

- 8.2.2.240.1 *Defined Area:* OS1-240, as shown on Zoning Map Parts 19(p) and 21(a).
- 8.2.2.240.2 *Only Permitted Use:* (a) Farm use.  
(b) Accessory uses.
- 8.2.2.240.3 *Only Permitted Buildings and Structures:* (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.240.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.240.1.<sup>205</sup>

8.2.2.241

- 8.2.2.241.1 *Defined Area:* OS1-241, as shown on Zoning Map Part 45(h).
- 8.2.2.241.2 *Only Permitted Use:* (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.
- 8.2.2.241.3 *Permitted Buildings and Structures:* (a) Single detached dwelling;  
(b) Accessory buildings and structures.
- 8.2.2.241.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.241.1.<sup>206</sup>

8.2.2.242

- 8.2.2.242.1 *Defined Area:* OS1-242, as shown on Zoning Map Part 45(h).
- 8.2.2.242.2 *Only Permitted Use:* (a) Farm use.  
(b) Accessory uses.
- 8.2.2.242.3 *Only Permitted Buildings and Structures:* (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.2.2.242.4 *Exceptions:* The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.242.1.<sup>207</sup>

8.2.2.243

- 8.2.2.243.1 *Defined Area:* OS1-243, as shown on Zoning Map Part 64(b) and Map Part 84(b).
- 8.2.2.243.2 *Only Permitted Use:* (a) Rural residential use;  
(b) Home occupations;  
(c) Accessory uses.

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<sup>204</sup> New subsection added by Clause 4 of By-law 2919, September 9th, 2024.

<sup>205</sup> New subsection added by Clause 6 of By-law 2919, September 9th, 2024.

<sup>206</sup> New subsection added by Clause 3 of By-law 2025-006, February 10, 2025

<sup>207</sup> New subsection added by Clause 5 of By-law 2025-006, February 10, 2025

8.2.2.243.3 *Permitted Buildings and Structures:* (a) *Single detached dwelling;*  
(b) *Accessory buildings and structures.*

8.2.2.243.4 *Exceptions:* *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.243.1.<sup>208</sup>*

#### 8.2.2.244

8.2.2.244.1 *Defined Area:* *OS1-244, as shown on Zoning Map Part 64(b) and Map Part 84(b).*

8.2.2.244.2 *Only Permitted Use:* (a) *Farm use.*  
(b) *Accessory uses.*

8.2.2.244.3 *Only Permitted Buildings and Structures:* (a) *Farm buildings and structures, but no dwelling shall be permitted.*  
(b) *Accessory buildings and structures.*

8.2.2.244.4 *Exceptions:* *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.244.1.<sup>209</sup>*

#### 8.2.2.245

8.2.2.245.1 *Defined Area:* *OS1-245, as shown on Zoning Map Part 51(b).*

8.2.2.245.2 *Only Permitted Use:* (a) *Rural residential use;*  
(b) *Home occupations;*  
(c) *Accessory uses.*

8.2.2.245.3 *Permitted Buildings and Structures:* (a) *Single detached dwelling;*  
(b) *Accessory buildings and structures.*

8.2.2.245.4 *Exceptions:* *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.245.1.<sup>210</sup>*

#### 8.2.2.246

8.2.2.246.1 *Defined Area:* *OS1-246, as shown on Zoning Map Part 51(b).*

8.2.2.246.2 *Only Permitted Use:* (a) *Farm use.*  
(b) *Accessory uses.*

8.2.2.246.3 *Only Permitted Buildings and Structures:* (a) *Farm buildings and structures, but no dwelling shall be permitted.*  
(b) *Accessory buildings and structures.*

8.2.2.246.4 *Exceptions:* *The provisions of subsections 8.2.1.1 and 8.2.1.2 shall not apply to the area defined in subsection 8.2.2.246.1.<sup>211</sup>*

#### 8.2.2.247

8.2.2.247.1 *Defined Area:* *OS1-247, as shown on Zoning Map Parts 66(e) and 68(e).*

<sup>208</sup> New subsection added by Clause 4 of By-law 2025-018, April 14, 2025

<sup>209</sup> New subsection added by Clause 6 of By-law 2025-018, April 14, 2025

<sup>210</sup> New subsection added by Clause 3 of By-law 2025-019, April 14, 2025

<sup>211</sup> New subsection added by Clause 5 of By-law 2025-019, April 14, 2025

- 8.2.2.247.2 *Additional Permitted Use:* *Farm Labour Accommodation.*
- 8.2.2.247.3 *Additional Permitted Buildings and Structures:* *Buildings or structures not exceeding a combined area of 700 square metres for the use permitted in subsection 8.2.2.247.2.*
- 8.2.2.247.4 *Definition:* *FARM LABOUR ACCOMMODATION - means a building or part of a building, and notwithstanding Subsection 7.1.11 may include a mobile home or trailer, that contains proper sanitation facilities, is used for the housing of seasonal agricultural employees, and not used for year-round occupancy or serve as a principal place of residence of an occupant.<sup>212</sup>*

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<sup>212</sup> New subsection added by Clause 4 of By-law 2025-028, June 16, 2025

### **8.3. OPEN SPACE ZONE 2 (OS2) REGULATIONS**

#### **8.3.1. GENERAL USE REGULATIONS**

- |          |  |   |
|----------|--|---|
| 8.3.1.1. | <u>Permitted Uses:</u>                             | (a) Farm uses:<br>(b) rural-residential uses lawfully used for such purposes on the day of the passing of this by-law;<br>(c) Home Occupations;<br>(d) Accessory uses.  |
| 8.3.1.2. | <u>Prohibited Uses:</u>                            | Notwithstanding sub-section 2.21 and and 8.3.1.1. of this by-law, poultry farms, mushroom farms, fur farms, piggeries, hatcheries, greenhouses and dog kennels shall be prohibited.   |
| 8.3.1.3. | <u>Permitted Buildings and other Structures:</u>   | (a) Farm buildings and structures but no such buildings and structures shall be erected on a lot or parcel of land of less than 25 acres notwithstanding sub-section 2.21. of this by-law;<br>(b) One rural-residential dwelling lawfully used on the day of the passing of this by-law;<br>(c) Accessory building in connection with the permitted dwelling. |
| 8.3.1.4. | <u>Lot Area:</u>                                   | (a) 25 acres for farm use;<br>(b) <i>1858 square metres</i> <sup>213</sup> for rural-residential uses lawfully used on the day of the passing of this by-law.   |
| 8.3.1.5. | <u>Coverage:</u>                                   | 20% maximum.  |
| 8.3.1.6. | <u>Lot Frontage:</u>                               | (a) 500 feet for farm uses;<br>(b) 100 feet for permitted rural-residential uses.   |
| 8.3.1.7. | <u>Ground Floor Area of Dwellings:</u>             | (a) 800 square feet for a one storey dwelling;<br>(b) 950 square feet for a split level dwelling;<br>(c) 750 square feet for a dwelling having more than one storey.  |
| 8.3.1.8  | <u>Location of Buildings and other Structures:</u> |   |
|          | 8.3.1.8.1 <u>Front Yard:</u>                       | <i>19.75 metres</i>   |
|          | 8.3.1.8.2 <u>Side Yard:</u>                        | <i>4.5 metres</i>   |
|          | 8.3.1.8.3 <u>Rear Yard:</u>                        | <i>Equal to the height of the main building, except that a detached accessory building shall not be</i>   |

<sup>213</sup> Wording in Subsection 8.3.1.4(b) deleted and replaced by Clause 9. of By-law 3459, August 12<sup>th</sup>, 1996.



8.3.2.8			
	8.3.2.8.1.	<u>Defined Area:</u>	OS2-8 as shown on the Zoning Map, Part 38(a).
	8.3.2.8.2.	<u>Other Permitted Uses:</u>	Welding shop and storage for welding equipment. <sup>217</sup>
8.3.2.9			
	8.3.2.9.1	<u>Defined Area:</u>	OS2-9 as shown on the Zoning Map, Part 10(b).
	8.3.2.9.2	<u>Other Permitted Uses:</u>	One-family rural-residential use.
	8.3.2.9.3	<u>Other Permitted Buildings &amp; Structures:</u>	A dwelling for the use permitted by subsection 8.3.2.9.2.
	8.3.2.9.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.6. <sup>218</sup>
8.3.2.10			
	8.3.2.10.1	<u>Defined Area:</u>	OS2-10 as shown on the Zoning Map, Part 47.
	8.3.2.10.2	<u>Other Permitted Uses:</u>	One-family rural residential use.
	8.3.2.10.3	<u>Other Permitted Buildings and Structures:</u>	A dwelling for the use permitted by 8.3.2.10.2. <sup>219</sup>
8.3.2.11			
	8.3.2.11.1	<u>Defined Area:</u>	OS2-11 as shown on the Zoning Map, Part 2(d).
	8.3.2.11.2	<u>Other Permitted Uses:</u>	(a) One-family rural-residential use. (b) Accessory uses.
	8.3.2.11.3	<u>Other Permitted Buildings and Structures:</u>	(a) a dwelling for the use permitted by subsection 8.3.2.11.2. (b) accessory building in connection with the permitted dwelling.
	8.3.2.11.4	<u>Location of Uses, Buildings and Structures:</u>	Uses, buildings and structures shall Be located in accordance with Schedule 12 to this By-law.
	8.3.2.11.5	<u>Exceptions:</u>	The provisions of subsections 2.31, 2.33, 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5, 8.3.1.6, 8.3.1.8 and 8.3.1.9 shall not apply to uses, buildings and structures permitted by subsections 8.3.2.11.2 and 8.3.2.11.3. <sup>220</sup>
8.3.2.12			
	8.3.2.12.1	<u>Defined Area:</u>	OS2-12 as shown on the Zoning Map Part 9(f).
	8.3.2.12.2	<u>Other Permitted Uses:</u>	One-family rural-residential use.
	8.3.2.12.3	<u>Other Permitted Buildings</u>	

<sup>217</sup> New subsection added by Clause 1. of By-law 2403, June 27<sup>th</sup>, 1977.

<sup>218</sup> New subsection added by Clause 2. of By-law 2468, June 26<sup>th</sup>, 1978.

<sup>219</sup> New subsection added by Clause 3. of By-law 2465, June 19<sup>th</sup>, 1978.

<sup>220</sup> New subsection added by Clause 3. of By-law 2481, October 2<sup>nd</sup>, 1978.

	<u>and Structures:</u>	<i>A dwelling for the use permitted by subsection 8.3.2.12.2.<sup>221</sup></i>
8.3.2.13		
8.3.2.13.1	<u>Defined Area:</u>	<i>OS2-13 as shown on the Zoning Map Part 8(o).</i>
8.3.2.13.2	<u>Other Permitted Uses:</u>	(a) <i>Drainage Purposes</i> (b) <i>Conservation Purposes</i> (c) <i>Flood and Erosion Control</i>
8.3.2.13.3	<u>Other Permitted Buildings and Structures:</u>	<i>No building or structure shall be permitted except buildings and structures erected by a Municipal Corporation or Conservation Authority for drainage, conservation, flood and erosion control purposes.</i>
8.3.2.13.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5, 8.3.1.6, 8.3.1.7, 8.3.1.8, and 8.3.1.9 shall not apply to uses, buildings and structures permitted by subsections 8.3.2.13.2 and 8.3.2.13.3.<sup>222</sup></i>
8.3.2.14		
8.3.2.14.1	<u>Defined Area:</u>	<i>OS2-14 as shown on the Zoning Map Part 5(c) and on Schedule 15.</i>
8.3.2.14.2	<u>Other Permitted Uses:</u>	(a) <i>Drainage purposes.</i> (b) <i>Conservation purposes.</i> (c) <i>Flood and Erosion Control.</i>
8.3.2.14.3	<u>Other Permitted Buildings and Structures:</u>	<i>No building or structure shall be permitted except buildings and structures erected by a Municipality Corporation or Conservation Authority for drainage, conservation, flood and erosion control purposes.</i>
8.3.2.14.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5, 8.3.1.6, 8.3.1.7, 8.3.1.8 and 8.3.1.9 shall not apply to uses, buildings and structures permitted by subsections 8.3.2.14.2 and 8.3.2.14.3.<sup>223</sup></i>

**(OS2-15 zone repealed by Clause 1. of By-law 2831, July 9<sup>th</sup>, 1984.)**

**(OS2-16 lands rezoned to OS2-49 by Clause 2. of By-law 70, October 26<sup>th</sup>, 1998.)**

8.3.2.17		
8.3.2.17.1	<u>Defined Area:</u>	<i>OS2-17 as shown on Zoning Map, Part 9(g).</i>
8.3.2.17.2	<u>Permitted Uses:</u>	(a) <i>Automotive services</i> (b) <i>Automotive repairs</i> (c) <i>Used Car sales</i> (d) <i>Residential use</i>

<sup>221</sup> New subsection added by Clause 3. of By-law 2504, February 19<sup>th</sup>, 1979.

<sup>222</sup> New subsection added by Clause 5. of By-law 2521, July 3<sup>rd</sup>, 1979.

<sup>223</sup> New subsection added by Clause 5. of By-law 2529, August 7<sup>th</sup>, 1979.

8.3.2.17.3	<u>Permitted Buildings and Other Structures:</u>	<i>Buildings and other structures for the uses permitted in subsection 8.3.2.17.2.</i>
8.3.2.17.4	<u>Lot Area:</u>	<i>3,600 square metres</i>
8.3.2.17.5	<u>Lot Frontage:</u>	<i>60 metres</i>
8.3.2.17.6	<u>Lot Depth:</u>	<i>60 metres</i>
8.3.2.17.7	<u>Coverage:</u>	<i>25% maximum</i>
8.3.2.17.8	<u>Height:</u>	<i>2 storey maximum</i>
8.3.2.17.9	<u>Location of Buildings and other Structures:</u>	
	8.3.2.17.9.1 <u>Front Yard:</u>	<i>13 metres</i>
	8.3.2.17.9.2 <u>Side Yards:</u>	<i>3 metres</i>
	8.3.2.17.9.3 <u>Rear Yard:</u>	<i>Equal to the height of the main building.</i>
8.3.2.17.10	<u>Off-Street Parking:</u>	<i>(a) 1 parking space to be provided and maintained for every 60 square metres of floor area.</i>
8.3.2.17.11	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5 8.3.1.6, 8.3.1.7, 8.3.1.8, 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.17.1.<sup>224</sup></i>
8.3.2.18		
8.3.2.18.1	<u>Defined Area:</u>	<i>OS2-18 as shown on the Zoning Map Part 38(b).</i>
8.3.2.18.2	<u>Other Permitted Uses:</u>	<i>One family rural residential use.</i>
8.3.2.18.3	<u>Other Permitted Buildings and Structures:</u>	<i>A dwelling for the use permitted by subsection 8.3.2.18.2.<sup>225</sup></i>
8.3.2.19		
8.3.2.19.1	<u>Defined Area:</u>	<i>OS2-19 as shown on the Zoning Map, Part 2(g).</i>
8.3.2.19.2	<u>Other Permitted Uses:</u>	<i>A Restricted Business use.</i>
8.3.2.19.3	<u>Other Permitted Buildings And Structures:</u>	<i>Buildings and structures for the uses permitted in subsection 8.3.2.19.2.</i>
8.3.2.19.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.8 and 8.3.1.9 shall not apply to uses, buildings and structures permitted by subsections 8.3.1.1, 8.3.1.3, 8.3.2.19.2 and 8.3.2.19.3.<sup>226</sup></i>

**(OS2-20 lands rezoned to R1-72 and C1-20 through By-law 1705, March 24<sup>th</sup>, 2014.)**

<sup>224</sup> New subsection added by Clause 3. of By-law 2562, April 21<sup>st</sup>, 1980.

<sup>225</sup> New subsection added by Clause 3. of By-law 2598, February 2<sup>nd</sup>, 1981.

<sup>226</sup> New subsection added by Clause 3. of By-law 2601, February 17<sup>th</sup>, 1981.

8.3.2.21			
	8.3.2.21.1	<u>Defined Area:</u>	OS2-21 as shown on the Zoning Map, Part 48 (b).
	8.3.2.21.2	<u>Existing Uses in Open Space Zones:</u>	
		8.3.2.21.2.1	The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces shall remain as they lawfully exist on the day of the passing of this By-law.
		8.3.2.21.2.2	Subsection 8.3.2.21.2.1 shall not prohibit the erection of accessory buildings or the enlargement or extension of buildings and other structures which are permitted under the provisions of subsection 8.3, provided the erection, enlargement or extension is in conformity with the applicable provisions of this By-law other than subsection 8.1.1.
		8.3.2.21.2.3	Where the frontage and area of a lot on which buildings and other structures are located is less than that required in subsection 8.3, the lot frontage and lot area which lawfully exist on the day of the passing of this By-law shall be the minimum lot frontage and the minimum lot area of such lot for the purposes of this By-law. <sup>227</sup>
8.3.2.22			
	8.3.2.22.1	<u>Defined Area:</u>	OS2-22, as shown on Zoning Map, Part 15(w).
	8.3.2.22.2	<u>Other Permitted Uses:</u>	a) Repair of golf equipment; b) Retail sale of new and used golf equipment and accessories.
	8.3.2.22.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses.
	8.3.2.22.4	<u>Lot Area:</u>	1,950 square metres.
	8.3.2.22.5	<u>Lot Frontage:</u>	21.3 metres.
	8.3.2.22.6	<u>Off-Street Parking:</u>	5 spaces.
	8.3.2.22.7	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1(a), 8.3.1.2, 8.3.1.3(a), 8.3.1.4(a), 8.3.1.6, and 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.22.1. <sup>228</sup>

<sup>227</sup> New subsection added by Clause 3. of By-law 2749, April 19<sup>th</sup>, 1983.

<sup>228</sup> New subsection added by Clause 3. of By-law 2972, October 14<sup>th</sup>, 1986.

8.3.2.23		
8.3.2.23.1	<u>Defined Area:</u>	OS2-23, as shown on Zoning Map, Part 8(z).
8.3.2.23.2	<u>Permitted Uses:</u>	a) Office, storage and mail-room space for publishing business; b) Stationery supplies for municipal agencies; c) Municipal education facility.
8.3.2.23.3	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the Permitted uses.
8.3.2.23.4	<u>Lot Frontage:</u>	64 metres.
8.3.2.23.5	<u>Lot Area:</u>	1.5 hectares.
8.3.2.23.6	<u>Lot Coverage:</u>	15%.
8.3.2.23.7	<u>Location of Building:</u>	
	8.3.2.23.7.1 <u>Front Yard:</u>	15 metres.
	8.3.2.23.7.2 <u>Side Yard:</u>	7.6 metres.
	8.3.2.23.7.3 <u>Rear Yard:</u>	45 metres.
8.3.2.23.8	<u>Off-Street Parking:</u>	Minimum of 25 spaces.
8.3.2.23.9	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5, 8.3.1.6, 8.3.1.7, 8.3.1.8 and 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.23.1. <sup>229</sup>

**(OS2-24 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

**(OS2-25 zone deleted by Clause 1. of By-laws 3192 and 3193, July 9<sup>th</sup>, 1990.)**

**(OS2-26 zone deleted by Clause 1. of By-law 3517, June 23<sup>rd</sup>, 1997.)**

8.3.2.27		
8.3.2.27.1	<u>Defined Area:</u>	OS2-27, as shown on "Schedule 23".
8.3.2.27.2	<u>Other Permitted Uses:</u>	a) Drainage purposes. b) Conservation purposes.
8.3.2.27.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures erected by a municipality or public conservation authority for uses permitted by subsection 8.3.2.27.2. <sup>230</sup>

**(OS2-28 lands rezoned to R1-34 by Clause 2. of By-law 3402, September 11<sup>th</sup>, 1995.)**

**(OS2-29 lands rezoned to OS2-53 and OS2-54 by By-law 112, May 25<sup>th</sup>, 1999.)**

**(OS2-30 lands rezoned to OS2-46 by Clause 2 to By-law 3449, July 8<sup>th</sup>, 1996.)**

8.3.2.31		
8.3.2.31.1	<u>Defined Area:</u>	OS2-31, as shown on map Part 3(c).
8.3.2.31.2	<u>Only Permitted Uses:</u>	a) Drainage purposes. b) Conservation Purposes.

<sup>229</sup> New subsection added by Clause 3. of By-law 2975, January 12<sup>th</sup>, 1987.

<sup>230</sup> New subsection added by Clause 6. of By-law 3132, June 20<sup>th</sup>, 1989.

c) Flood and Erosion Control.

8.3.2.31.3 Only Permitted Buildings and Structures: Buildings and structures erected by a municipality or a public conservation authority for uses permitted by subsection 8.3.2.31.2.

8.3.2.31.3 Exceptions: The provisions of subsection 8.3.1, (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.3 1.1.<sup>231</sup>

**(OS2-32 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

**(OS2-33 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

**(OS2-34 zone repealed by Clause 1. of By-law 1704, March 24<sup>th</sup>, 2014.)**

**(OS2-35 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

8.3.2.36

8.3.2.36.1 Defined Area: OS2-36, as shown on Zoning Map, Part 55.

8.3.2.36.2 Permitted Use:

- 1) Residential Use.
- 2) Accessory uses.

8.3.2.36.3 Permitted Buildings and Structures:

- 1) One single detached dwelling unit.
- 2) Accessory buildings.

8.3.2.36.4 Location of Buildings and Structures: Buildings and structures for the uses permitted by subsection 8.3.2.36.2 are only permitted to be located within the area shown hatched on Schedule 37.

8.3.2.36.5 Lot Area: 4.65 hectares.

8.3.2.36.6 Lot Frontage: 410 metres.

8.3.2.36.7 Exceptions: The provisions of subsections 8.3.1.1(a) and (b), 8.3.1.3, 8.3.1.4, 8.3.1.6, 8.3.1.7 and 7.21 shall not apply to the area defined in subsection 8.3.2.36.1.<sup>232</sup>

8.3.2.37

8.3.2.37.1 Defined Area: OS2-37, as shown on Map Part 2(s).

8.3.2.37.2 Only Permitted Uses:

- a) Drainage purposes.
- b) Conservation purposes.
- c) Flood and Erosion Control.

8.3.2.37.3 Only Permitted Buildings and Structures: Buildings and structures erected by a municipality or a public conservation authority for uses permitted by subsection 8.3.2.37.2.

<sup>231</sup> New subsection added by Clause 5. of By-law 3214, April 8<sup>th</sup>, 1991.

<sup>232</sup> New subsection added by Clause 4. of By-law 3291, December 14<sup>th</sup>, 1992.

8.3.2.37.4 Exceptions: The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.37.1.<sup>233</sup>

8.3.2.38

8.3.2.38.1 Defined Area: OS2-38 as shown on the Zoning Map, Part 8(aq).

8.3.2.38.2 Only Permitted Use: a) rural residential use  
b) accessory uses

8.3.2.38.3 Only Permitted Buildings and Structures: a) one detached dwelling unit  
b) accessory buildings and structures

8.3.2.38.4 Lot Area: 6 hectares

8.3.2.38.5 Location of Buildings and Structures: Buildings and structures permitted by subsection 8.3.2.38.3 shall be erected only within the area designated "Building Area" on Schedule "39".

8.3.2.38.6 Exceptions: The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5 and 8.3.1.8 shall not apply to the area defined in subsection 8.3.2.38.1.<sup>234</sup>

**(OS2-39 zone repealed by Clause 1. of By-law 611, October 27<sup>th</sup>, 2003.)**

**(Old OS2-40 zone replaced by OS2-43 by OMB Order No. R940474, August 25<sup>th</sup>, 1995.)**

8.3.2.40

8.3.2.40.1 Defined Area: OS2-40 as shown on Zoning Map, Part 38(c).

8.3.2.40.2 Additional Permitted Uses: Small engine repair and sales.

8.3.2.40.3 Additional Permitted Buildings and Structures: Buildings and structures for the uses permitted by subsection 8.3.2.40.2.

8.3.2.40.4 Maximum Floor Area: The maximum floor area devoted to the use permitted by subsection 8.3.2.40.2 shall not exceed 70 square metres.

8.3.2.40.5 Outside Storage: No outside storage of goods, materials or products associated with the uses permitted by subsection 8.3.2.40.2 shall be permitted.

8.3.2.40.6 Off Street Parking: A minimum of four off street parking spaces shall be provided and maintained.

8.3.2.40.7 Exceptions: The provisions of subsection 7.21 shall not apply to the area defined in subsection 8.3.2.40.1.<sup>235</sup>

8.3.2.41

8.3.2.41.1 Defined Area: OS2-41 as shown on Zoning Map, Part 10(e).

<sup>233</sup> New subsection added by Clause 5. of By-law 3301, March 8<sup>th</sup>, 1993.

<sup>234</sup> New subsection added by Clause 3. of By-law 3335, March 14<sup>th</sup>, 1994.

<sup>235</sup> New subsection added by Clause 3. of By-law 3372, January 9<sup>th</sup>, 1995.

8.3.2.41.2	<u>Additional Permitted Uses:</u>	Small engine repair and sales.
8.3.2.41.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by subsection 8.3.2.41.2.
8.3.2.41.4	<u>Maximum Floor Area:</u>	The maximum floor area devoted to the uses permitted by subsection 8.3.2.41.2 shall not exceed 45 square metres.
8.3.2.41.5	<u>Outside Storage:</u>	No outside storage of goods, materials or products associated with the uses permitted by subsection 8.3.2.41.2 shall be permitted.
8.3.2.41.6	<u>Off Street Parking:</u>	A minimum of four off street parking spaces shall be provided and maintained.
8.3.2.41.7	<u>Exceptions:</u>	The provisions of subsection 7.21 shall not apply to the area defined in subsection 8.3.2.41.1. <sup>236</sup>
8.3.2.42		
8.3.2.42.1	<u>Defined Area:</u>	OS2-42 as shown on Zoning Map, Part 2(w).
8.3.2.42.2	<u>Only Permitted Uses:</u>	a) drainage purposes; b) conservation and erosion control.
8.3.2.42.3	<u>Only Permitted Buildings:</u>	Buildings and structures approved by the municipality and the Kettle Creek Conservation Authority for those uses permitted by subsection 8.3.2.42.2.
8.3.2.42.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.42.1. <sup>237</sup>
8.3.2.44		
8.1.2.44.1	<u>Defined Area:</u>	OS2-44 as shown on Zoning Map, Part 2(y).
8.3.2.44.2	<u>Only Permitted Uses:</u>	a) drainage purposes; b) conservation and erosion control.
8.3.2.44.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and Structures approved by the municipality and the Kettle Creek Conservation Authority for those uses permitted by subsection 8.3.2.44.2.
8.3.2.44.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.44.1. <sup>238</sup>
8.3.2.45		
8.3.2.45.1	<u>Defined Area:</u>	OS2-45 as shown on Zoning Map Part 2(aa).
8.3.2.45.2	<u>Only Permitted Uses:</u>	a) Drainage purposes.

<sup>236</sup> New subsection added by Clause 3. of By-law 3395, July 10<sup>th</sup>, 1995.

<sup>237</sup> New subsection added by Clause 5. of By-law 3406, September 19<sup>th</sup>, 1995.

<sup>238</sup> New subsection added by Clause 6. of By-law 3419, December 11<sup>th</sup>, 1995.

		b) Conservation purposes.
		c) Flood and erosion control.
8.3.2.45.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures approved by a municipality or a public conservation authority for uses permitted by subsection 8.3.2.45.2.
8.3.2.45.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.45.1. <sup>239</sup>
8.3.2.46		
8.3.2.46.1	<u>Defined Area:</u>	OS2-46 as shown on the Zoning Map, Part 8(au).
8.3.2.46.2	<u>Only Permitted use:</u>	a) rural residential use b) accessory uses
8.3.2.46.3	<u>Only Permitted Buildings and Structures:</u>	a) one detached dwelling unit b) accessory buildings and structures
8.3.2.46.4	<u>Lot Area:</u>	4 hectares
8.3.2.46.5	<u>Location of Buildings and Structures:</u>	Buildings and structures permitted by subsection 8.3.2.46.3 shall be erected only within the area designated "Building Area" on Schedule "45".
8.3.2.46.6	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5 and 8.3.1.8 shall not apply to the area defined in subsection 8.3.2.46.1. <sup>240</sup>
8.3.2.47		
8.3.2.47.1	<u>Defined Area:</u>	OS2-47 as shown on the Zoning Map, Part 16(o).
8.3.2.47.2	<u>Other Permitted Uses:</u>	Rural-residential use.
8.3.2.47.3	<u>Other Permitted Buildings and Structures:</u>	One single detached dwelling on a rural-residential lot.
8.3.2.47.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1(a) and 8.3.1.3(b) shall not apply to the area defined in subsection 8.3.2.47.1. <sup>241</sup>
8.3.2.48		
8.3.2.48.1	<u>Defined Area:</u>	OS2-48 as shown on Zoning Map, Parts 5(j) and 6(h).
8.3.2.48.2	<u>Only Permitted Uses:</u>	a) Drainage purposes. b) Conservation purposes. c) Flood and erosion control.
8.3.2.48.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures approved by

<sup>239</sup> New subsection added by Clause 9. of By-law 3443, May 13<sup>th</sup>, 1996.

<sup>240</sup> New subsection added by Clause 3. of By-law 3449, July 8<sup>th</sup>, 1996.

<sup>241</sup> New subsection added by Clause 3. of By-law 3513, June 16<sup>th</sup>, 1997.

a municipality or a public conservation authority for uses permitted by subsection 8.3.2.48.2.

8.3.2.48.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.48.1. <sup>242</sup>
8.3.2.49		
8.3.2.49.1	<u>Defined Area:</u>	OS2-49, as shown on Zoning Map, Part 16(p).
8.3.2.49.2	<u>Permitted Uses:</u>	(a) Residential use existing on the date of the passing of this By-law; (b) Home Occupation; (c) Accessory uses.
8.3.2.49.3	<u>Permitted Buildings and Structures:</u>	(a) One single detached dwelling existing on the date of the passing of this By-law. (b) Accessory buildings and structures.
8.3.2.49.4	<u>Lot Area:</u>	2.8 hectares.
8.3.2.49.5	<u>Lot Frontage:</u>	42 metres.
8.3.2.49.6	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, 8.3.1.3 and 8.3.1.6 shall not apply to the area defined in subsection 8.3.2.49.1. <sup>243</sup>
8.3.2.50		
8.3.2.50.1	<u>Defined Area:</u>	OS2-50, as shown on Zoning Map, Part 38(d).
8.3.2.50.2	<u>Permitted Uses:</u>	(a) Rural residential use; (b) Home occupation; (c) Accessory uses.
8.3.2.50.3	<u>Permitted Buildings And Structures:</u>	(a) One single detached dwelling unit; (b) Accessory buildings and structures.
8.3.2.50.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, and 8.3.1.3 shall not apply to the area defined in subsection 8.3.2.50.1. <sup>244</sup>
8.3.2.51		
8.3.2.51.1	<u>Defined Area:</u>	OS2-51, as shown on Zoning Map, Part 2(ab).
8.3.2.51.2	<u>Only Permitted Uses:</u>	(a) Drainage and Conservation Purposes; (b) Flood and Erosion Control
8.3.2.51.3	<u>Only Permitted Buildings</u>	

<sup>242</sup> New subsection added by Clause 7. of By-law 3517, June 23<sup>rd</sup>, 1997.

<sup>243</sup> New subsection added by Clause 4. of By-law 70, October 26<sup>th</sup>, 1998.

<sup>244</sup> New subsection added by Clause 3. of By-law 115, May 25<sup>th</sup>, 1999.

	<u>and Structures:</u>	<i>Buildings and structures approved by the municipality or a public conservation authority for uses permitted by subsection 8.3.2.51.2.</i>
8.3.2.51.4	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.51.1.<sup>245</sup></i>
8.3.2.52		
8.3.2.52.1	<u>Defined Area:</u>	<i>OS2-52, as shown on Zoning Map, Part 2(ad).</i>
8.3.2.52.2	<u>Only Permitted Uses:</u>	(a) <i>Drainage and Conservation Purposes;</i> (b) <i>Flood and Erosion Control.</i>
8.3.2.52.3	<u>Only Permitted Buildings and Structures:</u>	<i>Buildings and structures approved by the municipality or a public conservation authority for uses permitted by subsection 8.3.2.52.2.</i>
8.3.2.52.4	<u>Deck Projection:</u>	<i>Notwithstanding the provisions of subsections 8.3.2.52.2 and 8.3.2.52.3, one unenclosed deck only is permitted to be located within the Building Area shown hatched on Schedule 49.</i>
8.3.2.52.5	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.52.1.<sup>246</sup></i>
8.3.2.53		
8.3.2.53.1	<u>Defined Area:</u>	<i>OS2-53, as shown on Zoning Map, Part 9(t).</i>
8.3.2.53.2	<u>Only Permitted Uses:</u>	<i>Uses existing at the date of the passing of this by-law.</i>
8.3.2.53.3	<u>Permitted Buildings and Structures:</u>	<i>No buildings or structures shall be permitted on the lands defined in subsection 8.3.2.53.1.</i>
8.3.2.53.4	<u>Minimum Lot Area:</u>	<i>6 hectares.</i>
8.3.2.53.5	<u>Minimum Lot Frontage:</u>	<i>315 metres.</i>
8.3.2.53.6	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.53.1.<sup>247</sup></i>

**(OS2-54 lands rezoned to hB3-32 by Clause 2. of By-law 1290, October 18<sup>th</sup>, 2010.)**

8.3.2.55		
8.3.2.55.1	<u>Defined Area:</u>	<i>OS2-55, as shown on Zoning Map, Part 54(a).</i>
8.3.2.55.2	<u>Additional Permitted Use:</u>	<i>Preventative Health Care Office.</i>
8.3.2.55.3	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to</i>

<sup>245</sup> New subsection added by Clause 4. of By-law 103, April 26<sup>th</sup>, 1999.

<sup>246</sup> New subsection added by Clause 6. of By-law 106, May 17<sup>th</sup>, 1999.

<sup>247</sup> New subsection added by Clause 3. of By-law 112, May 25<sup>th</sup>, 1999.

		<i>the use permitted by subsection 8.3.2.55.2 shall not exceed 32 square metres.</i>
8.3.2.55.4	<u>Outside Storage:</u>	<i>No outside storage of goods, materials, or products associated with the uses permitted by subsection 8.3.2.55.2 shall be permitted.</i>
8.3.2.55.5	<u>Definition:</u>	<i>For the purposes of this amendment, a Preventative Health Care Office shall mean part of a dwelling used by a practitioner of iridology, aromatherapy and / or herbology, who regularly resides in such dwelling, for the purposes of consultation, diagnosis or treatment of the health of persons, but shall not include a business office, clinic or restricted business office as defined in Section 2 of this by-law.</i>
8.3.2.55.6	<u>Off-Street Parking:</u>	<i>A minimum of two parking spaces shall be provided and maintained at all times for the additional use permitted by subsection 8.3.2.55.2.</i>
8.3.2.55.7	<u>Permitted Sign:</u>	<i>One freestanding sign, not exceeding 1.5 square metres, shall be permitted provided a minimum setback of 6 metres is maintained from any property line.<sup>248</sup></i>
8.3.2.56		
8.3.2.56.1	<u>Defined Area:</u>	<i>OS2-56, as shown on Zoning Map, Part 8(ba).</i>
8.3.2.56.2	<u>Only Permitted Uses:</u>	<i>(a) Drainage and Conservation Purposes; (b) Flood and Erosion Control.</i>
8.3.2.56.3	<u>Only Permitted Buildings and Structures:</u>	<i>Buildings and Structures approved by the municipality or a public conservation authority for uses permitted by subsection 8.3.2.56.2.</i>
8.3.2.56.4	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.56.1.<sup>249</sup></i>
8.3.2.57		
8.3.2.57.1	<u>Defined Area:</u>	<i>OS2-57, as shown on Zoning Map, Part 8(bb).</i>
8.3.2.57.2	<u>Only Permitted Uses:</u>	<i>(a) Drainage and Conservation Purposes; (b) Flood and Erosion Control.</i>
8.3.2.57.3	<u>Only Permitted Buildings and Structures:</u>	<i>Buildings and Structures approved by the municipality or a public conservation authority for uses permitted by subsection 8.3.2.57.2.</i>
8.3.2.57.4	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1</i>

<sup>248</sup> New subsection added by Clause 3. of By-law 139, August 23<sup>rd</sup>, 1999.

<sup>249</sup> New subsection added by Clause 5. of By-law 145, September 20<sup>th</sup>, 1999.

*(General Use Regulations) shall not apply to the area defined in subsection 8.3.2.57.1.<sup>250</sup>*

8.3.2.58

8.3.2.58.1 Defined Area:

OS2-58, as shown on Zoning Map, Part 57(a).

8.3.2.58.2 Permitted Buildings and Structures:

No buildings or structures shall be permitted within the area defined by subsection 8.2.3.58.1.

8.3.2.58.3 Exceptions:

The provisions of subsections 8.3.1.1(a), 8.3.1.1 (b), 8.3.1.1(c), 8.3.1.7, 8.3.1.8 and 8.3.1.9 shall not apply the area defined in subsection 8.3.2.58.1.<sup>251</sup>

8.3.2.59

8.3.2.59.1 Defined Area:

OS2-59, as shown on Zoning Map Part 2(af) and Zoning Map Part 55(b).

8.3.2.59.2 Only Permitted Uses:

- (a) Drainage and Conservation Purposes;
- (b) Flood and Erosion Control.

8.3.2.59.3 Only Permitted Buildings and Structures:

Buildings and structures approved by the municipality and a public conservation authority for uses permitted by 8.3.2.59.2.

8.3.2.59.4 Exceptions:

The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.59.1.<sup>252</sup>

**(OS2-60 lands rezoned to OS2-64 through Clause 7. of By-law 568, July 21<sup>st</sup>, 2003.)**

8.3.2.61

8.3.2.61.1 Defined Area:

OS2-61, as shown on Zoning Map, Part 16(q).

8.3.2.61.2 Permitted Uses:

- (a) a Transportation Terminal
- (b) a trucking business
- (c) automotive trade
- (d) the sale of marine craft
- (e) accessory uses.

8.3.2.61.3 Permitted Buildings and Structures:

- (a) The main building and structures existing on the date of the passing of this by-law, as shown on Schedule 53 to By-law 1998.
- (b) Accessory buildings and structures within the Parking and Building Area as shown on Schedule 53 to By-law 1998.

8.3.2.61.4 Location of Existing Buildings, Parking, Landscaping and Storage Areas:

The location of existing buildings,

<sup>250</sup> New subsection added by Clause 5. of By-law 146, September 20<sup>th</sup>, 1999.

<sup>251</sup> New subsection added by Clause 5. of By-law 154, October 25<sup>th</sup>, 1999.

<sup>252</sup> New subsection added by Clause 6. of By-law 335, June 11<sup>th</sup>, 2001.

landscaping areas, parking and building areas, and storage areas permitted by subsections 8.3.2.61.2 and 8.3.2.61.3 shall be in accordance with Schedule "53" to Bylaw 1998.

- 8.3.2.61.5 Lot Area: 1.4 hectares.
- 8.3.2.61.6 Lot Frontage: 16 metres.
- 8.3.2.61.7 Definition: For the purposes of 8.3.2.61.2(a) of This subsection 8.3.2.61, "Transportation Terminal" means a place where taxis, limousines and buses are parked when not engaged in transporting persons or goods and includes a building used to dispatch those vehicles and for the purposes of any business lawfully carried on within the defined area and may include a courier business and a building or place where any of such vehicles may be washed, lubricated, repaired or fueled.
- 8.3.2.61.8 Exceptions: The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.6, 8.3.1.7, 8.3.1.8 and 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.61.1.<sup>253</sup>
- 8.3.2.62
- 8.3.2.62.1 Defined Area: OS2-62, as shown on Zoning Map, Part 15(aq).
- 8.3.2.62.2 Permitted Buildings and Structures: No buildings and structures shall be permitted within the area defined in subsection 8.3.2.62.1.
- 8.3.2.62.3 Lot Frontage: 20.12 metres.
- 8.3.2.62.4 Exceptions: The provisions of subsections 8.3.1.3 and 8.3.1.6 shall not apply to the area defined in subsection 8.3.2.62.1.<sup>254</sup>

**(OS2-63 lands rezoned to OS2-69 by Clause 2. of By-law 889, June 26<sup>th</sup>, 2006.)**

**(OS2-64 lands rezoned to OS2-70 through Clause 7. of By-law 1021, December 17<sup>th</sup>, 2007.)**

- 8.3.2.65
- 8.3.2.65.1 Defined Area: OS2-65, as shown on Zoning Map, Part 55(e).
- 8.3.2.65.2 Permitted Uses:
- a) residential use
  - b) the sale and service of motor homes and trailers as an accessory use to a permitted residential use
  - c) the storage of motor homes and trailers as an accessory use to a use permitted under subsection 8.3.2.65.2(b).

<sup>253</sup> New subsection added by Clause 4. of By-law 386, December 17<sup>th</sup>, 2001.

<sup>254</sup> New subsection added by Clause 5. of By-law 490, October 28<sup>th</sup>, 2002.

8.3.2.65.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>a) single detached dwelling</li> <li>b) buildings and structures for the uses permitted by subsection 8.3.2.65.2(b) shall be the existing accessory buildings and structures as shown on Schedule 58 to this by-law</li> </ul>
8.3.2.65.4	<u>Off-Street Parking:</u>	A minimum of 8 parking spaces shall be provided and maintained for the uses permitted by Subsections 8.3.2.65.2(b) and 8.3.2.65.2(c).
8.3.2.65.5	<u>Lot Area:</u>	40,000 square metres
8.3.2.65.6	<u>Outdoor Display and Storage Areas:</u>	<ul style="list-style-type: none"> <li>a) Two (2) areas for the outdoor display and sales of motor homes and trailers shall be located and sized as shown on Schedule 58 to this by-law.</li> <li>b) An area, not to exceed 600 square metres in area and located as shown on Schedule 58 to this by-law, may be used for the outdoor storage of motor homes and trailers as permitted by Subsection 8.3.2.65.2(c) of this by-law.</li> </ul>
8.3.2.65.7	<u>Signs:</u>	<ul style="list-style-type: none"> <li>a) A fascia sign in support of a use permitted by Subsection 8.3.2.65.2(b) of this by-law, and not exceeding 10 square metres in area, shall be permitted and located on the existing barns as shown on Schedule 58 to this by-law.</li> <li>b) A freestanding directional sign in support of a use permitted by Subsection 8.3.2.65.2(b) of this by-law and not exceeding 3 square metres in area shall be permitted and located as shown on Schedule 58 to this by-law.</li> <li>c) The freestanding sign existing at the time of passing of this by-law shall be permitted.</li> <li>d) Portable signs shall not be permitted within the area defined by Subsection 8.3.2.65.1</li> </ul>
8.3.2.65.8	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, 8.3.1.3 and 8.3.1.4 shall not apply to the area defined in subsection 8.3.2.65.1. <sup>255</sup>
8.3.2.66		
8.3.2.66.1	<u>Defined Area:</u>	OS2-66, as shown on Zoning Map, Part 13(t).
8.3.2.66.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) One single detached dwelling.</li> </ul>

<sup>255</sup> New subsection added by Clause 5. of By-law 611, October 27<sup>th</sup>, 2003.

		b) <i>Insulation business.</i>
		c) <i>Accessory uses.</i>
8.3.2.66.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by paragraph 8.3.2.66.2.</i>
8.3.2.66.4	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the use permitted by paragraph 8.3.2.66.2(b) shall not exceed 250 square metres.</i>
8.3.2.66.5	<u>Outside Storage:</u>	<i>No outside storage of goods, materials or products associated with the uses permitted by subsection 8.3.2.66.2(b) shall be permitted.</i>
8.3.2.66.6	<u>Lot Frontage:</u>	<i>100 metres.</i>
8.3.2.66.7	<u>Lot Area:</u>	<i>6,000 square metres.</i>
8.3.2.66.8	<u>Definition:</u>	<i>For the purposes of paragraph 8.3.2.66.2(b), "insulation business" shall mean the sale of insulation products and services including the installation of such products and the storage of such product and equipment as required for installation.</i>
8.3.2.66.9	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4 and 8.3.1.6 shall not apply to the area defined in paragraph 8.3.2.66.1.<sup>256</sup></i>
8.3.2.67		
8.3.2.67.1	<u>Defined Area:</u>	<i>OS2-67, as shown on Zoning Map, Part 8(bd).</i>
8.3.2.67.2	<u>Permitted Buildings and Structures:</u>	<i>No buildings and structures, with the exception of a permitted fence, shall be permitted within the area defined in subsection 8.3.2.67.1.</i>
8.3.2.67.3	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1.3 shall not apply to the area defined in subsection 8.3.2.67.1.<sup>257</sup></i>
8.3.2.68		
8.3.2.68.1	<u>Defined Area:</u>	<i>OS2-68, as shown on Zoning Map, Part 9(z).</i>
8.3.2.68.2	<u>Only Permitted Uses:</u>	a) <i>Rural-residential use.</i> b) <i>Home occupations.</i> c) <i>Accessory uses.</i>
8.3.2.68.3	<u>Only Permitted Buildings and Structures:</u>	a) <i>One single detached dwelling on a rural-residential lot.</i> b) <i>Accessory buildings and structures.</i>
8.3.2.68.4	<u>Location of Permitted Buildings and Structures:</u>	<i>Notwithstanding any other provisions</i>

<sup>256</sup> New subsection added by Clause 3. of By-law 635, January 26<sup>th</sup>, 2004.

<sup>257</sup> New subsection added by Clause 4. of By-law 685, July 26<sup>th</sup>, 2004.

of By-law 1998 as amended, buildings and structures permitted by Subsection 8.3.2.68.3 shall be restricted to the area shown as "Building Area" on "Schedule 62" to this By-law.

8.3.2.68.5	<u>Vehicular Access:</u>	Vehicular access to the "Building Area" shall be restricted to the existing driveway shown generally as "Access Driveway" on "Schedule 62" to this By-law.
8.3.2.68.6	<u>Minimum Lot Frontage:</u>	250 metres.
8.3.2.68.7	<u>Minimum Lot Area:</u>	1.5 hectares
8.3.2.68.8	<u>Coverage:</u>	The maximum coverage within the Defined area shall be 15% of the "Building Area" as shown on "Schedule 62" to this By-law.
8.3.2.68.9	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.5, 8.3.1.6 and 8.3.1.8 shall not apply to the area defined in subsection 8.3.2.68.1. <sup>258</sup>
8.3.2.69		
8.3.2.69.1	<u>Defined Area:</u>	OS2-69, as shown on Zoning Map, Part 9(aa).
8.3.2.69.2	<u>Only Permitted Uses:</u>	a) Drainage purposes. b) Conservation purposes. c) Food and erosion control
8.3.2.69.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by subsection 8.3.2.69.2.
8.3.2.69.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1, 8.3.1.3 shall not apply to the area defined in subsection 8.3.2.69.1. <sup>259</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

8.3.2.69		
8.3.2.69.1	<u>Defined Area:</u>	OS2-69, as shown on Zoning Map, Part 8(bo).
8.3.2.69.2	<u>Holding Zone:</u>	a) <u>Use of Symbol:</u>  Where the symbol "h" appears on a Zoning Map Part and/or Schedule, notwithstanding the provisions that apply to that zone or special zone, unless this by-law has been amended to remove the relevant "h" symbol, those lands shall not be developed or used except for the uses permitted by paragraph c). The removal of the "h" symbol from the Zoning Map Part and/or Schedule is subject to the following requirements:

<sup>258</sup> New subsection added by Clause 4. of By-law 771, May 24<sup>th</sup>, 2005.

<sup>259</sup> New subsection added by Clause 6. of By-law 822, February 13<sup>th</sup>, 2006.

b) *Holding Zone Provisions:*

*To ensure the orderly development of lands and the adequate provision of services, the "h" symbol shall not be removed until the following requirements have been satisfied:*

- (i) Plan of subdivision - to ensure the orderly development of lands, the "h" symbol shall not be deleted until a subdivision agreement is entered into for the lands in question with the Municipal corporation.*
- (ii) Services - to ensure the orderly development of lands, the "h" symbol shall not be deleted until a servicing options report has been prepared to the satisfaction of the Municipality of Central Elgin, such report to address, among other things, the provision of municipal piped water; preferred and alternative options for sanitary servicing of the lands; and, a scoped subwatershed report to identify environmental features/functions and establish targets for storm water management.*

c) *Interim Permitted Uses:*

- (i) Uses existing at the date of passing of this by-law.*
- (ii) One single detached residential dwelling.*
- (iii) One additional residential unit within a single-detached residential dwelling as permitted in subsection 8.3.2.69.2 c) (ii).*

*The removal of the "h" symbol requires an amendment to this by-law pursuant to Section 36 of the Planning Act, R.S.O., 1990, as amended.<sup>260</sup>*

8.3.2.70

8.3.2.70.1 *Defined Area:*

*OS2-70, as shown on Zoning Map, Part 9(ac) and 48(g).*

8.3.2.70.2 *Only Permitted Uses:*

- (a) Drainage Purposes;*
- (b) Conservation Purposes;*

8.3.2.70.3 *Only Permitted Buildings and Structures:*

*Buildings and structures approved by*

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<sup>260</sup> Subsection deleted and replaced through Clauses 1 & 4 of By-law 2652, November 8<sup>th</sup>, 2021

*the Municipal Corporation and a public Conservation Authority for uses permitted by subsection 8.3.2.70.2.*

8.3.2.70.4	<u>Exceptions:</u>	<i>The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.70.1.<sup>261</sup></i>
8.3.2.71		
83.2.71.1	<u>Defined Area:</u>	<i>OS2-71, as shown on Zoning Map, Part 2(81).</i>
83.2.71.2	<u>Only Permitted Uses:</u>	<i>a) Drainage purposes. b) Flood and erosion control purposes. c) Conservation purposes.</i>
83.2.71.3	<u>Only Permitted Buildings and Structures:</u>	<i>Buildings and structures approved by the Municipal Corporation and a public Conservation Authority for uses permitted by Subsection 83.2.71.2.</i>
83.2.71.4	<u>Exceptions:</u>	<i>The provisions of Subsection 8.3.1 (General Regulations) shall not apply to the area defined in Subsection 8.3.2.71.1.<sup>262</sup></i>
8.3.2.72		
8.3.2.72.1	<u>Defined Area:</u>	<i>OS2-72, as shown on Zoning Map, Part 2(aj).</i>
8.3.2.72.2	<u>Only Permitted Uses:</u>	<i>(a) residential use; (b) construction trade; (c) home occupations; (d) accessory uses.</i>
8.3.2.72.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the permitted uses.</i>
8.3.2.72.4	<u>Lot Area:</u>	<i>6,900 square metres.</i>
8.3.2.72.5	<u>Lot Frontage:</u>	<i>15 metres.</i>
8.3.2.72.6	<u>Outdoor Storage:</u>	<i>No outdoor storage of goods, materials or products associated with the use permitted by subsection 8.3.2.72.2(b) shall be permitted.</i>
8.3.2.72.7	<u>Off-Street Parking:</u>	<i>Parking shall be provided and maintained at the following rates: Residential use: 2 spaces. Construction trade: 4 spaces.</i>
8.3.2.72.8	<u>Location of Detached Accessory Buildings &amp; Other Structures:</u>	<i>Side Yard: 1 metre. Rear Yard: 0.6 metre.</i>
8.3.2.72.9	<u>Height:</u>	<i>(a) 2 storey maximum for the main building.</i>

<sup>261</sup> New subsection added by Clause 8. of By-law 1021, December 17<sup>th</sup>, 2007.

<sup>262</sup> New subsection added by Clause 6. of By-law 1133, April 27<sup>th</sup>, 2009.

		(b) 5.5 metres for accessory buildings and structures.
8.3.2.72.10	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1, 8.3.1.2, 8.3.1.3, 8.3.1.4, 8.3.1.6 and 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.72.1. <sup>263</sup>
8.3.2.73		
8.3.2.73.1	<u>Defined Area:</u>	OS2-73, as shown on Zoning Map, Part 55(g).
8.3.2.73.2	<u>Additional Permitted Uses:</u>	<p>a) The sale, leasing and servicing, of all terrain vehicles as an accessory use to a permitted farm use.</p> <p>b) The sale of parts and accessories, trailers and GPS devices for all terrain vehicles as an accessory use to a use permitted by Subsection 8.3.2.73.2(a).</p>
8.3.2.73.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by Subsection 8.3.2.73.2.
8.3.2.73.4	<u>Maximum Floor Area for Additional Permitted Uses:</u>	446 square metres.
8.3.2.73.5	<u>Outdoor Display Area:</u>	A maximum of 150 square metres shall be permitted for the outdoor display of all terrain vehicles, parts or accessories associated with the uses permitted by Subsection 8.3.2.73.2 as shown on Schedule 69 to this by-law.
8.3.2.73.6	<u>Off-Street Parking:</u>	A minimum of 10 parking spaces shall be provided and maintained for the uses permitted by Subsection 8.3.2.73.2 within the area shown as "Parking Area" on Schedule 69 to this bylaw.
8.3.2.73.7	<u>Signs:</u>	<p>a) A sign in support of the uses permitted by Subsection 8.3.2.73.2 of this by-law, and not exceeding 3.0 square metres in area, shall be permitted.</p> <p>b) Portable signs shall not be permitted within the area defined by Subsection 8.3.2.73.1</p>
8.3.2.73.8	<u>Setback for Signs:</u>	A sign permitted by Subsection 8.3.2.73.7 shall be located a minimum of 6 metres from any exterior lot line. <sup>264</sup>
8.3.2.74		
8.3.2.74.1	<u>Defined Area:</u>	OS2-74, as shown on Zoning Map Part 54(e).
8.3.2.74.2	<u>Only Permitted Uses:</u>	a) Rural-residential Use

<sup>263</sup> New subsection added by Clause 3. of By-law 1154, July 20<sup>th</sup>, 2009.

<sup>264</sup> New subsection added by Clause 4. of By-law 1269, August 23<sup>rd</sup>, 2010.

		b) Home Occupations
		c) The growing of horticultural and field crops.
		d) Accessory Uses
8.3.2.74.3	<u>Permitted Buildings and Structures:</u>	a) One single detached dwelling.
		b) Buildings and structures for the uses permitted by Subsection 8.3.2.74.2(c).
		c) Accessory buildings and structures.
8.3.2.74.4	<u>Location of Permitted Buildings and Structures:</u>	Buildings and structures permitted by Subsection 8.3.2.74.3 shall be erected only within the area designated "Building Area" on Schedule 70.
8.3.2.74.5	<u>Minimum Lot Frontage:</u>	150 metres.
8.3.2.74.6	<u>Minimum Lot Area:</u>	7.0 hectares.
8.3.2.74.7	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.6 and 8.3.1.8 shall not apply to the area defined in subsection 8.3.2.74.1 of this Bylaw. <sup>265</sup>
8.3.2.75		
8.3.2.75.1	<u>Defined Area:</u>	OS2-75, as shown on Zoning Map Part 8(bk).
8.3.2.75.2	<u>Only Permitted Uses:</u>	a) Uses existing at the time of passing of this by-law.
		b) Rural-residential use.
		c) Home Occupations.
		d) Accessory Uses.
8.3.2.75.3	<u>Permitted Buildings and Structures:</u>	a) One single detached dwelling.
		b) Accessory buildings and structures.
8.3.2.75.4	<u>Location of Permitted Buildings and Structures:</u>	Buildings and structures permitted by Subsection 8.3.2.75.3 shall be erected only within the area designated "Building Area" on Schedule 71.
8.3.2.75.5	<u>Minimum Lot Frontage:</u>	18 metres.
8.3.2.75.6	<u>Minimum Lot Area:</u>	5.0 hectares.
8.3.2.75.7	<u>Exceptions:</u>	The provisions of subsection 8.3.1.1, 8.3.1.3, 8.3.1.4, 8.3.1.6 and 8.3.1.8 shall not apply to the area defined in subsection 8.3.2.75.1 of this Bylaw. <sup>266</sup>
8.3.2.76		
8.3.2.76.1	<u>Defined Area:</u>	OS2-76, as shown on Zoning Map,

<sup>265</sup> New subsection added by Clause 4. of By-law 1405, November 28<sup>th</sup>, 2011.

<sup>266</sup> New subsection added by Clause 4. of By-law 1415, January 23<sup>rd</sup>, 2012.

Part 9(ah) and Map Part 54(f).

- 8.3.2.76.2 Other Permitted Use: Billboard.
- 8.3.2.76.3 Other Permitted Structures: One billboard with a surface area not to exceed 32 square metres.
- 8.3.2.76.4 Maximum Height: The maximum height of any permitted billboard shall not exceed 6.1 metres.
- 8.3.2.76.5 Location of Structures: Structures permitted by subsection 8.3.2.76.3 shall be located in accordance with the following minimum setbacks:
- 8.3.2.76.5.1 Front Yard (East Road): 15 metres
- 8.3.2.76.5.2 Exterior Side Yard (Sunset Road): 3 metres
- 8.3.2.76.5.3 All Other Yards: 15 metres<sup>267</sup>

**(OS2-77 zone repealed through Subsection 1 of By-law 2446, January 27<sup>th</sup>, 2020)**

8.3.2.78

- 8.3.2.78.1 Defined Area: OS2-78, as shown on Zoning Map, Part 5(k).
- 8.3.2.78.2 Only Permitted Uses:
- a) Cemetery.
  - b) Uses existing on the day of passing of this by-law.
  - c) Accessory uses.
- 8.3.2.78.3 Only Permitted Buildings and Structures: Buildings and structures for the uses permitted by 8.3.2.78.2.
- 8.3.2.78.4 Minimum Lot Area: .2 hectares.
- 8.3.2.78.5 Lot Frontage: 30 metres.
- 8.3.2.78.6 Definition: For the purposes of this amendment, a cemetery means land that is set apart or used as a place for the interment of the deceased or in which human bodies have been buried or prepared for burial, and may include a crematorium, mausoleum and a columbarium.
- 8.3.2.78.7 Services Required: Within the area defined by subsection 8.3.2.78.1 no buildings or structures shall be erected or used for any purpose permitted unless the following services are available to service the building or structure and the land on which it is situate:
- i) a municipal water supply system; and
  - ii) a sewage disposal system approved by the designated regulatory authority.
- 8.3.2.78.8 Exceptions: The provisions of subsections 8.3.1.1,

<sup>267</sup> New subsection added by Clause 4. of By-law 1484, May 28<sup>th</sup>, 2012.

8.3.1.3, 8.3.1.4, 8.3.1.6, 8.3.1.7 and 8.3.1.9 shall not apply to the area defined in subsection 8.3.2.78.1.<sup>268</sup>

8.3.2.79

- 8.3.2.79.1 Defined Area: OS2-79, as shown on Zoning Map, Part 47(f) and Part 55(i).
- 8.3.2.79.2 Only Permitted Use: (a) Farm uses.  
(b) Accessory uses.
- 8.3.2.79.3 Only Permitted Buildings: and Other Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.
- 8.3.2.79.4 Minimum Lot Area: 25 hectares.
- 8.3.2.79.5 Exceptions: The provisions of subsections 8.3.1.1, 8.3.1.3, 8.3.1.4 and 8.3.1.7, shall not apply to the area defined in subsection 8.3.2.79.1.<sup>269</sup>

8.3.2.80

- 8.3.2.80.1 Defined Area: OS2-80, as shown on Zoning Map, Part 47(f) and Part 55(i).
- 8.3.2.80.2 Only Permitted Uses: (a) Rural residential use.  
(b) The propagation of horticultural plants accessory to a permitted residential use.  
(c) The keeping of livestock accessory to a permitted rural residential use.  
(d) Accessory uses.
- 8.3.2.80.3 Only Permitted Buildings: and Other Structures: (a) Single detached dwelling.  
(b) Buildings and structures for the use permitted by Subsection 8.3.2.80.2(b).  
(c) Accessory buildings and structures.
- 8.3.2.80.4 Minimum Lot Area: 4 hectares.
- 8.3.2.80.5 Livestock: The keeping of livestock as permitted by Subsection 8.3.2.80.2(c) shall comply with the requirements of the Nutrient Management Act, 2002, its associated regulations and successors thereto.
- 8.3.2.80.6 Exceptions: The provisions of subsections 8.3.1.1, 8.3.1.3 and 8.3.1.4 shall not apply to the area defined in subsection 8.3.2.79.<sup>270</sup>

8.3.2.81

- 8.3.2.81.1 Defined Area: OS2-81, as shown on Zoning Map, Part 54(g).

<sup>268</sup> New subsection added by Clause 3. of By-law 1556, January 28<sup>th</sup>, 2013.

<sup>269</sup> New subsection added by Clause 4. of By-law 1678, January 20<sup>th</sup>, 2014.

<sup>270</sup> New subsection added by Clause 6. of By-law 1678, January 20<sup>th</sup>, 2014.

8.3.2.81.2	<u>Applicable Provisions:</u>	<i>The provisions of subsection 8.3.1 and all other applicable provisions shall apply to the area defined by subsection 8.3.2.81.1.<sup>271</sup></i>
8.3.2.82		
8.3.2.82.1	<u>Defined Area:</u>	<i>OS2-82, as shown on Zoning Map, Part 72.</i>
8.3.2.82.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) <i>Rural residential use.</i></li> <li>(b) <i>A banquet hall accessory to a permitted rural residential use.</i></li> <li>(c) <i>Accessory uses.</i></li> </ul>
8.3.2.82.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) <i>One single detached dwelling on a rural-residential lot.</i></li> <li>(b) <i>The barn existing on the date of passing of this By-law may be used for the use permitted by subsection 8.3.2.82.2(b).</i></li> <li>(c) <i>Accessory buildings and structures.</i></li> </ul>
8.3.2.82.4	<u>Definition:</u>	<i>The following definition shall apply to the use described in subsection 8.3.2.82.2(b): "Banquet hall" means a building or part of a building used for wedding receptions, banquets and other social gatherings.</i>
8.3.2.82.5	<u>Required Services:</u>	<p><i>In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 8.3.2.82.2 unless the following services are available to service the building or structure and the land on which it is situate:</i></p> <ul style="list-style-type: none"> <li>(a) <i>a water supply and a sanitary waste disposal system approved by the designated regulatory authority.<sup>272</sup></i></li> </ul>
8.3.2.83		
8.3.2.83.1	<u>Defined Area:</u>	<i>OS2-83, as shown on Zoning Map, Part 9(ak) and Map Part 54(i).</i>
8.3.2.83.2	<u>Other Permitted Use:</u>	<i>Billboard.</i>
8.3.2.83.3	<u>Other Permitted Structures:</u>	<i>One billboard with a surface area not to exceed 32 square metres.</i>
8.3.2.83.4	<u>Maximum Height:</u>	<i>The maximum height of any permitted billboard shall not exceed 6.1 metres.</i>
8.3.2.83.5	<u>Location of Structures:</u>	<i>Structures permitted by subsection</i>

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<sup>271</sup> New subsection added by Clause 4. of By-law 1704, March 24<sup>th</sup>, 2014.

<sup>272</sup> New subsection added by Clause 4. of By-law 1828, March 9<sup>th</sup>, 2015.

8.3.2.83.3 shall be located in accordance with the following minimum setbacks:

8.3.2.83.5.1 Front Yard (East Road): 15 metres

8.3.2.83.5.2 Exterior Side Yard (Sunset Road): 3 metres

8.3.2.83.5.3 All Other Yards: 15 metres<sup>273</sup>

#### 8.3.2.84

8.3.2.84.1 Defined Area: OS2-84, as shown on Zoning Map, Part 72(a).

8.3.2.84.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.

8.3.2.84.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.  
(b) Accessory buildings and structures.

8.3.2.84.4 Exceptions: The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.84.1.<sup>274</sup>

#### 8.3.2.85

8.3.2.85.1 Defined Area: OS2-85, as shown on Zoning Map, Part 8(bm).

8.3.2.85.2 Additional Permitted Use: Rural Residential use.

8.3.2.85.3 Additional Permitted Buildings: One single detached dwelling on a rural residential lot.

8.3.2.85.4 Minimum Lot Area: 5 hectares.

8.3.2.85.5 Exceptions: The provisions of subsections 8.3.1.1(b), 8.3.1.3(b) and 8.3.1.4 shall not apply to the area defined in subsection 8.3.2.85.1.<sup>275</sup>

#### 8.3.2.86

8.3.2.86.1 Defined Area: OS2-86, as shown on Zoning Map, Part 55(k).

8.3.2.86.2 Only Permitted Use: (a) Farm use.  
(b) Accessory uses.

8.3.2.86.3 Only Permitted Buildings and Structures: (a) Farm buildings and structures, but no dwelling shall be permitted.

<sup>273</sup> New subsection added by Clause 4. of By-law 1916, September 14<sup>th</sup>, 2015.

<sup>274</sup> New subsection added by Clause 3. of By-law 1920, September 14<sup>th</sup>, 2015.

<sup>275</sup> New subsection added by Clause 4. of By-law 1996, March 29<sup>th</sup>, 2016.

		(b) Accessory buildings and structures.
8.3.2.86.4	<u>Prohibition of Livestock:</u>	The barn existing at the time of passing of this by-law shall not be used as a livestock/poultry facility as defined by subsection 7.5.4(v) to By-law 1998.
8.3.2.86.5	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.86.1. <sup>276</sup>
8.3.2.87		
8.3.2.87.1	<u>Defined Area:</u>	OS2-87, as shown on Zoning Map, Part 55(k).
8.3.2.87.2	<u>Only Permitted Uses:</u>	(a) Rural-residential use. (b) Accessory uses.
8.3.2.87.3	<u>Only Permitted Buildings and Structures:</u>	(a) One single detached dwelling existing at the time of the passing of this by-law. (b) Accessory buildings and structures.
8.3.2.87.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.87.1. <sup>277</sup>
8.3.2.88		
8.3.2.88.1	<u>Defined Area:</u>	OS2-88, as shown on Zoning Maps, Part 12(i) and 13(h).
8.3.2.88.2	<u>Only Permitted Use:</u>	(a) Farm use. (b) Accessory uses.
8.3.2.88.3	<u>Only Permitted Buildings and Structures:</u>	(a) Farm buildings and structures, but no dwelling shall be permitted. (b) Accessory buildings and structures.
8.3.2.88.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.88.1. <sup>278</sup>
8.3.2.89		
8.3.2.89.1	<u>Defined Area:</u>	OS2-89, as shown on Zoning Map, Part 13(h).
8.3.2.89.2	<u>Only Permitted Uses:</u>	(a) Rural-residential use. (b) Accessory uses.
8.3.2.89.3	<u>Only Permitted Buildings</u>	

<sup>276</sup> New subsection added by Clause 3. of By-law 2107, January 23<sup>rd</sup>, 2017.

<sup>277</sup> New subsection added by Clause 5. of By-law 2107, January 23<sup>rd</sup>, 2017.

<sup>278</sup> New subsection added by Clause 4. of By-law 2132, March 27<sup>th</sup>, 2017.

	<u>and Structures:</u>	(a) One single detached dwelling existing at the time of the passing of this by-law. (b) Accessory buildings and structures.
8.3.2.89.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.89.1. <sup>279</sup>
8.3.2.90		
8.3.2.90.1	<u>Defined Area:</u>	OS2-90, as shown on Zoning Map Part 5(l).
8.3.2.90.2	<u>Permitted Uses:</u>	a) Drainage purposes. b) Conservation purposes. c) Flood and erosion control.
8.3.2.90.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures approved by a municipality or public conservation authority for uses permitted by subsection 8.3.2.90.2.
8.3.2.90.4	<u>Exceptions:</u>	The provisions of subsection 8.3.1 (General Use Regulations) shall not apply to the area defined in subsection 8.3.2.90.1. <sup>280</sup>
8.3.2.91		
8.3.2.91.1	<u>Defined Area:</u>	OS2-91, as shown on Zoning Maps, Parts 13(i).
8.3.2.91.2	<u>Only Permitted Use:</u>	(a) Rural residential use. (b) Accessory uses.
8.3.2.91.3	<u>Only Permitted Buildings and Structures:</u>	(a) Single detached dwellings. (b) Accessory buildings and structures.
8.3.2.91.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.91.1. <sup>281</sup>
8.3.2.92		
8.3.2.92.1	<u>Defined Area:</u>	OS2-92, as shown on Zoning Map, Part 13(i).
8.3.2.92.2	<u>Only Permitted Use:</u>	(a) Rural residential use. (b) Accessory uses.
8.3.2.92.3	<u>Permitted Buildings and Structures:</u>	(a) Buildings and structures

<sup>279</sup> New subsection added by Clause 6. of By-law 2132, March 27th, 2017.

<sup>280</sup> New subsection added by Clause 5. of By-law 2281, July 23<sup>rd</sup>, 2018.

<sup>281</sup> New subsection added by Clause 3. of By-law 2295, September 10<sup>th</sup>, 2018.

		existing at the time of the passing of this by-law.
		(b) Accessory buildings and structures.
8.3.2.92.4	<u>Exceptions:</u>	The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.92.1. <sup>282</sup>
8.3.2.93		
8.3.2.93.1	<u>Defined Area:</u>	OS2-93, as shown on Zoning Maps, Parts 79(a).
8.3.2.93.2	<u>Only Permitted Use:</u>	(a) Rural residential use. (b) Accessory uses.
8.3.2.93.3	<u>Only Permitted Buildings and Structures:</u>	(a) Single detached dwellings. (b) Accessory buildings and structures.
8.3.2.93.4	<u>Rear Yard Setback:</u>	16 metres
8.3.2.93.5	<u>Exceptions:</u>	The provisions of subsections 7.5.1, 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.93.1. <sup>283</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

8.3.2.93		
8.3.2.93.1	<u>Defined Area:</u>	OS2-93, as shown on Zoning Map, Part 15(au).
8.3.2.93.2	<u>Lot Frontage:</u>	53 metres
8.3.2.93.3	<u>Exceptions:</u>	The provisions of subsection 8.3.1.6 shall not apply to the area defined in subsection 8.3.2.93. <sup>284</sup>
8.3.2.94		
8.3.2.94.1	<u>Defined Area:</u>	OS2-94, as shown on Zoning Map Parts 47(g) and 55(l).
8.3.2.94.2	<u>Additional Permitted Use:</u>	Dog grooming/salon
8.3.2.94.3	<u>Additional Permitted Buildings and Structures:</u>	A 6 m (19.7 ft) by 3 m (9.84 ft) area within an attached garage for the use permitted by subsection 8.3.2.94.2.
8.3.2.94.4	<u>Off-Street Parking:</u>	A minimum of three parking spaces shall be provided and maintained, at all times, for the use permitted by 8.3.2.94.2. <sup>285</sup>
8.3.2.95		
8.3.2.95.1	<u>Defined Area:</u>	OS2-95, as shown on Zoning Map Parts 2(ar) and 55(m).

<sup>282</sup> New subsection added by Clause 5. of By-law 2295, September 10<sup>th</sup>, 2018.

<sup>283</sup> New subsection added by Clause 3. of By-law 2328, February 11<sup>th</sup>, 2019.

<sup>284</sup> New subsection added by Clause 6. of By-law 2404, September 9<sup>th</sup>, 2019.

<sup>285</sup> New subsection added by Clause 4. of By-law 2830, October 10<sup>th</sup>, 2023.

8.3.2.95.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Rural residential use;</li> <li>(b) Home occupations;</li> <li>(c) Accessory uses.</li> </ul>
8.3.2.95.3	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Single detached dwelling;</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.3.2.95.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.95.1.<sup>286</sup></i>
8.3.2.96		
8.3.2.96.1	<u>Defined Area:</u>	<i>OS2-96, as shown on Zoning Map Parts 2(ar) and 55(m).</i>
8.3.2.96.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Farm use.</li> <li>(b) Accessory uses.</li> </ul>
8.3.2.96.3	<u>Only Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) Farm buildings and structures, but no dwelling shall be permitted.</li> <li>(b) Accessory buildings and structures.</li> </ul>
8.3.2.96.4	<u>Exceptions:</u>	<i>The provisions of subsections 8.3.1.1 and 8.3.1.2 shall not apply to the area defined in subsection 8.3.2.96.1.<sup>287</sup></i>

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<sup>286</sup> New subsection added by Clause 4. of By-law 2831, October 10<sup>th</sup>, 2023.

<sup>287</sup> New subsection added by Clause 6. of By-law 2831, October 10<sup>th</sup>, 2023.

## **8.4. OPEN SPACE ZONE 3 (OS3) REGULATIONS**

### **8.4.1. GENERAL REGULATIONS**

- 8.4.1.1. Permitted Uses:
- (a) Any recreational use;
  - (b) The buying and selling of goods in a variety store;
  - (c) Accessory uses.
- 8.4.1.2. Prohibited Uses: Notwithstanding subsection 2.21. and 8.4.1.1. of this by-law, poultry, farms, , mushroom farms, fur farms, piggeries, hatcheries, greenhouses and dog kennels shall be prohibited.
- 8.4.1.3. Permitted Buildings and Structures:
- (a) Mobile homes and tents;
  - (b) Administration buildings for a recreational area;
  - (c) Courts and structures necessary for the erection of nets, baskets or other equipment incidental to the playing of amateur sports;
  - (d) Swimming pools;
  - (e) One retail store;
  - (f) Wash and laundry rooms;
  - (g) Boat ramps;
  - (h) Boat houses.
- 8.4.1.4. Lot Area: 20 acres.
- 8.4.1.5. Lot Frontage: 250 feet
- 8.4.1.6. Lot Coverage: 10% maximum
- 8.4.1.7. Height: One storey maximum
- 8.4.1.8. Location of Buildings:
- 8.4.1.8.1. Front Yard: 100 feet.
  - 8.4.1.8.2. Side Yards: 100 feet.
  - 8.4.1.8.3. Rear Yard: 100 feet.
- 8.4.1.9. Off-Street Parking:
- One parking space for each camping site;
  - One parking space for each mobile home site;
  - Six parking spaces for any variety store;
  - Twenty parking spaces for each boat ramp.
- 8.4.1.10. Floor Area: The floor area of any variety store shall not exceed 900 square feet.
- 8.4.1.11. Camping and Mobile Home Sites: 150 maximum.<sup>288</sup>

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<sup>288</sup> New Section 8.4 added by Clause 1.(2) of By-law 2238, November 19<sup>th</sup>, 1973; again by By-law 2248, March 25<sup>th</sup>, 1974; By-law 2238 repealed on March 25<sup>th</sup>, 1974.

#### **8.4.2. SPECIAL USE REGULATIONS**

Notwithstanding any other provision of this by-law, the special regulations contained in this subsection and the general regulations contained in subsection 8.4.1 shall, except as hereinafter provided, apply to the area or areas defined below:

**(OS3-1 lands rezoned to OS3-2 and OS3-3 by By-law 3334, March 14<sup>th</sup>, 1994.)**

##### 8.4.2.2

- |            |  |  |
|------------|--|--|
| 8.4.2.2.1  | <u>Defined Area:</u>                       | OS3-2 as shown on Zoning Map, Part 41(a).  |
| 8.4.2.2.2  | <u>Only Permitted Uses:</u>                | (a) Campground;<br>(b) Accessory Uses.   |
| 8.4.2.2.3  | <u>Permitted Buildings and Structures:</u> | (a) Travel trailers and tents;<br>(b) Administration buildings for the campground area;<br>(c) Accessory Uses.   |
| 8.4.2.2.4  | <u>Setback from Watercourse:</u>           | No buildings or structures shall be located within 15 metres of the top-of-bank of a watercourse.  |
| 8.4.2.2.5  | <u>Lot Area:</u>                           | 13 hectares.   |
| 8.4.2.2.6  | <u>Lot Frontage:</u>                       | 169 metres.  |
| 8.4.2.2.7  | <u>Front Yard:</u>                         | 6 metres.  |
| 8.4.2.2.8  | <u>Side Yard:</u>                          | 1.5 metres.  |
| 8.4.2.2.9  | <u>Rear Yard:</u>                          | 7.62 metres.   |
| 8.4.2.2.10 | <u>Exceptions:</u>                         | The provisions of subsections 8.4.1.1.; 8.4.1.2.; 8.4.1.3.; 8.4.1.4.; 8.4.1.6.; and 8.4.1.8. shall not apply to the area defined in subsection 8.4.2.2.1. <sup>289</sup> |

##### 8.4.2.3

- |           |   |  |
|-----------|---|--|
| 8.4.2.3.1 | <u>Defined Area:</u>                            | OS3-3 as shown on Zoning Map, Part 41(a).  |
| 8.4.2.3.2 | <u>Only Permitted Uses:</u>                     | a) Drainage Purposes;<br>b) Conservation Purposes;<br>c) Flood and Erosion Control.  |
| 8.4.2.3.3 | <u>Only Permitted Buildings and Structures:</u> | Buildings and structures erected by a municipality or a public conservation authority for uses permitted by subsection 8.4.2.3.2.    |
| 8.4.2.3.4 | <u>Exceptions:</u>                              | The provisions of Subsection 8.4.1 (General Regulations) shall not apply to the area defined in subsection 8.4.2.3.1. <sup>290</sup> |

<sup>289</sup> Subsection added by Clause 3. of By-law 3334, March 14<sup>th</sup>, 1994.

<sup>290</sup> Subsection added by Clause 5. of By-law 3334, March 14<sup>th</sup>, 1994.

**RESIDENTIAL ZONES**

## **RESIDENTIAL (R) ZONE REGULATIONS**

### **SECTION 9**

#### **9.1. EXISTING USES IN RESIDENTIAL ZONES**

- 9.1.1. The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces, shall remain as they lawfully exist on the day of the passing of this by-law.
- 9.1.2. Sub-section 9.1.1. shall not prohibit the erection of accessory building or the enlargement or extension of buildings and other structures which are permitted under the provisions of sub-sections 9.2. provided the erection, enlargement, or extension is in conformity with the applicable provisions of this by-law other than subsection 9.1.1.
- 9.1.3. Where the frontage and area of a lot on which buildings and other structures are located is less than that required in sub-sections 9.2., the lot frontage and lot area which lawfully exist on the day of the passing of this by-law shall be the minimum lot frontage and the minimum lot area of such lot for the purposes of this by-law.

## 9.2. RESIDENTIAL ZONE 1 (R1) REGULATIONS

### 9.2.1. GENERAL USE REGULATIONS

- 9.2.1.1. Permitted Uses:
- (a) Residential use;
  - (b) Institutional uses lawfully existing on the day of the passing of this by-law;
  - (c) Home Occupations;
  - (d) Accessory uses.
- 9.2.1.2. Permitted Buildings and other Structures:
- (a) One *single detached*<sup>291</sup> dwelling or one unit of a semi-detached dwelling on one lot;
  - (b) Institutional buildings and structures lawfully existing on the day of the passing of this by-law;
  - (c) Accessory buildings on residential lots.
- 9.2.1.3. Lot Area:
- 9.2.1.3.1. Where public sanitary sewage disposal facilities and piped public water facilities are not available: *1858 square metres.*<sup>292</sup>
- 9.2.1.3.2. Where public sanitary sewage disposal facilities are not available but piped public water supply is available: *1858 square metres.*<sup>293</sup>
- 9.2.1.3.3. Where public sanitary sewage disposal facilities and piped public water supply is available: *464.5 square metres.*<sup>294</sup>
- 9.2.1.4. Lot Frontage:
- 9.2.1.4.1. Where subsection 9.2.1.3.1 applies: 100 feet.
- 9.2.1.4.2. Where subsection 9.2.1.3.2 applies: *30 metres.*<sup>295</sup>
- 9.2.1.4.3. Where subsection 9.2.1.3.3 applies: *15 metres.*<sup>296</sup>
- 9.2.1.5. Lot Depth: 100 feet.
- 9.2.1.6. Coverage: *35% maximum.*<sup>297</sup>
- 9.2.1.7. Location of Buildings and other Structures:
- 9.2.1.7.1. Front Yard
- (a) *19.75 metres on lots fronting upon a Provincial Highway or a County Road.*
  - (b) *7.5 metres on a Township Road.*

<sup>291</sup> Wording in Subsection 9.2.1.2(a) deleted and substituted by Clause 11. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>292</sup> Wording in Subsection 9.2.1.3.1 deleted and substituted by Clause 12. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>293</sup> Wording in Subsection 9.2.1.3.2 deleted and substituted by Clause 13. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>294</sup> Wording in Subsection 9.2.1.3.3 deleted and substituted by Clause 14. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>295</sup> Wording in Subsection 9.2.1.4.2 deleted and substituted by Clause 15. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>296</sup> Wording in Subsection 9.2.1.4.3 deleted and substituted by Clause 16. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>297</sup> Wording in Subsection 9.2.1.6 repealed and substituted by Clause 17. of By-law 3459, August 12<sup>th</sup>, 1996.

9.2.1.7.2	<u>Side Yards</u>	(a) Interior Side Yard: 1 metre. (b) Exterior Side Yard: 3.5 metres.
9.2.1.7.3	<u>Rear Yard</u>	6.0 metres. <sup>298</sup>
9.2.1.8	<u>Height:</u>	(a) 2 storey maximum for the main building; (b) 5.5 metres for accessory buildings or structures. <sup>299</sup>
9.2.1.10.	<u>Ground Floor Area</u>	(a) 800 square feet for a one storey one-family dwelling; (b) 800 square feet for one dwelling unit of a semi-detached dwelling; (d) 750 square feet for a one-family dwelling having more than one storey.
9.2.1.11.	<u>Off-Street Parking:</u>	1-1/2 parking spaces per dwelling unit on the lot on which the dwelling is located plus one additional parking space for every 100 square feet or portion thereof over the first 100 square feet of floor area devoted to or used for the purposes of a home occupation;

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<sup>298</sup> Wording in Subsection 9.2.1.7 repealed and substituted by Clause 18. of By-law 3459, August 12<sup>th</sup>, 1996.

<sup>299</sup> Wording in Subsection 9.2.1.8 repealed and substituted by Clause 19. of By-law 3459, August 12<sup>th</sup>, 1996.

## 9.2.2. SPECIAL USE REGULATIONS

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 9.2.1., the special regulations contained in this subsection shall apply to the area or areas defined:

**(R1-1 lands rezoned to R1-20 by Clause 2. of By-law 3191, July 9<sup>th</sup>, 1990.)**

**(R1-2 zoning never final approved by OMB, file closed.)**

### 9.2.2.3

9.2.2.3.1 Defined Area: R1-3 as shown on the Zoning Map; Part 8(m).

9.2.2.3.2 Location of Buildings and Structures: No part of any dwelling or accessory building including a swimming pool shall be located within the area defined in subsection 9.2.2.3.1 except within the Building Area shown on Schedule 11.

9.2.2.3.2 Exception: The provisions of subsection 9.2.1.7 shall not apply to such defined area.<sup>300</sup>

### 9.2.2.4

9.2.2.4.1 Defined Area: R1-4 as shown on Schedule "14".

9.2.2.4.2 Lot Frontage: Notwithstanding subsection 9.2.1.4 of By-law No. 1998, the lot frontage on Part 5 and Part 6 as shown on Plan IIR-1697, and reproduced on Schedule "14" to this By-law shall be the minimum lot frontage required for the purposes of this By-law for the said lots.

9.2.2.4.3 Exceptions: The provisions of Section 7.21 shall not apply to sanitary buildings and structures in the defined area lawfully used for such purposes on the day of the passing of this by-law.<sup>301</sup>

### 9.2.2.5

9.2.2.5.1 Defined Area: R1-5 as shown on the Zoning Map, Part 5(c), and on Schedule 15.

9.2.2.5.2 Front Yard:

(a) 21.33 metres on lots fronting upon a King's Highway or County Road.

(b) Subject to subsection 9.2.2.5.2.(a), a minimum front yard of 7.62 metres is required for lots within the defined area.

9.2.2.5.3 Side Yards: Notwithstanding subsection 9.2.1.7.2 the side yard for both main and accessory buildings shall be not less than 7.62 metre along a flanking street.

9.2.2.5.4 Exception: The provisions of subsection

<sup>300</sup> Subsection added by Clause 3. of By-law 2464, June 19<sup>th</sup>, 1978.

<sup>301</sup> Subsection added by Clause 3. of By-law 2521, July 3<sup>rd</sup>, 1979.

9.2.1.7.1(a) and (b) shall not apply to the area defined in subsection 9.2.2.5.1.<sup>302</sup>

9.2.2.6			
	9.2.2.6.1	<u>Defined Area:</u>	R1-6 as shown on Zoning Map, Part 19(d).
	9.2.2.6.2	<u>Lot Frontage:</u>	22.0 metres.
	9.2.2.6.3	<u>Exceptions:</u>	The provisions of subsection 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.6.1. <sup>303</sup>
9.2.2.7			
	9.2.2.7.1	<u>Defined Area:</u>	R1-7 as shown on the Zoning Map, Part 19(f).
	9.2.2.7.2	<u>Other Permitted Uses:</u>	(a) repair of automotive vehicles as an accessory use.
	9.2.2.7.3	<u>Other Permitted Buildings and Structures:</u>	No additional buildings or structures are permitted in the defined area for the use permitted in subsection 9.2.2.7.2.
	9.2.2.7.4.	<u>Maximum Floor Area:</u>	The maximum floor area permitted for the uses permitted in subsection 9.2.2.7.2 shall not exceed 81 square metres and shall be located within the garage existing on the lot on July 25th, 1983.
	9.2.2.7.5.	<u>Outdoor Storage Prohibited:</u>	Outdoor storage of automotive vehicles in connection with the use permitted by subsection 9.2.2.7.2 is prohibited. <sup>304</sup>

**(R1-8 zone repealed by Clause 4. of By-law 182, January 24<sup>th</sup>, 2000.)**

9.2.2.9			
	9.2.2.9.1	<u>Defined Area:</u>	R1-9, as shown on Zoning Map, Part 16(g).
	9.2.2.9.2	<u>Other Permitted Uses:</u>	The business of metal fabricating and welding may be carried on as an accessory use.
	9.2.2.9.3	<u>Other Permitted Buildings and Structures:</u>	An accessory building for the permitted uses.
	9.2.2.9.4	<u>Maximum Area:</u>	The maximum area of the structure permitted by subsection 9.2.2.9.3 is 85 square metres. <sup>305</sup>

**R1-10 zone appealed to OMB, repealed by Board on September 2<sup>nd</sup>, 1986.)**

9.2.2.11			
	9.2.2.11.1	<u>Defined Area:</u>	R1-11, as shown on the Zoning Map, Part 36(j).
	9.2.2.11.2	<u>Other Permitted Uses:</u>	An artist's studio and gallery.

<sup>302</sup> Subsection added by Clause 3. of By-law 2529, August 7<sup>th</sup>, 1979.

<sup>303</sup> Subsection added by Clause 3. of By-law 2608, April 6<sup>th</sup>, 1981.

<sup>304</sup> Subsection added by Clause 3. of By-law 2772, July 25<sup>th</sup>, 1983.

<sup>305</sup> Subsection added by Clause 3. of By-law 2882, August 12<sup>th</sup>, 1985.

9.2.2.11.3	<u>Lot Area:</u>	595 square metres.
9.2.2.11.4	<u>Lot Frontage:</u>	22 metres.
9.2.2.11.5	<u>Lot Depth:</u>	29 metres.
9.2.2.11.6	<u>Coverage:</u>	30% maximum.
9.2.2.11.7	<u>Front Yard:</u>	4 metres.
9.2.2.11.8	<u>Floor Area Ratio:</u>	.50 maximum.
9.2.2.11.9	<u>Exceptions:</u>	The provisions of subsections 7.21, 9.2.1.3, 9.2.1.4, 9.2.1.5, 9.2.1.6, 9.2.1.7.1 and 9.2.1.9, shall not apply to the defined area set out in subsection 9.2.2.11.1. <sup>306</sup>
9.2.2.12		
9.2.2.12.1	<u>Defined Area:</u>	R1-12, as shown on Zoning Map 8(w).
9.2.2.12.2	<u>Only Permitted Use:</u>	Residential use.
9.2.2.12.3	<u>Only Permitted Buildings and Structures:</u>	One, one-family dwelling.
9.2.2.12.4	<u>Lot Area:</u>	1.78 hectares.
9.2.2.12.5	<u>Lot Frontage:</u>	39 metres.
9.2.2.12.6	<u>Lot Depth:</u>	158 metres.
9.2.2.12.7	<u>Off-Street Parking:</u>	2 parking spaces.
9.2.2.12.8	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1(b) and (c), 9.2.1.2(a) and (b), 9.2.1.3, 9.2.1.4, 9.2.1.5, 9.2.1.10(b) and 9.2.1.11 shall not apply to the defined area set out in subsection 9.2.2.12.1. <sup>307</sup>

**(R1-13 zone expired August 10<sup>th</sup>, 1990 through Clause 4. of By-law 3026.)**

9.2.2.14		
9.2.2.14.1	<u>Defined Area:</u>	R1-14, as shown on Zoning Map, Part 8(ae).
9.2.2.14.2	<u>Additional Permitted Uses:</u>	Repair and retail sales of firearms.
9.2.2.14.3	<u>Minimum Lot Area:</u>	0.07 hectares (0.18 acres).
9.2.2.14.4	<u>Minimum Lot Frontage:</u>	21.0 metres (69 feet).
9.2.2.14.5	<u>Location of Buildings and Structures:</u>	Buildings, structures and uses shall be located in accordance with Schedule "B" to this By-law.
9.2.2.14.6	<u>Off-Street Parking:</u>	The lands outlined in heavy solid lines on Schedule "A" of this By-law shall not be used for any purpose permitted by subsection 9.2.2.14.2, unless three (3) off-street parking spaces are provided and maintained within such defined area, during such use.

<sup>306</sup> Subsection added by Clause 3. of By-law 3000, May 11<sup>th</sup>, 1987.

<sup>307</sup> Subsection added by Clause 3. of By-law 3013, July 13<sup>th</sup>, 1987.

9.2.2.14.7	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1.3, 9.2.1.4 and 9.2.1.7 shall not apply to the area defined in subsection 9.2.2.14.1.<sup>308</sup></i>
9.2.2.15		
9.2.2.15.1	<u>Defined Area:</u>	<i>R1-15 as shown on Zoning Map, Part 16(i).</i>
9.2.2.15.2	<u>Minimum Lot Area:</u>	<i>0.18 hectares (0.44 acres).</i>
9.2.2.15.3	<u>Minimum Lot Frontage:</u>	<i>26.2 metres (86 feet).</i>
9.2.2.15.4	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1.3 and 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.15.1.<sup>309</sup></i>
9.2.2.16		
9.2.2.16.1	<u>Defined Area:</u>	<i>R1-16, as shown on Zoning Map, Part 8(ag).</i>
9.2.2.16.2	<u>Only Permitted Uses:</u>	<i>Residential use and uses accessory thereto.</i>
9.2.2.16.3	<u>Only Permitted Buildings and Structures:</u>	<i>One single-detached dwelling, and accessory building on one residential lot.</i>
9.2.2.16.4	<u>Lot Area:</u>	<i>0.4 hectares (1 acre).</i>
9.2.2.16.5	<u>Lot Frontage:</u>	<i>30 metres (100 feet).</i>
9.2.2.16.6	<u>Coverage:</u>	<i>30% maximum.</i>
9.2.2.16.7	<u>Location of Buildings and Other Structures:</u>	
9.2.2.16.7.1	<u>Side Yard:</u>	<ul style="list-style-type: none"> <li>a) <i>1.22 metres (4 feet) plus 0.61 metres (2 feet) for each storey or part thereof above one storey for the main building.</i></li> <li>b) <i>Where a garage is not a part of the main building, a side yard of 3.05 metres (10 feet) is required on one side.</i></li> <li>c) <i>0.61 metres (2 feet) for detached accessory buildings or structures erected to the rear of the main building.</i></li> </ul>
9.2.2.16.7.2	<u>Rear Yard:</u>	<ul style="list-style-type: none"> <li>a) <i>10.7 metres (35 feet) for the main building.</i></li> <li>b) <i>0.61 metres (2 feet) for detached accessory buildings or structures erected to the rear of the main building.</i></li> </ul>
9.2.2.16.7.3	<u>Building Setback:</u>	<i>No person shall be permitted to locate a building or structure beyond the building and fill setback line as shown on Schedule "27" to this By-law.</i>
9.2.2.16.8	<u>Height (Maximum):</u>	<ul style="list-style-type: none"> <li>a) <i>11 metres (36 feet) for the main building.</i></li> </ul>

<sup>308</sup> Subsection added by Clause 3. of By-law 3096, November 7<sup>th</sup>, 1988.

<sup>309</sup> Subsection added by Clause 3. of By-law 3114, January 23<sup>rd</sup>, 1989.

		b)	4 metres (13 feet) for accessory buildings and structures.
9.2.2.16.9	<u>Ground Floor Area:</u>	a)	148.5 square metres (1,600 square feet) for a one-storey building.
		b)	130 square metres (1,400 square feet) for a one-and-one-half storey dwelling or a split level dwelling.
		c)	111.5 square metres (1,200 square feet) for a two-storey dwelling.
9.2.2.16.10	<u>Off-Street Parking:</u>		Two spaces for each dwelling.
9.2.2.16.11	<u>Exceptions:</u>		The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.3, 9.2.1.4, 9.2.1.6, 9.2.1.7.2, 9.2.1.7.3, 9.2.1.8, 9.2.1.10 and 9.2.1.11 shall not apply to the area affected as defined in 9.2.2.16.1. <sup>310</sup>
9.2.2.17			
9.2.2.17.1	<u>Defined Area:</u>		R1-17, as shown on Zoning Map, Part 3(b).
9.2.2.17.2	<u>Only Permitted Uses:</u>		Residential use and uses accessory thereto.
9.2.2.17.3	<u>Only Permitted Buildings and Other Structures:</u>	a)	One single-detached dwelling on one lot.
		b)	Accessory buildings.
9.2.2.17.4	<u>Lot Area:</u>		650 square metres (7,000 square feet).
9.2.2.17.5	<u>Lot Frontage:</u>		18.3 metres (60 feet).
9.2.2.17.6	<u>Coverage:</u>		35% maximum.
9.2.2.17.7	<u>Location of Buildings and Other Structures:</u>		
	9.2.2.17.7.1 <u>Side Yard:</u>	a)	1.22 metres (4 feet) plus 0.61 metres (2 feet) for each storey or part thereof above one storey for the main building.
		b)	Where a garage is not a part of the main building, a side yard of 3.05 metres (10 feet) from the main building is required on one side.
		c)	0.61 metres (2 feet) for detached accessory buildings or structures erected to the rear of the main building.
		d)	On a corner lot, no building or structure shall be located less than 4.0 metres (14 feet) from the longer street lot line.
	9.2.2.17.7.2 <u>Rear Yard:</u>	a)	10.7 metres (35 feet) for the main building.

<sup>310</sup> Subsection added by Clause 3. of By-law 3168, February 12<sup>th</sup>, 1990.

		b)	0.61 metres (2 feet) for detached accessory buildings or structures erected to the rear of the main building.
	9.2.2.17.7.3	<u>Building Setback:</u>	The minimum setback for all buildings and structures from the 228.6 elevation metre (750 feet) shall be 4.6 metres (15 feet) as shown on Schedule 26.
	9.2.2.17.8	<u>Height (Maximum):</u>	a) 11 metres (36 feet) for the main building. b) 4 metres (13 feet) for accessory buildings and structures.
	9.2.2.17.9	<u>Ground Floor Area:</u>	a) 148.5 square metres (1,600 square feet) for a one-storey building. b) 130 square metres (1,400 square feet) for a 1½ storey dwelling or a split level dwelling. c) 111.5 square metres (1,200 square feet) for a two storey dwelling.
	9.2.2.17.10	<u>Off-Street Parking:</u>	Two spaces for each dwelling.
	9.2.2.17.11	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.3, 9.2.1.4, 9.2.1.6, 9.2.1.7.2, 9.2.1.7.3, 9.2.1.8, 9.2.1.10 and 9.2.1.11 shall not apply to the area affected as defined in 9.2.2.17.1. <sup>311</sup>
9.2.2.18			
	9.2.2.18.1	<u>Defined Area:</u>	R1-18 as shown on the Zoning Map, Part 2(q).
	9.2.2.18.2	<u>Only Permitted Uses:</u>	Residential use and uses accessory thereto.
	9.2.2.18.3	<u>Only Permitted Buildings and Structures:</u>	a) One single detached dwelling on one lot. b) Accessory buildings.
	9.2.2.18.4	<u>Lot Area:</u>	400 square metres.
	9.2.2.18.5	<u>Lot Frontage:</u>	a) 12 metres. b) For the purpose of this by-law, lot frontage means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line and

<sup>311</sup> Subsection added by Clause 3. of By-law 3161, January 8<sup>th</sup>, 1990.

where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line at a point within the lot and 7.5 metres from the front lot line.

- 9.2.2.18.6 Building Setback: No person shall be permitted to locate a building or structure beyond the building and fill setback line as shown on Schedule "28" to this By-law.
- 9.2.2.18.7 Maximum Building Height: 11 metres
- 9.2.2.18.8 Maximum Accessory Building Height: 4 metres
- 9.2.2.18.9 Maximum Lot Coverage: 35%
- 9.2.2.18.10 Front Yard: 6 metres
- 9.2.2.18.11 Rear Yard: 9 metres
- 9.2.2.18.12 Side Yard:
- a) 1 metre
  - b) On a corner Lot, a side yard of 4 metres is required adjacent to the flanking street.
- 9.2.2.18.13 Ground Floor Area:
- a) 74 square metres for a 1 storey dwelling.
  - b) 60 square metres for a 1 1/2 storey dwelling.
  - c) 42 square metres for 2 or more storey dwelling.
- 9.2.2.18.14 Off Street Parking: 1 per dwelling unit.
- 9.2.2.18.15 Exceptions: The provisions of subsection 9.2.1 shall not apply to the area defined in subsection 9.2.2.18.1.<sup>312</sup>

**(R1-19 zone expired through Clause 5. of By-law 3193, July 9<sup>th</sup>, 1993.)**

- 9.2.2.20
- 9.2.2.20.1 Defined Area: R1-20 as shown on the Zoning Map, Part 19(h).
- 9.2.2.20.2 Other Permitted Uses: The business of "Electrical Services" may be carried on as an accessory use.
- 9.2.2.20.3 Other Permitted Buildings and Structures:
- (a) an accessory building for the uses permitted by subsection 9.2.2.20.2.
  - (b) two dwelling units within the accessory building permitted by subsection 9.2.2.20.3(a).
- 9.2.2.20.4 Side Yards:
- a) 1.5 metres for the buildings and structures permitted by subsections 9.2.1.2 and 9.2.2.20.3.
  - b) 1.2 metres for accessory buildings except where the

<sup>312</sup> Subsection added by Clause 3. of By-law 3175, April 9<sup>th</sup>, 1990.

accessory building is detached and erected entirely to the rear of a main building then a side yard of .6 metres is permitted.

9.2.2.20.5 Exceptions: The provisions of subsection 9.2.1.7.2 and 7.21 shall not apply to the area defined in subsection 9.2.2.20.1.<sup>313</sup>

**(R1-21 zone expired August 13<sup>th</sup>, 1993 through Clause 4. of By-law 3197.)**

9.2.2.22

9.2.2.22.1 Defined Area: R1-22 as shown on the Zoning Map, Part 36(p).

9.2.2.22.2 Other Permitted Use: Retail sales.

9.2.2.22.3 Other Permitted Buildings and Structures: Buildings and structures for the permitted use.

9.2.2.22.4 Maximum Floor Area: The maximum floor area for the use permitted by subsection 9.2.2.22.2 shall not exceed 25 square metres.

9.2.2.22.5 Off Street Parking: A minimum of two parking spaces shall be provided for the use permitted by subsection 9.2.2.22.2.<sup>314</sup>

9.2.2.23

9.2.2.23.1 Defined Area: R1-23, as shown on Map Part 3(c).

9.2.2.23.2 Only Permitted Uses: Residential use and uses accessory thereto.

9.2.2.23.3 Only Permitted Buildings and Structures:

- a) One single detached dwelling on one lot.
- b) Accessory buildings.

9.2.2.23.4 Lot Area: 650 square metres.

9.2.2.23.5 Lot Frontage:

- a) 18.3 metres.
- b) For the purpose of this by-law, lot frontage means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.65 metres from the front lot line and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line at a point within the lot and 7.65 metres from the front lot line.

<sup>313</sup> Subsection added by Clause 3. of By-law 3191, July 9<sup>th</sup>, 1990.

<sup>314</sup> Subsection added by Clause 3. of By-law 3204, November 13<sup>th</sup>, 1990.

9.2.2.23.6	<u>Coverage:</u>	35% maximum
9.2.2.23.7	<u>Location of Buildings and Other Structures:</u>	
9.2.2.23.7.1	<u>Front Yard:</u>	7.65 metres.
9.2.2.23.7.2	<u>Side Yard:</u>	a) 1.22 metres plus 0.61 metres for each storey or part thereof above one storey for the main building. b) Where a garage is not a part of a main building, a side yard of 3.05 metres from the main building is required on one side. c) 0.61 metres for detached necessary buildings or structures erected to the rear of the main building.
9.2.2.23.7.3	<u>Rear Yard:</u>	a) 10.7 metres for the main building. b) 0.61 metres for detached accessory buildings or structures erected to the rear of the main building.
9.2.2.23.8	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures
9.2.2.23.9	<u>Ground Floor Area:</u>	a) 148.5 square metres for a one-storey dwelling. b) 130 square metres for a one and a half storey dwelling or a split level dwelling. c) 111.5 square metres for a two storey dwelling.
9.2.2.23.10	<u>Off-Street Parking:</u>	Two parking spaces for each dwelling.
9.2.2.23.11	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.3, 9.2.1.4, 9.2.1.5, 9.2.1.6, 9.2.1.7, 9.2.1.8, 9.2.1.10 and 9.2.1.11 shall not apply to the area defined in subsection 9.2.2.23.1. <sup>315</sup>
9.2.2.24		
9.2.2.24.1	<u>Defined Area:</u>	R1-24, as shown on Zoning Map, Part 5(g).
9.2.2.24.2	<u>Front Yard:</u>	7.6 metres.
9.2.2.24.3	<u>Set Back From Top of Bank:</u>	No buildings or structures shall be permitted within 15.24 metres of the top of the bank as shown on Schedule "A".
9.2.2.24.4	<u>Exceptions:</u>	The provisions of subsections

<sup>315</sup> Subsection added by Clause 3. of By-law 3214, April 8<sup>th</sup>, 1991.

9.2.1.7.1 and 7.21 shall not apply to the area defined in subsection 9.2.2.24.1.<sup>316</sup>

9.2.2.25		
9.2.2.25.1	<u>Defined Area:</u>	R1-25, as shown on Zoning Map, Part 8(am).
9.2.2.25.2	<u>Other Permitted Uses:</u>	a) Bed and Breakfast. b) a retail gift shop, as an accessory use to the bed and breakfast use, having a maximum floor area not exceeding 38 square metres.
9.2.2.25.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by subsection 9.2.2.25.2.
9.2.2.25.4	<u>Definition:</u>	For the purposes of this amendment Bed and Breakfast "means a dwelling in which the owner resides and supplies, for profit and gain, to other persons, lodging with or without meals in rooms furnished by the owner."
9.2.2.25.5	<u>Off Street Parking:</u>	A minimum of seven parking spaces shall be provided and maintained at all times.
9.2.2.25.6	<u>Signs:</u>	The total area of all signs advertising the uses permitted by 9.2.2.25.2 above shall not exceed 5 square metres and no single sign shall exceed 1 metre by 1 metre in dimensions.
9.2.2.25.7	<u>Exceptions:</u>	The provisions of subsection 7.21 shall not apply to the area defined in subsection 9.2.2.25.1. <sup>317</sup>
9.2.2.26		
9.2.2.26.1	<u>Defined Area:</u>	R1-26, as shown on Zoning Map, Part 8(an).
9.2.2.26.2	<u>Lot Area:</u>	1124 square metres.
9.2.2.26.3	<u>Lot Frontage:</u>	21 metres.
9.2.2.26.4	<u>Front Yard:</u>	2 metres.
9.2.2.26.5	<u>Side yards:</u>	7.6 metres adjacent to Highway No.4 and 3 metres on the other side.
9.2.2.26.6	<u>Exceptions:</u>	The provisions of subsections 9.2.1.3, 9.2.1.4, 9.2.1.7.1, 9.2.1.7.2 and 7.21 shall not apply to the area defined in subsection 9.2.2.26.1. <sup>318</sup>

**(R1-27 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

**(R1-28 zone expired through Clause 4. of By-law 3312, July 12<sup>th</sup>, 1996.)**

**(R1-29 zone expired August 8<sup>th</sup>, 1996 through Clause 4. of By-law 3318.)**

**(R1-30 amendment appealed to OMB, never approved.)**

<sup>316</sup> Subsection added by Clause 3. of By-law 3248, January 13<sup>th</sup>, 1992.

<sup>317</sup> Subsection added by Clause 3. of By-law 3249, January 13<sup>th</sup>, 1992.

<sup>318</sup> Subsection added by Clause 3. of By-law 3263, April 13<sup>th</sup>, 1992.

9.2.2.31		
9.2.2.31.1	<u>Defined Area:</u>	R1-31 as shown on the Zoning Map, Part 16(n).
9.2.2.31.2	<u>Minimum Lot Frontage:</u>	30 metres.
9.2.2.31.3	<u>Minimum Lot Area:</u>	1900 square metres.
9.2.2.31.4	<u>Exceptions:</u>	The provisions of subsection 9.2.1.3, 9.2.1.4 and 7.21 shall not apply to the area defined in subsection 9.2.2.31.1. <sup>319</sup>

**(R1-32 zone, By-law 3358 repealed by OMB, Order No. R940474, August 25<sup>th</sup>, 1995.)**

**(New R1-32 zone deleted by Clause 1. of By-law 3419, December 11<sup>th</sup>, 1995.)**

9.2.2.33		
9.2.2.33.1	<u>Defined Area:</u>	R1-33 as shown on Zoning Map, Part 1(t).
9.2.2.33.2	<u>Additional Permitted Uses:</u>	(a) a delicatessen (b) retail sale of gifts and crafts
9.2.2.33.3	<u>Definitions:</u>	For the purposes of this amendment a delicatessen shall be defined as a place where ready-to-eat food products intended to be consumed off the premises are prepared and sold, and where the consumption of foods at tables or counters is not permitted either inside or outside the building.
9.2.2.33.4	<u>Location of Additional Permitted Use:</u>	The additional uses permitted by subsection 9.2.2.33.2 shall be located only within the building existing on the lot on the date of the passing of this by-law.
9.2.2.33.5	<u>Maximum Floor Area:</u>	The maximum floor area devoted to the uses permitted by subsection 9.2.2.33.2 shall not exceed 52 square metres.
9.2.2.33.6	<u>Off Street Parking:</u>	A minimum of eight parking spaces shall be provided and maintained at all times.
9.2.2.33.7	<u>Signs:</u>	One sign having an area not greater than 5 square metres and a height not greater than 2 metres shall be permitted within the defined area.
9.2.2.33.8	<u>Outside Storage:</u>	No outside storage of goods, materials or products associated with the use permitted by subsection 9.2.2.33.2 shall be permitted.
9.2.2.33.9	<u>Exceptions:</u>	The provisions of subsection 7.21 shall not apply to the area defined in subsection 9.2.2.33.1. <sup>320</sup>

<sup>319</sup> Subsection added by Clause 3. of By-law 3348, July 11<sup>th</sup>, 1994.

<sup>320</sup> Subsection added by Clause 3. of By-law 3389, May 8<sup>th</sup>, 1995.

9.2.2.34		
9.2.2.34.1	<u>Defined Area:</u>	R1-34, as shown on Zoning Map, Part 2(v).
9.2.2.34.2	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>a) One single detached dwelling per lot.</li> <li>b) Accessory buildings and structures.</li> <li>c) Notwithstanding any other provisions of this by-law, accessory buildings and structures existing as of the date of the passing of this By-law are permitted on Lot 1, as shown outlined in heavy solid lines on Schedule "B" to this By-law, prior to the construction of a single detached dwelling (main building) on the lot.</li> </ul>
9.2.2.34.3	<u>Lot Area:</u>	0.36 hectares.
9.2.2.34.4	<u>Lot Frontage:</u>	30 metres.
9.2.2.34.5	<u>Coverage:</u>	35%
9.2.2.34.6	<u>Location of Buildings and Other Structures:</u>	
	9.2.2.35.6.1 <u>Front Yard:</u>	6 metres.
	9.2.2.35.6.2 <u>Side Yard:</u>	1 metre.
	9.2.2.35.6.3 <u>Rear Yard:</u>	9 metres.
9.2.2.34.7	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) 11 metres maximum for the main building.</li> <li>b) 4 metres maximum for accessory buildings and structures.</li> </ul>
9.2.2.34.8	<u>Floor Area:</u>	111.5 square metres. Notwithstanding subsection 2.22 (1), Floor Area does not include a basement or cellar floor area.
9.2.2.34.9	<u>Exceptions:</u>	The provisions of subsection 7.21, 9.2.1.1(b), 9.2.1.2, 9.2.1.3, 9.2.1.4, 9.2.1.5, 9.2.1.6, 9.2.1.7, 9.2.1.8 and 9.2.1.10 shall not apply to the area defined in subsection 9.2.2.34.1. <sup>321</sup>
9.2.2.35		
9.2.2.35.1	<u>Defined Area:</u>	R1-35, as shown on Zoning Map, Part 2(w).
9.2.2.35.2	<u>Permitted Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>a) One single detached dwelling per lot.</li> <li>b) Accessory buildings and structures.</li> </ul>
9.2.2.35.3	<u>Lot Frontage:</u>	<ul style="list-style-type: none"> <li>a) 11 metres.</li> <li>b) For the purpose of this By-law, lot frontage means the horizontal distance between</li> </ul>

<sup>321</sup> Subsection added by Clause 3. of By-law 3402, September 11<sup>th</sup>, 1995.

*the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line joining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line and where such lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line at a point within the lot and 7.5 metres from the front lot line.*

9.2.2.35.4	<u>Coverage:</u>	35%
9.2.2.35.5	<u>Building Setback:</u>	<i>No buildings or structures, except a fence, shall be located within the area shown cross-hatched on Schedule "B" to this By-law which is "Schedule 43" to By-law No, 1998 as amended.</i>
9.2.2.35.6	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) 11 metres maximum for the main building.</li> <li>b) 4 metres maximum for accessory buildings and structures.</li> </ul>
9.2.2.35.7	<u>Front Yard:</u>	5 metres
9.2.2.35.8	<u>Side Yard:</u>	<ul style="list-style-type: none"> <li>a) 1 metre.</li> <li>b) On a corner lot, a side yard of 4 metres is required adjacent to the flanking street.</li> </ul>
9.2.2.35.9	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1.1(b), 9.2.1.2, 9.2.1.4, 9.2.1.5, 9.2.1.6, 9.2.1.7.1, 9.2.1.7.2 and 9.2.1.8 shall not apply to the area defined in subsection 9.2.2.35.1.<sup>322</sup></i>
9.2.2.36		
9.2.2.36.1	<u>Defined Area:</u>	<i>R1-36, as shown on Zoning Map, Parts 2(x) and 3(e).</i>
9.2.2.36.2	<u>Maximum Lot Coverage:</u>	35%
9.2.2.36.3	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) 11 metres maximum for the main building.</li> <li>b) 6 metres maximum for accessory buildings and structures.</li> </ul>
9.2.2.36.4	<u>Front Yard:</u>	7 metres.
9.2.2.36.5	<u>Side Yard:</u>	<ul style="list-style-type: none"> <li>a) 1 metre.</li> <li>b) On a corner lot, a side yard of 4 metres is required adjacent to the flanking street.</li> </ul>
9.2.2.36.6	<u>Rear Yard:</u>	a) 10.7 metres for the main

<sup>322</sup> Subsection added by Clause 3. of By-law 3406, September 19<sup>th</sup>, 1995.

		<i>building.</i>
		b) <i>0.61 metres for detached accessory buildings and structures erected to the rear of the main building.</i>
9.2.2.36.7	<u>Exceptions:</u>	<i>The provisions of subsection 9.2.1.6, 9.2.1.7 and 9.2.1.8 shall not apply to the area defined in subsection 9.2.2.36.1.<sup>323</sup></i>
9.2.2.37		
9.2.2.37.1	<u>Defined Area:</u>	<i>R1-37 as shown on Zoning Map Part 2(t) and Zoning Map Part 3(d).</i>
9.2.2.37.2	<u>Only Permitted Uses:</u>	a) <i>Residential uses.</i> b) <i>Accessory uses.</i>
9.2.2.37.3	<u>Only Permitted Buildings:</u>	a) <i>One single detached dwelling on one lot.</i> b) <i>Accessory buildings.</i>
9.2.2.37.4	<u>Lot Area:</u>	<i>465 square metres.</i>
9.2.2.37.5	<u>Lot Frontage:</u>	a) <i>15 metres.</i> b) <i>For the purpose of this By-law, lot frontage means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line adjoining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line within the lot and 7.5 metres from the front lot line.</i>
9.2.2.37.6	<u>Coverage:</u>	<i>40% maximum.</i>
9.2.2.37.7	<u>Location of Permitted Buildings and Structures:</u>	
9.2.2.37.7.1	<u>Front Yard:</u>	<i>6 metres.</i>
9.2.2.37.7.2	<u>Side Yard:</u>	a) <i>1 metre.</i> b) <i>On a corner lot, a side yard of 4 metres is required adjacent to the flanking street.</i>
9.2.2.37.7.3	<u>Rear Yard:</u>	<i>Equal to the height of the main building, except that a detached accessory building shall not be erected within 0.61 metres of a rear lot line.</i>
9.2.2.37.8	<u>Height:</u>	a) <i>11 metres for the main building.</i>

<sup>323</sup> Subsection added by Clause 3. of By-law 3401, September 11<sup>th</sup>, 1995.

- b) 6 metres for detached accessory buildings and structures.
- 9.2.2.37.9 Ground Floor Area: a) 120.7 square metres for a one-storey or split level dwelling.
- b) 60.3 square metres for a dwelling with more than one storey, excluding a garage, basement or cellar.
- 9.2.2.37.10 Setback from Railway: No single detached dwellings are to be located within 15 metres of the Canadian National Railway right-of-way.<sup>324</sup>
- 9.2.2.37.11 Setback from Top-of-Bank: No buildings or structures shall be located within 5 metres of the 229 metre contour line, Geodetic Survey of Canada.
- 9.2.2.37.12 Off-Street Parking: 2 parking spaces per dwelling unit.
- 9.2.2.37.13 Exceptions: The provisions of subsection 9.2.1 (General Regulation) shall not apply to the area defined in subsection 9.2.2.37.1.
- 9.2.2.37.14 Holding Zone:
- a) Use of Symbol:  
Notwithstanding any other provisions of this by-law, where the symbol "h" appears on Zoning Map Part 2(t) or Zoning Map Part 3(d) as a prefix to the R1-37 zone applying to the defined area, the provisions of the R1-37 zone shall apply, subject to the requirements of subsection 9.2.2.37.14(b) and (c) below:
- b) Holding Zone Provisions:  
To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be removed until the applicant and/or landowner has:
1. filed an application for a draft plan of subdivision and received draft plan of subdivision approval from the appropriate approval authority pursuant to Section 51 of the Planning Act, R.S.O. 1990, as amended; and
  2. entered into a subdivision agreement with the Township of Yarmouth pursuant to Section 51(26) of the Planning Act, R.S.O.

<sup>324</sup> Subsection 9.2.2.37.10 replaced by Clause 1. of By-law 138, August 23<sup>rd</sup>, 1999.

1990, as amended,  
with respect to  
municipal servicing,  
financial, administrative  
and other matters  
related thereto.

c) *Interim Uses:*

*Uses existing as of the date of  
the passing of this by-law.*

*The removal of the "h" symbol  
requires an amendment to this by-law  
pursuant to Section 36 of the  
Planning Act, R.S.O., 1990, as  
amended.<sup>325</sup>*

9.2.2.38

9.2.2.38.1 Defined Area:

*R1-38 as shown on Zoning Map, Part  
2(y).*

9.2.2.38.2 Location of Buildings  
and other Structures:

- a) *Buildings and Structures for  
the permitted uses shall only  
be permitted within the area  
shown as "Building Area" on  
Schedule "B" to this By-law  
which is "Schedule 44" to By-  
law No. 1998 as amended.*
- b) *Notwithstanding the provisions  
of subsection 9.2.2.38.2 (a),  
within the "Building Area"  
shown on Schedule "B", no  
building or structure shall be  
permitted closer than 1 metre  
to any lot line.*

9.2.2.38.3 Exceptions:

*The provisions of subsection 9.2.1.7  
shall not apply to the area defined in  
subsection 9.2.2.38.1.<sup>326</sup>*

9.2.2.39

9.2.2.39.1 Defined Area:

*R1-39 as shown on Zoning Map Part  
2(aa).*

9.2.2.39.2 Permitted Uses:

- a) *single-detached dwelling.*
- b) *semi-detached dwelling.*
- c) *accessory uses.*

9.2.2.39.3 Permitted Buildings:

*In this zone, no building or structure  
shall be erected except for the uses  
permitted by subsection 9.2.2.39.2.*

9.2.2.39.4 Services Required:

*In this zone, no building or structure  
shall be erected or used for any  
purpose permitted by subsection  
9.2.2.39.2 unless the following  
services are available to service the  
building or structure and the land on  
which it is situate.*

- a) *a water supply system; and*
- b) *a sanitary sewage system and  
a storm sewage system*

9.2.2.39.5 Lot Area:

- a) *single-detached dwelling – 380  
square metres.*

<sup>325</sup> Subsection added by OMB Order No. R940474, August 25<sup>th</sup>, 1995.

<sup>326</sup> Subsection added by Clause 5. of By-law 3419, December 19<sup>th</sup>, 1995.

		b)	<i>semi-detached dwelling - 300 square metres per dwelling unit.</i>
9.2.2.39.6	<u>Lot Frontage:</u>	a)	<i>single-detached dwelling - 12 metres.</i>
		b)	<i>semi-detached dwelling - 10 metres per dwelling unit.</i>
		c)	<i>For the purpose of this By-law, lot frontage means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line adjoining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line within the lot and 7.5 metres from the front lot line.</i>
9.2.2.39.7	<u>Coverage:</u>		<i>40% maximum.</i>
9.2.2.39.8	<u>Maximum Number of Dwelling Units:</u>	a)	<i>single-detached dwelling - 1 per lot</i>
		b)	<i>semi-detached dwelling - 2 per lot.</i>
9.2.2.39.9	<u>Front Yard Depth:</u>		<i>6 metres.</i>
9.2.2.39.10	<u>Rear Yard Depth:</u>		<i>9 metres.</i>
9.2.2.39.11	<u>Side Yard Depth:</u>	a)	<i>interior side yard - 1 metre</i>
		b)	<i>exterior side yard - 4 metres</i>
9.2.2.39.12	<u>Height:</u>	a)	<i>11 metres for the main building.</i>
		b)	<i>6 metres for detached accessory buildings and structures.</i>
9.2.2.39.13	<u>Ground Floor Area:</u>	a)	<i>1 storey dwelling - 74 square metres.</i>
		b)	<i>1-1/2 storey dwelling - 60 square metres</i>
		c)	<i>2 storey dwelling - 42 square metres.</i>
9.2.2.39.14	<u>Off-Street Parking:</u>		<i>2 parking spaces per dwelling unit.</i>
9.2.2.39.15	<u>Exceptions:</u>		<i>The provisions of subsection 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.39.1.<sup>327</sup></i>

<sup>327</sup> Subsection added by Clause 3. of By-law 3443, May 13<sup>th</sup>, 1996.

**(R1-40 lands rezoned to R1-48 through Clause 2. of By-law 108, May 25<sup>th</sup>, 1999.)**

*Definitions/General Provisions:*

*Notwithstanding any other provisions of By-law No. 1998 as amended, the following definitions shall apply to the area defined in subsections 9.2.2.39.1 and 9.2.2.40.1*

**SINGLE DETACHED DWELLING** means a building containing one dwelling unit used, designed, or intended to be used for occupancy as one dwelling unit.

**SEMI-DETACHED DWELLING** means a building that is divided vertically into two dwelling units, each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units.

**TOWNHOUSE DWELLING** means a building containing three or more attached dwelling units in a single row, each of which dwelling unit has an independent entrance from the outside and is vertically separated from any abutting dwelling unit.

**MULTIPLE DWELLING** means a building containing three or more attached dwelling units not in a single row, each of which dwelling unit has an independent entrance from the outside and a masonry wall or walls vertically separating it from any abutting dwelling unit.

**SEVERANCE OF LOTS AND BUILDINGS:** *Where a semi-detached dwelling is lawfully erected in accordance with the provisions of this By-law, and any such dwelling and the lot on which it is located are lawfully severed, the zone requirements applicable to such semi-detached dwelling and the lot on which it is located as set forth in paragraph "9.2.2.39" shall apply to each lot created and the part of the building erected thereon except that the minimum lot area shall be 45% of the minimum for the lot before the severance, the minimum lot frontage shall be 45% of the minimum for the lot before the severance, the minimum lot coverage shall be 40% of the minimum for the lot before severance and the minimum for one side yard shall be nil and 1 metre for the other.*<sup>328</sup>

**(R1-41 zone expired October 15<sup>th</sup>, 1999 through Clause 4. of By-law 3476.)**

**(R1-42 zone expired by Clause 4. of By-law 3493, March 10<sup>th</sup>, 2002.)**

9.2.2.43

- |            |                             |   |
|------------|-----------------------------|---|
| 9.2.2.43.1 | <u>Defined Area:</u>        | R1-43 as shown on Zoning Map Part 5(j).   |
| 9.2.2.43.2 | <u>Permitted Uses:</u>      | a) single-detached dwelling.<br>b) semi-detached dwelling.<br>c) townhouse dwelling.<br>d) multiple dwelling.<br>e) accessory uses.   |
| 9.2.2.43.3 | <u>Permitted Buildings:</u> | In this zone, no building or structure shall be erected except for the uses permitted by subsection 9.2.2.43.2.   |
| 9.2.2.43.4 | <u>Services Required:</u>   | In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 9.2.2.43.2 unless the following services are available to service the building or structure and the land on which it is situate.<br><br>a) a water supply system; and<br>b) a sanitary sewage system and a storm sewage system. |

<sup>328</sup> Zone specific definitions added for R1-39 and R1-40 by Clause 6. of By-law 3443, May 13<sup>th</sup>, 1996.

- 9.2.2.43.5 Lot Area:
- a) *single-detached dwelling – 380 square metres.*
  - b) *semi-detached dwelling - 300 square metres per dwelling unit.*
  - c) *townhouse dwelling - 185square metres per dwelling unit.*
  - d) *multiple dwelling - 740 square metres per dwelling unit.*
- 9.2.2.43.6 Lot Frontage:
- a) *single-detached dwelling – 12 metres.*
  - b) *semi-detached dwelling - 10 metres per dwelling unit.*
  - c) *townhouse dwelling - 21 metres.*
  - d) *multiple dwelling - 21 metres.*
  - e) *For the purpose of this By-law, lot frontage means the horizontal distance between the side lot lines of a lot measured at right angles, but where such side lot lines are not parallel, the lot frontage shall be measured perpendicularly to the line adjoining the midpoint of the front and the midpoint of the rear lot lines at a point within the lot which is 7.5 metres from the front lot line and where such side lot lines meet, the lot frontage shall be measured perpendicularly to the line joining the apex of the triangle formed by the side lot lines and the front lot line within the lot and 7.5 metres from the front lot line.*
- 9.2.2.43.7 Coverage: 40% maximum.
- 9.2.2.43.8 Maximum Number of Dwelling Units:
- a) *single-detached dwelling – 1 per lot*
  - b) *semi-detached dwelling - 2 per lot.*
  - c) *townhouse dwelling - 4 per lot.*
  - d) *multiple dwelling- 4 per lot.*
- 9.2.2.43.9 Front Yard Depth: 6 metres.
- 9.2.2.43.10 Rear Yard Depth: 9 metres.
- 9.2.2.43.11 Side Yard Depth:
- a) *interior side yard - 1 metre for Dwellings permitted by 9.2.2.43.2(a) and (b) and 2 metres for dwellings permitted by 9.2.2.43.2 (c) and (d).*
  - b) *exterior side yard - 4 metres*
- 9.2.2.43.12 Height:
- a) *11 metres for the main building.*

		b)	6 metres for detached accessory buildings and structures.
9.2.2.43.13	<u>Ground Floor Area:</u>	a)	1 storey dwelling - 74 square metres.
		b)	1-1/2 storey dwelling - 60 square metres
		c)	2 storey dwelling - 42 square metres.
9.2.2.43.14	<u>Off-Street Parking:</u>		2 parking spaces per dwelling unit.
9.2.2.43.15	<u>Exceptions:</u>		The provisions of subsection 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.43.1. <sup>329</sup>
9.2.2.44			
9.2.2.44.1	<u>Defined Area:</u>		R1-44, as shown on Zoning Map, Part 8(ax).
9.2.2.44.2	<u>Additional Permitted Uses:</u>		Retail sale of infant and children's clothing and accessory items.
9.2.2.44.3	<u>Permitted Building for the Additional Permitted Uses:</u>		The detached shop building existing on the property at the date of the passing of this by-law is the only building that may be used for the uses permitted by subsection 9.2.2.44.2.
9.2.2.44.4	<u>Maximum Floor Area:</u>		The maximum floor area devoted to the uses permitted by subsection 9.2.2.44.2 shall not exceed 53 square metres.
9.2.2.44.5	<u>Off-Street Parking:</u>		A minimum of four parking spaces shall be provided and maintained at all times.
9.2.2.44.6	<u>Exceptions:</u>		The provisions of subsection 9.2.1.11 shall not apply to the area defined in subsection 9.2.2.44.1. <sup>330</sup>
9.2.2.45			
9.2.2.45.1	<u>Defined Area:</u>		R1-45, as shown on Zoning Map, Part 8(ay).
9.2.2.45.2	<u>Lot Frontage:</u>		27 metres.
9.2.2.45.3	<u>Exceptions:</u>		The provisions of subsection 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.45.1. <sup>331</sup>
9.2.2.46			
9.2.2.46.1	<u>Defined Area:</u>		R1-46, as shown on Zoning Map, Part 2(ac).
9.2.2.46.2	<u>Front Yard:</u>		Existing at the date of the passing of this By-law.
9.2.2.46.3	<u>Exceptions:</u>		The provisions of subsection 9.2.1.7.1

<sup>329</sup> Subsection added by Clause 4. of By-law 3517, June 23<sup>rd</sup>, 1997.

<sup>330</sup> Subsection added by Clause 3. of By-law 3531, October 14<sup>th</sup>, 1997.

<sup>331</sup> Subsection added by Clause 3. of By-law 59, August 17<sup>th</sup>, 1998.

shall not apply to the area defined in subsection 9.2.2.46.1.<sup>332</sup>

9.2.2.47

9.2.2.47.1 Defined Area: R1-47, as shown on Zoning Map, Part 2(ad).

9.2.2.47.2 Applicable Provisions: The provisions of subsection 9.2.1 and all other applicable provisions of this by-law shall apply to the defined area.<sup>333</sup>

9.2.2.48

9.2.2.48.1 Defined Area: R1-48, as shown on Zoning Map, Part 2(ae).

9.2.2.48.2 Permitted Uses  
a) single -detached dwelling  
b) accessory uses

9.2.2.48.3 Permitted Buildings And Structures: Buildings and structures for the permitted uses.

9.2.2.48.4 Services Required: In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 9.2.2.48.2 unless the following services are available to service the building or structure and the land on which it is situate.

- a) a municipal water supply system; and
- b) a municipal sanitary sewage system and a storm sewage system.

9.2.2.48.5 Lot Area: 380 square metres

9.2.2.48.6 Lot Frontage: 12 metres

9.2.2.48.7 Coverage: 40% maximum

9.2.2.48.8 Front Yard Depth: 6 metres

9.2.2.48.9 Rear Yard Depth: 9 metres

9.2.2.48.10 Side Yard Depth:  
a) interior side yard - 1 metre  
b) exterior side yard - 4 metres

9.2.2.48.11 Height:  
a) 11 metres for the main building  
b) 6 metres for detached accessory buildings and structures.

9.2.2.48.12 Ground Floor Area:  
a) 1 story dwelling - 74 square metres  
b) 1 ½ story dwelling - 60 square metres  
c) 2 story dwelling - 42 square metres

9.2.2.48.13 Off Street Parking: 2 parking spaces per dwelling unit.

<sup>332</sup> Subsection added by Clause 3. of By-law 102, April 26<sup>th</sup>, 1999.

<sup>333</sup> Subsection added by Clause 4. of By-law 106, May 17<sup>th</sup>, 1999.

9.2.2.48.14	<u>Exceptions:</u>	<i>The provisions of subsection 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.48.1.<sup>334</sup></i>
9.2.2.49		
9.2.2.49.1	<u>Defined Area:</u>	<i>R1-49, as shown on Zoning Map, Part 8(az).</i>
9.2.2.49.2	<u>Front Yard:</u>	<i>7.5 metres.</i>
9.2.2.49.3	<u>Exceptions:</u>	<i>The provisions of subsection 9.2.1.7.1 shall not apply to the area defined in subsection 9.2.2.49.1.<sup>335</sup></i>
9.2.2.50		
9.2.2.50.1	<u>Defined Area:</u>	<i>R1-50, as shown on Zoning Map, Part 8(ba).</i>
9.2.2.50.2	<u>Front Yard:</u>	<i>7.5 metres.</i>
9.2.2.50.3	<u>Exceptions:</u>	<i>The provisions of subsection 9.2.1.7.) shall not apply to the area defined in subsection 9.2.2.50.1.<sup>336</sup></i>
9.2.2.51		
9.2.2.51.1	<u>Defined Area:</u>	<i>R1-51, as shown on Zoning Map, Part 8(bb).</i>
9.2.2.51.2	<u>Applicable Provisions:</u>	<i>The provisions of subsection 9.2.1 and all applicable provisions of this by-law shall apply to the area defined in subsection 9.2.2.51.1.<sup>337</sup></i>

**(R1-52 zone expired October 25<sup>th</sup>, 2002 through Clause 4. of By-law 153.)**

9.2.2.53		
9.2.2.53.1	<u>Defined Area:</u>	<i>R1-53, as shown on Zoning Map Part 2(at) and Zoning Map Part 55(b).</i>
9.2.2.53.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) <i>single-detached dwelling</i></li> <li>b) <i>church</i></li> <li>c) <i>accessory uses</i></li> </ul>
9.2.2.53.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the permitted uses.</i>
9.2.2.53.4	<u>Services Required:</u>	<p><i>In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 9.2.2.53.2 unless the following services are available to service the building or structure and the land on which it is situate.</i></p> <ul style="list-style-type: none"> <li>a) <i>a municipal water supply system; and</i></li> <li>b) <i>a municipal sanitary sewage system and a storm sewage system.</i></li> </ul>
9.2.2.53.5	<u>Lot Area:</u>	<ul style="list-style-type: none"> <li>a) <i>380 square metres for a single detached dwelling.</i></li> <li>b) <i>2500 square metres for a church.</i></li> </ul>

<sup>334</sup> Subsection added by Clause 3. of By-law 108, May 25<sup>th</sup>, 1999.

<sup>335</sup> Subsection added by Clause 3. of By-law 127, July 12<sup>th</sup>, 1999.

<sup>336</sup> Subsection added by Clause 3. of By-law 145, September 20<sup>th</sup>, 1999.

<sup>337</sup> Subsection added by Clause 3. of By-law 146, September 20<sup>th</sup>, 1999.

9.2.2.53.6	<u>Lot Frontage:</u>	<ul style="list-style-type: none"> <li>a) 12 metres for a single detached dwelling.</li> <li>b) 125 metres for a church.</li> </ul>
9.2.2.53.7	<u>Coverage:</u>	40% maximum.
9.2.2.53.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.53.9	<u>Rear Yard Depth:</u>	9 metres.
9.2.2.53.10	<u>Side Yard Depth:</u>	<ul style="list-style-type: none"> <li>a) interior side yard - 1 metre for a single detached dwelling.</li> <li>b) interior side yard - 3 metres for a church.</li> <li>c) exterior side yard - 4 metres.</li> </ul>
9.2.2.53.11	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) 11 metres for a single detached dwelling.</li> <li>b) 6 metres for detached accessory buildings and structures.</li> <li>c) 18 metres for a church.</li> </ul>
9.2.2.53.12	<u>Ground Floor Area:</u>	<ul style="list-style-type: none"> <li>a) 1 story detached dwelling – 74 square metres.</li> <li>b) 1 story detached dwelling - 60 square metres.</li> <li>c) 2 story detached dwelling - 42 square metres.\</li> </ul>
9.2.2.53.13	<u>Off Street Parking:</u>	<ul style="list-style-type: none"> <li>a) 2 parking spaces per dwelling unit.</li> <li>b) church - 1 parking space for every 4 seats plus 1 parking space for every 100 sq metres of floor area where seating is not provided.</li> </ul>
9.2.2.53.14	<u>Exceptions:</u>	<i>The provisions of subsection 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.53.1.<sup>338</sup></i>
9.2.2.54		
9.2.2.54.1	<u>Defined Area:</u>	<i>R1-54, as shown on Zoning Map, Part 36(x).</i>
9.2.2.54.2	<u>Additional Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) a bookstore</li> <li>(b) an office and storage space accessory to the use permitted by 9.2.2.54.2 (a).</li> </ul>
9.2.2.54.3	<u>Maximum Floor Area:</u>	<i>The maximum floor area of all uses permitted by 9.2.2.54.2 shall not exceed 35 square metres.</i>
9.2.2.54.4	<u>Lot Area:</u>	1,300 square metres.
9.2.2.54.5	<u>Front Yard:</u>	6 metres.
9.2.2.54.6	<u>Off Street Parking:</u>	<i>A minimum of 2 off street parking spaces to be provided within the defined area.</i>

<sup>338</sup> Subsection added by Clause 3. of By-law 335, June 11<sup>th</sup>, 2001.

9.2.2.54.7 Exceptions: The provisions of subsection 9.2.1.3, 9.2.1.7.1 and 9.2.1.11 shall not apply to the area defined in subsection 9.2.2.54.1.<sup>339</sup>

**(R1-55 lands rezoned to R1-60 through By-law 568, July 21<sup>st</sup>, 2003.)**

9.2.2.56

9.2.2.56.1 Defined Area: R1-56, as shown on Zoning Map, Part 9(v).

9.2.2.56.2 Other Permitted Use: Bed and Breakfast Establishment

9.2.2.56.3 Definition: The following definition shall apply to the area defined in subsection 9.2.2.56.1: Bed and Breakfast Establishment means a single detached dwelling in which the owner resides and in which no more than four rooms are supplied for gain and profit, with or without meals, for the temporary accommodation of the travelling public, but does not include a boarding house, motel or restaurant.

9.2.2.56.4 Off-Street Parking: 1 parking space for each room used as part of the Bed and Breakfast Establishment.<sup>340</sup>

**(R1-57 zone no longer applicable, lands now in the City of St. Thomas By-law 50-88.)**

9.2.2.58

9.2.2.58.1 Defined Area: R1-58, as shown on Zoning Map, Part 48(e).

9.2.2.58.2 Only Permitted Uses: a) single detached dwelling  
b) accessory uses

9.2.2.58.3 Only Permitted Buildings and Structures: Buildings and structures for the uses permitted by subsection 9.2.2.58.2.

9.2.2.58.4 Front Yard Depth: 4.5 metres.

9.2.2.58.5 Exceptions: The provisions of subsections 9.2.1.1, 9.2.1.2 and 9.2.1.7.1 shall not apply to the area defined in subsection 9.2.2.58.1.<sup>341</sup>

9.2.2.59

9.2.2.59.1 Defined Area: R1-59, as shown on Zoning Map, Part 36(aa).

9.2.2.59.2 Additional Permitted Use: a) Retail sale of gifts and crafts.  
b) Accessory uses.

9.2.2.59.3 Location of Additional Permitted Use: The additional uses permitted by subsection 9.2.2.59.2 shall be located only within the dwelling existing on the lot on the date of passing of this by-law.

9.2.2.59.4 Maximum Floor Area: The maximum floor area devoted to

<sup>339</sup> Subsection added by Clause 3. of By-law 182, January 24<sup>th</sup>, 2000.

<sup>340</sup> Subsection added by Clause 3. of By-law 257, October 23<sup>rd</sup>, 2000.

<sup>341</sup> Subsection added by Clause 3. of By-law 538, April 22<sup>nd</sup>, 2003.

		<i>the uses permitted by subsection 9.2.2.59.2 shall not exceed 230 square meters.</i>
9.2.2.59.5	<u>Off-Street Parking:</u>	<i>A minimum of five parking spaces shall be provided and maintained at all times for the uses permitted by subsection 9.2.2.59.2.<sup>342</sup></i>
9.2.2.60		
9.2.2.60.1	<u>Defined Area:</u>	<i>R1-60, as shown on Zoning Map, Part 9(x) and Zoning Map Part 48(f).</i>
9.2.2.60.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) <i>single detached dwelling</i></li> <li>b) <i>accessory uses</i></li> </ul>
9.2.2.60.3	<u>Additional Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by 9.2.2.60.2.</i>
9.2.2.60.4	<u>Services Required:</u>	<p><i>In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 9.2.2.60.2 unless the following services are available to service the building or structure and the land on which it is situate.</i></p> <ul style="list-style-type: none"> <li>1. <i>a municipal water supply system; and</i></li> <li>2. <i>a municipal sanitary sewage system and a storm sewage system.</i></li> </ul>
9.2.2.60.5	<u>Maximum Number of Dwelling Units:</u>	<i>single detached dwelling - 1 per lot</i>
9.2.2.60.6	<u>Lot Area:</u>	<i>380 square metres</i>
9.2.2.60.7	<u>Lot Frontage:</u>	<i>12 metres</i>
9.2.2.60.8	<u>Coverage:</u>	<i>40% maximum.</i>
9.2.2.60.9	<u>Front Yard Depth:</u>	<i>6 metres.</i>
9.2.2.60.10	<u>Rear Yard Depth:</u>	<i>9 metres.</i>
9.2.2.60.11	<u>Side Yard Depth:</u>	<ul style="list-style-type: none"> <li>a) <i>interior side yard - 1 metre for a single detached dwelling.</i></li> <li>b) <i>exterior side yard - 4 metres.</i></li> </ul>
9.2.2.60.12	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) <i>11 metres for a single detached dwelling.</i></li> <li>b) <i>6 metres for detached accessory buildings and structures.</i></li> </ul>
9.2.2.60.13	<u>Ground Floor Area:</u>	<ul style="list-style-type: none"> <li>a) <i>1 story detached dwelling – 74 square metres.</i></li> <li>b) <i>1½ story detached dwelling - 60 square metres.</i></li> </ul>
9.2.2.60.14	<u>Off Street Parking:</u>	<i>1.5 spaces per dwelling unit.</i>
9.2.2.60.15	<u>Special Setback Requirement:</u>	<i>No building or structure, other than a</i>

<sup>342</sup> Subsection added by Clause 3. of By-law 567, June 23<sup>rd</sup>, 2003.

fence, shall be erected between the line designated "Top of Bank" and the "Geotechnical Setback Line" as shown on Schedule 58 to this by-law.

9.2.2.60.16 Exceptions:

The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.60.1.<sup>343</sup>

9.2.2.61

9.2.2.61.1 Defined Area:

R1-61, as shown on Zoning Map, Part 19(k).

9.2.2.61.2 Permitted Uses:

- a) single detached dwelling
- b) accessory uses

9.2.2.61.3 Permitted Buildings And Structures:

Buildings and structures for the uses permitted by 9.2.2.61.2.

9.2.2.61.4 Minimum Lot Area:

The minimum lot area for each lot in the area defined by 9.2.2.61.1 shall be 1,523m<sup>2</sup>.

9.2.2.61.5 Lot Frontage:

The minimum lot frontage for each lot in the area defined by 9.2.2.61.1 shall be 15m.

9.2.2.61.6 Services Required:

In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.61.2 unless the following services are available to service the building or Structure and the land upon which it is situate:

- a) a municipal water supply system;
- b) a private on-site sanitary sewage system; and
- c) a storm sewer system.

9.2.2.61.7 Location of On-site Sewage Systems:

Notwithstanding any other provisions of of Bylaw 1998 as amended, no buildings or structures, other than a sewage disposal system approved by the designated regulatory authority, shall be permitted within the area designated "Septic System and Contingency Area" as shown on "Schedule B" to this By-law.

9.2.2.61.8 Setback from Railway:

Notwithstanding any other provisions of Bylaw 1998 as amended, no buildings or structures, other than a fence, shall be permitted within the area designated "Railway Setback and Berm Area" as shown on "Schedule B" to this By-law.

9.2.2.61.9 Special Setback Requirement:

Notwithstanding any other provisions of Bylaw 1998 as amended, no building or structure, other than a fence, shall be erected between the line designated "Top of Bank" and the

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<sup>343</sup> Subsection added by Clause 5. of By-law 568, July 21<sup>st</sup>, 2003.

"Geotechnical Setback Line" as shown on the Plan by J. Andrew Smith, O.L.S. of Callon Dietz, dated December 19, 2003, which Plan is marked as Schedule "C" to this by-law and is filed with the Clerk.

- 9.2.2.61.10 Exceptions: The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.3 and 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.61.1.<sup>344</sup>
- 9.2.2.62
- 9.2.2.62.1 Defined Area: R1-62, as shown on Zoning Map, Part 2(ag).
- 9.2.2.62.2 Location of Permitted Buildings and Structures:
- a) Save and except for a permitted fence, buildings and structures for the permitted uses shall only be permitted within the area shown as "Building Area" on "Schedule 63" to this By-law.
- b) Notwithstanding the provisions of Subsection 9.2.2.62.2(a), within the "Building Area" shown on "Schedule 63", no buildings or structure shall be permitted closer than 1 metre to any lot line.
- 9.2.2.62.3 Street: Notwithstanding Subsection 2.163 of By-Law 1998, Cowan Line shall be considered a street for the purposes of Subsections 2.55 and 2.84(ii) of the By-law.
- 9.2.2.62.4 Exceptions: The provisions of subsection 9.2.1.7 shall not apply to the area defined in subsection 9.2.2.62.1.<sup>345</sup>
- 9.2.2.63
- 9.2.2.63.1 Defined Area: R1-63, as shown on Zoning Map, Part 9(aa).
- 9.2.2.63.2 Special Setback Requirement: No building or structure, other than a fence, shall be erected between the line designated "Top of Bank" and the "Building Setback Line" as shown on Schedule "64" to this by-law.
- 9.2.2.63.3 Lot Frontage: 80 metres.
- 9.2.2.63.4 Lot Area: 2.75 hectares.
- 9.2.2.63.5 Holding Zone:
- (i) Use of Zone Symbol:  
Notwithstanding any other provisions of Zoning By-Law 1998, where the symbol "h" appears on Schedule "A" as a prefix to the R1-63 Zone applying to the area affected, the provisions of the R1-63 Zone shall apply, subject to the requirements of (ii) and (iii) below.
- (ii) Holding Zone Provisions:

<sup>344</sup> Subsection added by Clause 5. of By-law 660, June 14<sup>th</sup>, 2004.

<sup>345</sup> Subsection added by Clause 4. of By-law 72, May 24<sup>th</sup>, 2005.

To ensure the orderly development of lands and the adequate provision of Municipal Services, the "h" symbol shall not be removed until the applicant and/or landowner has:

- (a) prepared a tree preservation plan satisfactory to the Municipality and the Kettle Creek Conservation Authority for the area defined by subsection 9.2.2.63.1;
- (b) retained a qualified professional to assess for presence of methane and/or leachate in order to determine to the satisfaction of the Municipality and the Ministry of the Environment that the proposed development will not result in health risks to residents or cause adverse environmental impacts;  
and,
- (c) entered into a development agreement with the Municipality with respect to municipal servicing, financial, administrative and other matters related thereto.

The removal of the "h" symbol requires an amendment to this by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended.

(iii) Permitted Interim Uses:

Uses existing as of the date of the passing of this By-Law.

9.2.2.63.6	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1(b), 9.2.1.2(b), 9.2.1.3 and 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.63.1." <sup>346</sup>
9.2.2.64		
9.2.2.64.1	<u>Defined Area:</u>	R1-64, as shown on Zoning Map, Part 8(bh).
9.2.2.64.2	<u>Permitted Uses:</u>	a) single detached dwelling b) accessory uses
9.2.2.64.3	<u>Permitted Buildings And Structures:</u>	Buildings and structures for the uses permitted by subsection 9.2.2.64.2.
9.2.2.64.4	<u>Location of Buildings And Structures:</u>	Notwithstanding any other provisions of By-law 1998 as amended, no buildings and structures with the exception of a permitted fence shall be located within the area shown hatched on "Schedule 66" to this By-law.
9.2.2.64.5	<u>Minimum Lot Area:</u>	2.0 hectares.
9.2.2.64.6	<u>Minimum Lot Frontage:</u>	70 metres.
9.2.2.64.7	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.3, 9.2.1.4 and 9.2.1.7.3 shall not apply to the area defined in subsection 9.2.2.64.1 <sup>347</sup>
9.2.2.65		
9.2.2.65.1	<u>Defined Area:</u>	R1-65, as shown on Zoning Map, Part 9(ac) and Zoning Map Part 48(g).

<sup>346</sup> Subsection added by Clause 4. of By-law 822, February 13<sup>th</sup>, 2006.

<sup>347</sup> Subsection added by Clause 4. of By-law 910, September 25<sup>th</sup>, 2006.

9.2.2.65.2	<u>Permitted Uses:</u>	a) single detached dwelling b) accessory uses
9.2.2.65.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by 9.2.2.65.2.
9.2.2.65.4	<u>Services Required:</u>	In this zone, no building or structure shall be erected or used for any purpose permitted by subsection 9.2.2.65.2 unless the following services are available to service the building or structure and the land on which it is situate.  1. a municipal water supply system; and 2. a municipal sanitary sewage system and a storm sewage system.
9.2.2.65.5	<u>Maximum Number of Dwelling Units:</u>	single detached dwelling - 1 per lot
9.2.2.65.6	<u>Lot Area:</u>	380 square metres
9.2.2.65.7	<u>Lot Frontage:</u>	12 metres
9.2.2.65.8	<u>Coverage:</u>	40% maximum.
9.2.2.65.9	<u>Front Yard Depth:</u>	6 metres.
9.2.2.65.10	<u>Rear Yard Depth:</u>	9 metres.
9.2.2.65.11	<u>Side Yard Depth:</u>	a) interior side yard - 1 metre for a single detached dwelling. b) exterior side yard - 4 metres.
9.2.2.65.12	<u>Height:</u>	a) 11 metres for a single detached dwelling. b) 6 metres for detached accessory buildings and structures.
9.2.2.65.13	<u>Ground Floor Area:</u>	a) 1 story detached dwelling – 74 square metres. b) 1½ story detached dwelling - 60 square metres.
9.2.2.65.14	<u>Off Street Parking:</u>	1.5 spaces per dwelling unit
9.2.2.65.15	<u>Special Setback Requirement:</u>	No building or structure, other than a fence, shall be erected between the line designated "Erosion Hazard Limit" and the "Limits of Ownership" as shown on Schedule 67 to this by-law, which Schedule is marked as Schedule "C" to this by-law and is filed with the Clerk.
9.2.2.65.16	<u>Exceptions:</u>	The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.65.1. <sup>348</sup>
9.2.2.66		
9.2.2.66.1	<u>Defined Area:</u>	R1-66, as shown on Zoning Map, Part

<sup>348</sup> Subsection added by Clause 5. of By-law 1021, December 17<sup>th</sup>, 2007.

		2(ah) and Part 55(f).
9.2.2.66.2	<u>Lot Coverage:</u>	15% maximum.
9.2.2.66.3	<u>Exceptions:</u>	The provisions of subsection 9.2.1.6 shall not apply to the area defined in subsection 9.2.2.66.1. <sup>349</sup>
9.2.2.67		
9.2.2.67.1	<u>Defined Area:</u>	R1-67, as shown on Zoning Map, Part 2(ai).
9.2.2.67.2	<u>Permitted Uses:</u>	a) Single detached dwelling. b) Accessory uses.
9.2.2.67.3	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by Subsection 9.2.2.67.2.
9.2.2.67.4	<u>Services Required:</u>	In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.67.2 unless the following services are available to service the building or structure and the land on which it is situate:  i) a water supply system, and ii) a sanitary sewage system and a storm sewage system.
9.2.2.67.5	<u>Lot Area:</u>	380 square metres.
9.2.2.67.6	<u>Lot Frontage:</u>	12 metres.
9.2.2.67.7	<u>Coverage:</u>	40% maximum.
9.2.2.67.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.67.9	<u>Rear Yard Depth:</u>	7 metres.
9.2.2.67.10	<u>Side Yard Depth:</u>	a) interior side yard - 1 metre. b) Exterior side yard - 4 metres.
9.2.2.67.11	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures.
9.2.2.67.12	<u>Ground Floor Area:</u>	a) 1 storey dwelling - 74 square metres. b) 1-1/2 storey dwelling - 60 square metres. c) 2 storey dwelling - 42 square metres.
9.2.2.67.13	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit
9.2.2.67.14	<u>Exceptions:</u>	The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.67.1. <sup>350</sup>
9.2.2.68		
9.2.2.68.1	<u>Defined Area:</u>	R1-68, as shown on Zoning Map, Part

<sup>349</sup> Subsection added by Clause 4. of By-law 1044, March 25<sup>th</sup>, 2008.

<sup>350</sup> Subsection added by Clause 3. of By-law 1133, April 27<sup>th</sup>, 2009.

		8(bi).
9.2.2.68.2	<u>Permitted Uses:</u>	a) Single detached dwelling. b) Accessory uses.
9.2.2.68.3	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by Subsection 9.2.2.68.2.
9.2.2.68.4	<u>Lot Area:</u>	710 square metres.
9.2.2.68.5	<u>Lot Frontage:</u>	20 metres.
9.2.2.68.6	<u>Coverage:</u>	30% maximum.
9.2.2.68.7	<u>Front Yard Depth:</u>	6 metres.
9.2.2.68.8	<u>Rear Yard Depth:</u>	7 metres.
9.2.2.68.9	<u>Side Yard Depth:</u>	1 metre.
9.2.2.68.10	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures.
9.2.2.68.11	<u>Ground Floor Area:</u>	a) 1 storey dwelling - 74 square metres. b) 1- ½ storey dwelling - 60 square metres. c) 2 storey dwelling - 42 square metres.
9.2.2.68.12	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit.
9.2.2.68.13	<u>Exceptions:</u>	The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.68.1. <sup>351</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

9.2.2.68		
9.2.2.68.1	<u>Defined Area:</u>	R1-68, as shown on Zoning Map, Part 17(m).
9.2.2.68.2	<u>Permitted Uses:</u>	a) single detached dwelling b) accessory uses
9.2.2.68.3	<u>Permitted Buildings And Structures:</u>	Buildings and structures for the uses permitted by 9.2.2.68.2.
9.2.2.68.4	<u>Services Required:</u>	In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.68.2 unless the following services are available to service the building or structure and the land upon which it is situate: a) a municipal water supply system; and b) a private on-site sanitary sewage system.

<sup>351</sup> Subsection added by Clause 3. of By-law 1171, September 21<sup>st</sup>, 2009.

9.2.2.68.5	<u>Location of On-site Sewage Systems:</u>	<i>Notwithstanding any other provisions of Bylaw 1998 as amended, no buildings or structures, other than a sewage disposal system approved by the designated regulatory authority, shall be permitted within the area designated "Septic System and Contingency Area" as shown on "Schedule 68" to this By-law.</i>
9.2.2.68.6	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1.1 and 9.2.1.2 shall not apply to the area defined in subsection 9.2.2.68.1.<sup>352</sup></i>
9.2.2.69		
9.2.2.69.1	<u>Defined Area:</u>	<i>R1-69, as shown on Zoning Map Part 2(ak) and Zoning Map Part 55(h).</i>
9.2.2.69.2	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) <i>Single detached dwelling.</i></li> <li>b) <i>Accessory uses.</i></li> </ul>
9.2.2.69.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 9.2.2.69.2.</i>
9.2.2.69.4	<u>Services Required:</u>	<p><i>In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2. 2.69.2 unless the following services are available to service the building or structure and the land on which it is situate:</i></p> <ul style="list-style-type: none"> <li>i) <i>a water supply system, and</i></li> <li>ii) <i>a sanitary sewage system and a storm sewage system.</i></li> </ul>
9.2.2.69.5	<u>Lot Area:</u>	<i>380 square metres.</i>
9.2.2.69.6	<u>Lot Frontage:</u>	<i>12 metres.</i>
9.2.2.69.7	<u>Coverage:</u>	<i>40% maximum.</i>
9.2.2.69.8	<u>Front Yard Depth:</u>	<i>6 metres.</i>
9.2.2.69.9	<u>Rear Yard Depth:</u>	<i>9 metres.</i>
9.2.2.69.10	<u>Side Yard Depth:</u>	<ul style="list-style-type: none"> <li>a) <i>interior side yard - 1 metre.</i></li> <li>b) <i>Exterior side yard - 4 metres.</i></li> </ul>
9.2.2.69.11	<u>Height:</u>	<ul style="list-style-type: none"> <li>a) <i>11 metres for the main building.</i></li> <li>b) <i>6 metres for detached accessory buildings and structures.</i></li> </ul>
9.2.2.69.12	<u>Ground Floor Area:</u>	<ul style="list-style-type: none"> <li>a) <i>1 storey dwelling - 74 square metres.</i></li> <li>b) <i>1-1/2 storey dwelling - 60 square metres.</i></li> <li>c) <i>2 storey dwelling- 42 square metres.</i></li> </ul>
9.2.2.69.13	<u>Off-Street Parking:</u>	<i>2 parking spaces per dwelling unit.</i>

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<sup>352</sup> Subsection added by Clause 4. of By-law 1244, May 10<sup>th</sup>, 2010.

9.2.2.69.14	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1 General Regulations) shall not apply to the area defined in subsection 9.2.2.69.1.<sup>353</sup></i>
9.2.2.70		
9.2.2.70.1	<u>Defined Area:</u>	<i>R1-70, as shown on Zoning Map, Part 2(a).</i>
9.2.2.70.2	<u>Only Permitted Use:</u>	(a) <i>Single detached dwelling.</i> (b) <i>Accessory uses.</i>
9.2.2.70.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 9.2.2.70.2.</i>
9.2.2.70.4	<u>Minimum Lot Area:</u>	<i>7,000 square metres.</i>
9.2.2.70.5	<u>Minimum Dwelling Unit Ground Floor Area:</u>	<i>74m<sup>2</sup> for a 1 storey dwelling or a split level dwelling.</i>
9.2.2.70.6	<u>Maximum Number of Dwelling Units:</u>	<i>12.</i>
9.2.2.70.7	<u>Maximum Building Height:</u>	<i>1 storey.</i>
9.2.2.70.8	<u>Maximum Lot Coverage:</u>	<i>40%.</i>
9.2.2.70.9	<u>Required Minimum Number of Parking Spaces:</u>	(a) <i>2 spaces for each dwelling.</i> (b) <i>6 spaces for visitor parking.</i>
9.2.2.70.10	<u>Building Setback - Vacant Land Condominium:</u>	<i>All buildings and structures which form part of a unit within a Vacant Land Condominium shall maintain a 1 metre setback from the unit boundaries. An air conditioning unit may be located within the 1 metre setback between two adjacent dwellings provided a 6 metre separation distance is maintained between the air conditioning units.</i>
9.2.2.70.11	<u>Definitions:</u>	(a) <i>For the purposes of paragraph 9.2.2.70.5(a), "split level dwelling" means a dwelling unit in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey.</i>  (b) <i>For the purposes of paragraph 9.2.2.70.10, "Vacant Land Condominium" means, a declaration and description registered by a declarant, pursuant to the Condominium Act 1998, that create a corporation in which, at the time of the registration,</i>  (i) <i>one or more units are not part of a building or</i>

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<sup>353</sup> Subsection added by Clause 4. of By-law 1497, June 25<sup>th</sup>, 2012.

		<p>structure and do not include any part of a building or structure; and</p> <p>(ii) none of the units are located above or below any other unit.</p> <p>(c) For the purposes of paragraph 9.2.2.70.10, "unit" means a part of the property designated as a unit by the description and includes the space enclosed by its boundaries and all of the land, structures and fixtures within this space in accordance with the declaration and description.</p>
9.2.2.70.12	<u>Exceptions:</u>	The provisions of subsections 9.2.1 shall not apply to the area affected. <sup>354</sup>
9.2.2.71		
9.2.2.71.1	<u>Defined Area:</u>	R1-71, as shown on Zoning Map, Part 36(ab).
9.2.2.71.2	<u>Other Permitted Buildings:</u>	A second single detached dwelling existing at the time of passing of this by-law.
9.2.2.71.3	<u>Minimum Lot Frontage:</u>	24 meters.
9.2.2.71.4	<u>Minimum Lot Area:</u>	5,000 square meters. <sup>355</sup>
9.2.2.72		
9.2.2.72.1	<u>Defined Area:</u>	R1-72, as shown on Zoning Map, Part 2(am).
9.2.2.72.2	<u>Only Permitted Use:</u>	(a) Residential uses. (b) Accessory uses.
9.2.2.72.3	<u>Only Permitted Buildings and Other Structures:</u>	(a) One single detached dwelling on one lot. (b) Accessory buildings and structures.
9.2.2.72.4	<u>Location of Permitted Buildings and Structures:</u>	Buildings and structures permitted by Subsection 9.2.2.72.3, with the exception of a permitted fence, shall only be erected within the areas designated "Building Area" on Schedule 72.
9.2.2.72.5	<u>Holding Zone:</u>	
	(i) <u>Use of Zone Symbol:</u>	Notwithstanding any other provisions of Zoning By-law 1998, where the symbol "h" appears on Schedule "A" as a prefix to the R1-72 Zone applying to the area affected, the provisions of the R1-72 Zone shall apply, subject to the requirements of (ii) and (iii) below.
	(ii) <u>Holding Zone Provisions:</u>	
	(a) <u>Modification to Building Area for Part 1 - to ensure</u>	

<sup>354</sup> Subsection added by Clause 3. of By-law 1553, January 21<sup>st</sup>, 2013.

<sup>355</sup> Subsection added by Clause 3. of By-law 1615, June 24<sup>th</sup>, 2013.

the orderly development of the lands on Part 1 as shown on Schedule 72 to this By-law, the "h" symbol shall not be removed until:

- (i) the Municipality is provided with an addendum to the July 20, 2013 (revised) Geotechnical Report by LVM, satisfactory to the Municipality and the Kettle Creek Conservation Authority, providing details as to how the top of slope for Part 1 may be benched from Elevation 228 to Elevation 226 to improve slope stability and accommodate a walkout basement;
- (ii) the Municipality is provided with a lot grading and drainage plan, approved by the geotechnical engineer and satisfactory to the Municipality and the Kettle Creek Conservation Authority, showing the revised limits of the Building Area for Part 1 based on benching of the top of slope to elevation 226; existing and proposed grades; and, how surface drainage will be controlled on the lot; and
- (iii) the Municipality is provided with foundation plans for the proposed dwelling, approved by the geotechnical engineer along with confirmation that the subgrades are suitable for the safe development of the lands.

The removal of the "h" symbol requires an amendment to this by-law pursuant to Section 36 of the Planning Act, R.S.O. 1990, as amended.

(iii) Permitted Interim Uses:

Uses, buildings and structures permitted by Subsections 9.2.2.72.2, 9.2.2.72.3 and 9.2.2.72.4 of this by-law.

9.2.2.72.6 Exceptions: The provisions of subsections 9.2.1.1, 9.2.1.2 and 9.2.1.7, shall not apply to the area defined in subsection 9.2.2.72.1.<sup>356</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

9.2.2.72		
9.2.2.72.1	Defined Area:	R1-72, as shown on Zoning Map, Part 16(r).
9.2.2.72.2	Only Permitted Use:	(a) Single detached dwelling. (b) Accessory uses.
9.2.2.72.3	Only Permitted Buildings and Structures:	(a) One single detached dwelling existing at the time of passing of this by-law. (b) Accessory buildings and structures.
9.2.2.72.4	<u>Front Yard:</u>	13 metres.
9.2.2.72.5	<u>Lot Area:</u>	1300 square metres.
9.2.2.72.6	<u>Lot Frontage:</u>	20 metres.
9.2.2.72.7	<u>Exceptions:</u>	The provisions of subsections 9.2.1.1,

<sup>356</sup> Subsection added by Clause 4. of By-law 1674, March 17<sup>th</sup>, 2014.

9.2.1.2, 9.2.1.3, 9.2.1.4 and  
9.2.1.7.1 shall not apply to the area  
defined by subsection 9.2.2.72.1.<sup>357</sup>

9.2.2.73

- 9.2.2.73.1 Defined Area: R1-73, as shown on Zoning Map Part 2(an).
- 9.2.2.73.2 Permitted Uses: a) Single detached dwelling.  
b) Accessory uses.
- 9.2.2.73.3 Permitted Buildings and Structures: Buildings and structures for the uses permitted by Subsection 9.2.2.73.2.
- 9.2.2.73.4 Services Required: In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.73.2 unless the following services are available to service the building or structure and the land on which it is situate:  
i) a water supply system, and  
ii) a sanitary sewage system and a storm sewage system.
- 9.2.2.73.5 Lot Area: 380 square metres.
- 9.2.2.73.6 Lot Frontage: 12 metres.
- 9.2.2.73.7 Coverage: 40% maximum.
- 9.2.2.73.8 Front Yard Depth: 6 metres.
- 9.2.2.73.9 Rear Yard Depth: 9 metres.
- 9.2.2.73.10 Side Yard Depth: a) Interior side yard – 1 metre.  
b) Exterior side yard – 4 metres.
- 9.2.2.73.11 Height: a) 11 metres for the main building.  
b) 6 metres for detached accessory buildings and structures.
- 9.2.2.73.12 Ground Floor Area: a) 1 storey dwelling – 74 square metres.  
b) 1-1/2 storey dwelling – 60 square metres.  
c) 2 storey dwelling – 42 square metres.
- 9.2.2.73.13 Off-Street Parking: 2 parking spaces per dwelling unit.
- 9.2.2.73.14 Exceptions: The provisions of subsections 9.2.1 General Regulations) shall not apply to the area defined in subsection 9.2.2.73.1.<sup>358 359</sup>
- 9.2.2.74
- 9.2.2.74.1 Defined Area: R1-74, as shown on Zoning Map, Part 2(an).

<sup>357</sup> Subsection added by Clause 4. of By-law 1705, March 24<sup>th</sup>, 2014.

<sup>358</sup> Subsection added by Clause 3. of By-law 1890, August 24<sup>th</sup>, 2015.

<sup>359</sup> “h” symbol removed by Clause 1. of By-law 2158, June 12<sup>th</sup>, 2017.

9.2.2.74.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li>(a) Single detached dwelling.</li> <li>(b) Accessory uses.</li> </ul>
9.2.2.74.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 9.2.2.74.2.</i>
9.2.2.74.4	<u>Minimum Lot Area:</u>	7,000 square metres.
9.2.2.74.5	<u>Minimum Dwelling Unit Ground Floor Area:</u>	74m <sup>2</sup> for a 1 storey dwelling or a split level dwelling.
9.2.2.74.6	<u>Maximum Number of Dwelling Units:</u>	28.
9.2.2.74.7	<u>Maximum Building Height:</u>	1 storey.
9.2.2.74.8	<u>Maximum Lot Coverage:</u>	40%.
9.2.2.74.9	<u>Required Minimum Number of Parking Spaces:</u>	<ul style="list-style-type: none"> <li>(a) 2 spaces for each dwelling.</li> <li>(b) 14 spaces for visitor parking.</li> </ul>
9.2.2.74.10	<u>Building Setback - Vacant Land Condominium:</u>	<i>All buildings and structures which form part of a unit within a Vacant Land Condominium shall maintain a 1 metre setback from the unit boundaries. An air conditioning unit may be located within the 1 metre setback between two adjacent dwellings provided a 6 metre separation distance is maintained between the air conditioning units.</i>
9.2.2.74.11	<u>Definitions:</u>	<ul style="list-style-type: none"> <li>(a) For the purposes of paragraph 9.2.2.74.5(a), "split level dwelling" means a dwelling unit in which the first floor above the finished grade is so constructed as to create two or more different levels, the vertical distance between such levels being always less than the full storey.</li> <li>(b) For the purposes of paragraph 9.2.2.74.10, "Vacant Land Condominium" means, a declaration and description registered by a declarant, pursuant to the Condominium Act 1998, that create a corporation in which, at the time of the registration, <ul style="list-style-type: none"> <li>(i) one or more units are not part of a building or structure and do not include any part of a building or structure; and</li> <li>(ii) none of the units are located above or below any other unit.</li> </ul> </li> </ul>

		(c) For the purposes of paragraph 9.2.2.74.10, "unit" means a part of the property designated as a unit by the description and includes the space enclosed by its boundaries and all of the land, structures and fixtures within this space in accordance with the declaration and description.
9.2.2.74.12	<u>Exceptions:</u>	The provisions of subsections 9.2.1 shall not apply to the area affected. <sup>360</sup> 361
9.2.2.75		
9.2.2.75.1	<u>Defined Area:</u>	R1-75, as shown on Zoning Map Part 9(aj).
9.2.2.75.2	<u>Permitted Uses:</u>	a) Single detached dwelling. b) Accessory uses.
9.2.2.75.3	<u>Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by Subsection 9.2.2.75.2.
9.2.2.75.4	<u>Services Required:</u>	In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.75.2 unless the following municipal services are available to service the building or structure and the land on which it is situate: i) a water supply system, and iii) a sanitary sewage system and a storm sewage system.
9.2.2.75.5	<u>Lot Area:</u>	380 square metres.
9.2.2.75.6	<u>Lot Frontage:</u>	12 metres.
9.2.2.75.7	<u>Coverage:</u>	40% maximum.
9.2.2.75.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.75.9	<u>Rear Yard Depth:</u>	7 metres.
9.2.2.75.10	<u>Side Yard Depth:</u>	a) Interior side yard – 1 metre. b) Exterior side yard – 3.5 metres.
9.2.2.75.11	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures.
9.2.2.75.12	<u>Ground Floor Area:</u>	a) 1 storey dwelling – 74 square metres. b) 1-1/2 storey dwelling – 60 square metres. c) 2 storey dwelling – 42 square metres.
9.2.2.75.13	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit.
9.2.2.75.14	<u>Exceptions:</u>	The provisions of subsections 9.2.1

<sup>360</sup> Subsection added by Clause 5. of By-law 1890, August 24<sup>th</sup>, 2015.

<sup>361</sup> "h" symbol removed by Clause 2. of By-law 2158, June 12<sup>th</sup>, 2017.

General Regulations) shall not apply to the area defined in subsection 9.2.2.75.1.<sup>362</sup>

9.2.2.76

- 9.2.2.76.1 Defined Area: R1-76, as shown on Zoning Map Part 2(ao).
- 9.2.2.76.2 Permitted Uses: a) Single detached dwelling.  
b) Accessory uses.
- 9.2.2.76.3 Permitted Buildings and Structures: Buildings and structures for the uses permitted by Subsection 9.2.2.76.2.
- 9.2.2.76.4 Services Required: In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.76.2 unless the following services are available to service the building or structure and the land on which it is situate:  
i) a municipal water supply system, and  
iv) a sewage disposal system approved by the designated regulatory authority.
- 9.2.2.76.9 Rear Yard Depth: 75 metres.
- 9.2.2.76.12 Ground Floor Area: a) 1 storey dwelling – 74 square metres.  
b) 1-1/2 storey dwelling – 60 square metres.  
c) 2 storey dwelling – 42 square metres.
- 9.2.2.76.13 Off-Street Parking: 2 parking spaces per dwelling unit.
- 9.2.2.76.14 Exceptions: The provisions of subsections 9.2.1.1, 9.2.1.2, 9.2.1.7.3, 9.2.1.10 and 9.2.1.11 shall not apply to the area defined in subsection 9.2.2.76.1.<sup>363</sup>

9.2.2.77

- 9.2.2.77.1 Defined Area: R1-77, as shown on Zoning Map, Part 8(bn).
- 9.2.2.77.2 Applicable Provisions: The provisions of Subsection 9.2.1 and all other provisions of this by-law applicable to land, buildings and structures within the R1 zone shall apply to the defined area.<sup>364</sup>

9.2.2.78

- 9.2.2.78.1 Defined Area: R1-78, as shown on Zoning Map Part 9(am).
- 9.2.2.78.2 Permitted Uses: a) Single detached dwelling.  
b) Accessory uses.

<sup>362</sup> Subsection added by Clause 3. of By-law 1889, June 15<sup>th</sup>, 2015. Still subject to a holding symbol.

<sup>363</sup> Subsection added by Clause 3. of By-law 1950, November 23<sup>rd</sup>, 2015.

<sup>364</sup> Subsection added by Clause 3. of By-law 2055, September 12<sup>th</sup>, 2016.

9.2.2.78.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 9.2.2.78.2.</i>
9.2.2.78.4	<u>Services Required:</u>	<i>In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.78.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:</i> <ul style="list-style-type: none"> <li><i>i) a water supply system, and</i></li> <li><i>ii) a sanitary sewage system and a storm sewage system.</i></li> </ul>
9.2.2.78.5	<u>Lot Area:</u>	<i>380 square metres.</i>
9.2.2.78.6	<u>Lot Frontage:</u>	<i>12 metres.</i>
9.2.2.78.7	<u>Coverage:</u>	<i>40% maximum.</i>
9.2.2.78.8	<u>Front Yard Depth:</u>	<i>6 metres.</i>
9.2.2.78.9	<u>Rear Yard Depth:</u>	<i>7 metres.</i>
9.2.2.78.10	<u>Side Yard Depth:</u>	<i>a) Interior side yard – 1 metre.</i> <i>b) Exterior side yard – 3.5 metres.</i>
9.2.2.78.11	<u>Height:</u>	<i>a) 11 metres for the main building.</i> <i>b) 6 metres for detached accessory buildings and structures.</i>
9.2.2.78.12	<u>Ground Floor Area:</u>	<i>a) 1 storey dwelling – 74 square metres.</i> <i>b) 1-1/2 storey dwelling – 60 square metres.</i> <i>c) 2 storey dwelling – 42 square metres.</i>
9.2.2.78.13	<u>Off-Street Parking:</u>	<i>2 parking spaces per dwelling unit.</i>
9.2.2.78.14	<u>Exceptions:</u>	<i>The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.78.1.<sup>365</sup></i>

*Holding Zone Provisions:*

*Notwithstanding any other provision of this By-law, where the Symbol "h" appears on Zoning Map Part 9(am) as a prefix to the R1-75 zone, unless this by-law has been amended to remove the relevant "h" symbol, those lands shall not be developed or used except for uses permitted by paragraph c). The removal of the "h" symbol from a Zoning Map Part is subject to the following requirements:*

*Holding Zone Provisions:*

- a) Defined Area: R1-78 as shown on Zoning Map Part 9(am).*
- b) To ensure the orderly development of lands and the provision of municipal services, the "h" symbol shall not be deleted until the following requirements have been satisfied:*

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<sup>365</sup> Subsection added by Clause 3. of By-law 2172, August 28<sup>th</sup>, 2017.

- i) a subdivision agreement is entered into for the lands in question with the Municipality of Central Elgin pursuant to Section 51(26) of the Planning Act, R.S.O. 1990, as amended, with respect to municipal servicing, financial, administrative and other matters thereto.
- ii) the Municipality of Central Elgin certifies that there is adequate uncommitted reserve sewage capacity available for the development of the lands in question.

*Interim Permitted Uses: Uses existing as of the date of the passing of this By-law.*

#### 9.2.2.79

- |             |  |   |
|-------------|--|---|
| 9.2.2.79.1  | <u>Defined Area:</u>                       | R1-79, as shown on Zoning Map Part 19(o).   |
| 9.2.2.79.2  | <u>Permitted Uses:</u>                     | a) Residential use.<br>b) Accessory uses.   |
| 9.2.2.79.3  | <u>Permitted Buildings and Structures:</u> | a) Single detached dwelling.<br>b) Accessory buildings and structures.  |
| 9.2.2.79.4  | <u>Lot Area:</u>                           | 0.30 hectares.  |
| 9.2.2.79.5  | <u>Lot Frontage:</u>                       | 80 metres.  |
| 9.2.2.79.6  | <u>Rear Yard Depth:</u>                    | 14 metres.  |
| 9.2.2.79.7  | <u>Height:</u>                             | a) 2 storey maximum for the main building.<br>b) 6 metres for accessory buildings and structures.   |
| 9.2.2.79.8  | <u>Ground Floor Area:</u>                  | a) 1 storey dwelling – 74 square metres.<br>b) 1-1/2 storey dwelling – 60 square metres.<br>c) 2 storey dwelling – 42 square metres.  |
| 9.2.2.79.9  | <u>Off-Street Parking:</u>                 | 2 parking spaces per dwelling unit.   |
| 9.2.2.79.10 | <u>Exceptions:</u>                         | The provisions of subsections 9.2.1.10, 9.2.1.2, 9.2.1.3, 9.2.1.4, 9.2.1.7.3, 9.2.1.8, 9.2.1.10 and 9.2.1.11 shall not apply to the area defined in subsection 9.2.2.79.1. <sup>366</sup> |

#### 9.2.2.80

- |            |                               |  |
|------------|-------------------------------|--|
| 9.2.2.80.1 | <u>Defined Area:</u>          | R1-80, as shown on Zoning Map Part 54(k).  |
| 9.2.2.80.2 | <u>Applicable Provisions:</u> | The provisions of subsection 9.2.1 and all other provisions of this by-law applicable to lands, buildings and structures within the R1 zone shall apply to the area defined in subsection 9.2.2.80.1. <sup>367</sup> |

<sup>366</sup> Subsection added by Clause 3. of By-law 2193, November 13<sup>th</sup>, 2017.

<sup>367</sup> Subsection added by Clause 3. of By-law 2248, April 9<sup>th</sup>, 2018.

9.2.2.82

- 9.2.2.82.1 Defined Area: R1-82, as shown on Zoning Map, Part 2(ap).
- 9.2.2.82.2 Only Permitted Use: (a) Residential use.  
(b) Accessory uses.
- 9.2.2.82.3 Only Permitted Buildings and Structures: (a) Single detached dwelling existing on the day of passing of this by-law.  
(b) Accessory buildings and structures.
- 9.2.2.82.4 Street: Notwithstanding Subsection 2.163 of By-law 1998, Cowan Lane shall be considered a street for the purposes of Subsections 2.55 and 2.84(ii) of the By-law.
- 9.2.2.82.5 Exceptions: The provisions of subsections 9.2.1.1 and 9.2.1.2 shall not apply to the area defined in subsection 9.2.2.82.1.<sup>368</sup>

9.2.2.83

- 9.2.2.83.1 Defined Area: R1-83, as shown on Zoning Map Part 16(s).
- 8.2.2.83.2 Additional Permitted Use: Secondary Dwelling Unit.
- 8.2.2.83.3 Additional Permitted Buildings and Structures: A secondary dwelling unit above A 96 square metre detached garage.
- 8.2.2.83.4 Height: 8 metres for the buildings and structures permitted in subsection 8.2.2.83.3<sup>369</sup>

9.2.2.84

- 9.2.2.84.1 Defined Area: R1-84, as shown on Zoning Map Part 2(aq).
- 9.2.2.84.2 Permitted Uses: a) Semi-detached dwelling  
b) Accessory uses.
- 9.2.2.84.3 Permitted Buildings and Structures: Buildings and structures for the uses permitted by Subsection 9.2.2.84.2.
- 9.2.2.84.4 Services Required: In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.84.2 unless the following services are available to service the building or structure and the land on which it is situate:  
i) a water supply system, and  
ii) a sanitary sewage system and a storm sewage system.
- 9.2.2.84.5 Lot Area: 250 square metres.
- 9.2.2.84.6 Lot Frontage: 9 metres.
- 9.2.2.84.7 Coverage: 50% maximum.

<sup>368</sup> Subsection added by Clause 3. of By-law 2316, January 14<sup>th</sup>, 2019.

<sup>369</sup> Subsection added by Clause 3. of By-law 2462, March 9<sup>th</sup>, 2020.

9.2.2.84.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.84.9	<u>Rear Yard Depth:</u>	7 metres.
9.2.2.84.10	<u>Side Yard Depth:</u>	a) Interior side yard – 1 metre b) Exterior side yard – 3.5 metres.
9.2.2.84.11	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures.
9.2.2.84.12	<u>Ground Floor Area:</u>	a) 1 storey dwelling – 74 square metres. b) 2 storey dwelling – 42 square metres.
9.2.2.84.13	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit.
9.2.2.84.14	<u>Exceptions:</u>	The provisions of subsections 9.2.1 General Regulations shall not apply to the area defined in subsection 9.2.2.84.1. <sup>370</sup>
9.2.2.85		
9.2.2.85.1	<u>Defined Area:</u>	R1-85, as shown on Zoning Map Part 2(ar).
9.2.2.85.2	<u>Permitted Uses:</u>	a) single-detached dwelling. b) semi-detached dwelling. c) accessory uses.
9.2.2.85.3	<u>Permitted Buildings:</u>	In this zone, no building or structure shall be erected except for the uses permitted by subsection 9.2.2.85.2.
9.2.2.85.4	<u>Lot Area:</u>	a) single-detached dwelling – 380 square metres. b) semi-detached dwelling – 300 square metres per dwelling unit.
9.2.2.85.5	<u>Lot Frontage:</u>	a) single-detached dwelling – 12 metres. b) semi-detached dwelling – 10 metres per dwelling unit.
9.2.2.85.6	<u>Coverage:</u>	40% maximum.
9.2.2.85.7	<u>Maximum Number of Dwelling Units:</u>	a) single-detached dwelling – 1 per lot. b) semi-detached dwelling - 2 per lot.
9.2.2.85.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.85.9	<u>Rear Yard Depth:</u>	9 metres.
9.2.2.85.10	<u>Side Yard Depth:</u>	a) interior side yard - 1 metre

<sup>370</sup> Subsection added by Clause 3. of By-law 2521, October 13<sup>th</sup>, 2020.

		b) exterior side yard - 4 metres
9.2.2.85.11	<u>Height:</u>	a) 11 metres for the main building. b) 6.6 metres for detached accessory buildings and structures.
9.2.2.85.12	<u>Ground Floor Area:</u>	a) 1 storey dwelling - 74 square metres. b) 1-1/2 storey dwelling – 60 square metres c) 2 storey dwelling - 42 square metres.
9.2.2.85.13	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit.
9.2.2.85.14	<u>Use of Yards in Residential Zones:</u>	Storage of two (2) recreational vehicles in a detached accessory building.
9.2.2.85.15	<u>Exceptions:</u>	The provisions of subsections 7.2.4.8, 7.2.5.3, 7.2.6.5 and 9.2.1 shall not apply to the area defined in subsection 9.2.2.85.1. <sup>371</sup>
9.2.2.86		
9.2.2.86.1	<u>Defined Area:</u>	R1-86, as shown on Zoning Map Part 5(m).
9.2.2.86.2	<u>Additional Permitted Use:</u>	Secondary Dwelling Unit.
9.2.2.86.3	<u>Additional Permitted Buildings and Structures:</u>	An existing 72 square metre (775 square foot) accessory building for the additional permitted use provided in subsection 9.2.2.86.2.
9.2.2.86.4	<u>Services Required:</u>	In this zone, no building or structure shall be erected or used for any purpose permitted unless the following municipal services are available to service the building or structure and the land on which it is situate. a) a water supply system; and b) a sanitary sewage system and a storm sewage system <sup>372</sup>
9.2.2.87		
9.2.2.87.1	<u>Defined Area:</u>	R1-87, as shown on Zoning Map Part 9(ap).
9.2.2.87.2	<u>Additional Permitted Use:</u>	Townhouse Dwelling.
9.2.2.87.3	<u>Additional Permitted Buildings and Structures:</u>	a) Buildings and structures for the use permitted by subsection 9.2.2.87.2 b) Accessory buildings or structures.
9.2.2.87.4	<u>Minimum Lot Area:</u>	8,080 square metres
9.2.2.87.5	<u>Minimum Lot Frontage:</u>	35 metres

<sup>371</sup> Subsection added by Clause 3. of By-law 2529, October 26<sup>th</sup>, 2020.

<sup>372</sup> Subsection added by Clause 3. of By-law 2600, May 25<sup>th</sup>, 2021.

9.2.2.87.6	<u>Maximum Number of Dwelling Units:</u>	27
9.2.2.87.7	<u>Height:</u>	a) 2 Storeys; b) 5.5 metres for accessory buildings or structures.
9.2.2.87.8	<u>Maximum Lot Coverage:</u>	66%.
9.2.2.87.9	<u>Minimum Front Yard Setback:</u>	9 metres.
9.2.2.87.10	<u>Minimum Side Yard Setback:</u>	6 metres (westerly) 17 metres (easterly)
9.2.2.87.11	<u>Minimum Rear Yard Setback:</u>	2 metres.
9.2.2.87.12	<u>Minimum Parking:</u>	64 spaces.
9.2.2.87.13	<u>Parking Space Dimension:</u>	2.5 m x 7.25 m (parallel) 2.75 m x 5.5 m (perpendicular)
9.2.2.87.17	<u>Permitted Setbacks for Deck:</u>	Notwithstanding the provisions of subsection 9.2.2.87.10, a deck may be located 1.0 metre from the westerly lot line.
9.2.2.87.18	<u>Exceptions:</u>	The provisions of subsection 2.110 (i) and 9.2.1 shall not apply to the area defined in subsection 8.2.2.87.1. <sup>373</sup>
9.2.2.88		
9.2.2.88.1	<u>Defined Area:</u>	R1-88, as shown on Zoning Map Part 6(o).
9.2.2.88.2	<u>Permitted Uses:</u>	i) <u>Residential Uses</u> a) Mixed-Use Apartment; b) Townhouse; c) Accessory uses to the foregoing.  ii) <u>Commercial Uses in Relation to a permitted Mixed-Use Apartment:</u> a) Business Office b) Clinic c) Retail d) Restaurant e) Personal Service Shop f) Accessory uses to the foregoing.  iii) <u>Commercial Uses in Relation to Existing Buildings and Structures as of the date of passing of the By-law:</u> a) Business Office b) Clinic c) Accessory uses to the foregoing.  iv) <u>Institution Uses in Relation to Existing Buildings and Structures as of the date of passing of the By-law:</u> a) A not-for-profit school.

<sup>373</sup> Subsection added by Clause 3. of By-law 2756, December 12<sup>th</sup>, 2022.

9.2.2.88.3	<i>Prohibited Uses:</i>	<i>Drive-through facilities.</i>
9.2.2.88.4	<i>Permitted Buildings Structures:</i>	<ul style="list-style-type: none"> <li>a) <i>Mixed-Use Apartment with a minimum of 185.6 sq.m. (2,000 sq.ft.) of ground-floor commercial;</i></li> <li>b) <i>Townhouses;</i></li> <li>c) <i>Existing Buildings and Structures as of the date of passing of the By-law;</i></li> <li>d) <i>Accessory buildings or structures.</i></li> </ul>
9.2.2.88.5	<i>Minimum Lot Area:</i>	<i>1,000 square metres.</i>
9.2.2.88.6	<i>Minimum Lot Frontage:</i>	<i>30 metres.</i>
9.2.2.88.7	<i>Minimum Lot Depth:</i>	<i>150 metres.</i>
9.2.2.88.8	<i>Maximum Lot Coverage:</i>	<i>40%</i>
9.2.2.88.9	<i>Location of Permitted Buildings and Structures:</i>	<i>The permitted buildings and structures identified in Section 9.2.2.88.4 shall be located within to areas shown on Schedule 75.</i>
9.2.2.88.10	<i>Height:</i>	<ul style="list-style-type: none"> <li>a) <i>25 metres and a maximum of 6-storeys for a permitted Mixed-Use Apartment;</i></li> <li>b) <i>13 metres for a permitted Townhouse use;</i></li> <li>c) <i>5.5 metres for accessory buildings or structures.</i></li> </ul>
9.2.2.88.11	<i>Off-Street Parking:</i>	<ul style="list-style-type: none"> <li>a) <i>1.5 spaces per unit for a permitted Residential Use;</i></li> <li>b) <i>4.5 spaces per 100 sq.m. of floor area for a permitted Retail Use;</i></li> <li>c) <i>3.0 spaces per 100 sq.m. of floor area for a permitted Business Office Use;</i></li> <li>d) <i>3.0 spaces per 100 sq.m. of floor area for a permitted Personal Service Shop;</i></li> <li>e) <i>20.0 spaces per 100 sq.m of floor area for a permitted Restaurant Use;</i></li> <li>f) <i>3.0 spaces per 100 sq.m. of floor area for all other commercial uses not listed.</i></li> </ul>
9.2.2.88.12	<i>Minimum Landscaped Open Space:</i>	<i>40%</i>
9.2.2.88.13	<i>Density:</i>	<i>105 units per hectare (maximum).</i>
9.2.2.88.14	<i>Exceptions:</i>	<i>The provisions of subsection 9.2.1 shall not apply to the area defined in subsection 9.2.2.88.1.<sup>374</sup></i>
9.2.2.89		
9.2.2.89.1	<u><i>Defined Area:</i></u>	<i>R1-89, as shown on Zoning Map Part 8(bo).</i>
9.2.2.89.2	<u><i>Lot Frontage:</i></u>	<i>18 metres.</i>
9.2.2.89.3	<u><i>Exception:</i></u>	<i>The provisions of subsection 9.2.1.4 shall not apply to the area defined in subsection 9.2.2.89.1.<sup>375</sup></i>

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<sup>374</sup> Subsection added by Clause 3 of OLT Decision OLT-23-000241, December 10, 2024.

9.2.2.90

9.2.2.90.1	<u>Defined Area:</u>	R1-90, as shown on Zoning Map Part 5(q).
9.2.2.90.2	<u>Permitted Use:</u>	(a) Residential use; (b) Home occupations; (c) Accessory uses.
9.2.2.90.3	<u>Permitted Buildings and Structures:</u>	(a) Single detached dwelling; (b) Accessory buildings and structures.
9.2.2.90.4	<u>Services Required:</u>	In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 9.2.2.90.2 unless the following municipal services are available to service the building or structure and the land on which it is situate: i) a water supply system, and ii) a sanitary sewage system and a storm sewage system.
9.2.2.90.5	<u>Lot Area:</u>	380 square metres.
9.2.2.90.6	<u>Lot Frontage:</u>	12 metres.
9.2.2.90.7	<u>Coverage:</u>	40% maximum.
9.2.2.90.8	<u>Front Yard Depth:</u>	6 metres.
9.2.2.90.9	<u>Rear Yard Depth:</u>	7 metres.
9.2.2.90.10	<u>Side Yard Depth:</u>	a) Interior side yard – 1 metre. b) Exterior side yard – 5 metres.
9.2.2.90.11	<u>Height:</u>	a) 11 metres for the main building. b) 6 metres for detached accessory buildings and structures.
9.2.2.90.12	<u>Ground Floor Area:</u>	a) 1 storey dwelling – 74 square metres. b) 1-1/2 storey dwelling – 60 square metres. c) 2 storey dwelling – 42 square metres.
9.2.2.90.13	<u>Off-Street Parking:</u>	2 parking spaces per dwelling unit.
8.2.2.237.4	<u>Exceptions:</u>	The provisions of subsections 9.2.1 (General Regulations) shall not apply to the area defined in subsection 9.2.2.90.1. <sup>376</sup>

<sup>375</sup> Subsection added by Clause 4. of By-law 2775, March 13<sup>th</sup>, 2023.

<sup>376</sup> Subsection added by Clause 3. of By-law 2859, February 12<sup>th</sup>, 2024.

### **9.3 RESIDENTIAL ZONE 2 (R2) REGULATIONS**

#### **9.3.1. GENERAL REGULATIONS**

- 9.3.1.1. Permitted Uses: Subject to 9.3.1.2,  
(a) Residential uses;  
(b) Accessory uses.
- 9.3.1.2. Prohibited Uses, Buildings and Structures: Notwithstanding anything to the contrary in subsection 9.3.1.1,  
(a) no building or structure shall be erected nor shall any land be used for the keeping of any horse, pony, goat, donkey, mule, cattle, swine, domestic fowl or pigeon, rabbit, mink, fox or reptile.  
(b) no building or structure shall be erected or used for the keeping of more than two dogs.  
(c) no aerial, antennae or tower for a television or radio shall be erected or used except within a dwelling.
- 9.3.1.3. Permitted Buildings and Other Structures: Subject to 9.3.1.2,  
(a) One one-family dwelling on one lot;  
(b) Accessory buildings but not more than one building or structure for the keeping of dogs.
- 9.3.1.4. Lot Area: .90 acre.
- 9.3.1.5. Lot Frontage:  
9.3.1.5.1. 150 feet  
9.3.1.5.2. Notwithstanding 9.3.1.5.1, 100 feet, if the whole or any part of the street lot line is on a curve and the radius of such curve is 135 feet or less.
- 9.3.1.6. Coverage:  
(a) 10% maximum for the dwelling.  
(b) 5% maximum for the accessory building.
- 9.3.1.7. Location of Buildings and other Structures:  
9.3.1.7.1. No part of any building or structure shall be closer than 50 feet to any street lot line.  
9.3.1.7.2. No part of any dwelling shall be more than 150 feet from any street lot line of the lot on which the dwelling is erected but this requirement shall not apply to any lot which includes lands designated OS2-6.  
9.3.1.7.3. Subject to 9.3.1.7.1, no part of any



		<i>used within the defined area set out in subsection 9.3.2.1.1 except within a rear yard.</i>
9.3.2.1.3	<u>Lot Area:</u>	0.24 hectare.
9.3.2.1.4	<u>Lot Frontage:</u>	
	9.3.2.1.4.1	30.5 metres.
	9.3.2.1.4.2	<i>Notwithstanding 9.3.2.1.4.1, 13.7 metres, if the whole or any part of the street lot line is on a curve, and the radius of such curve is 41 metres or less.</i>
9.3.2.1.5	<u>Location of Buildings and Other Structures:</u>	
	9.3.2.1.5.1	<i>No part of any building or structure shall be closer than 15 metres to any street lot line.</i>
	9.3.2.1.5.2	<i>No part of any dwelling shall be more than 45 metres from any street lot line of the lot on which the dwelling is erected.</i>
	9.3.2.1.5.3	<i>Subject to 9.3.2.1.5.1, no part of any building or structure shall be closer than 3.05 metres to any side lot line of the lot on which the building or structure is located, provided that where 9.3.2.1.4.2 applies, no part shall be closer than 3.05 metres to one side lot line or closer than 1.83 metres to the other.</i>
9.3.2.1.6	<u>Ground Floor Area:</u>	
	9.3.2.6.1	<i>140 square metres for a one-storey, one family dwelling.</i>
	9.3.2.6.2	<i>102 square metres for a two-storey, one family dwelling.</i>
9.3.2.1.7	<u>Floor Area:</u>	
	9.3.2.7.1	<i>140 square metres for a one-storey, one family dwelling.</i>
	9.3.2.7.2	<i>176 square metres for a one family dwelling having more than one storey.</i>
9.3.2.1.8	<u>Exceptions:</u>	<i>The provisions of subsections 9.3.1.4, 9.3.1.5, 9.3.1.7, 9.3.1.9 and 9.3.1.10 shall not apply to the area defined in subsection 9.3.2.1.1.<sup>378</sup></i>

**(R2-2 zone deleted by Clause 1. of By-law 3517, June 23<sup>rd</sup>, 1997.)**

9.3.2.3		
	9.3.2.3.1	<u>Defined Area:</u> R2-3, as shown on Zoning Map, Part 9(m).
	9.3.2.3.2	<u>Additional Permitted Use:</u> No exterior satellite dish shall be erected or used within the defined area set out in subsection 9.3.2.3.1 except within the rear yard.
	9.3.2.3.3	<u>Lot Area:</u> 0.19 hectare.

<sup>378</sup> Subsection added by Clause 3. of By-law 3005, May 11<sup>th</sup>, 1987.

- 9.3.2.3.4 Lot Frontage:
- 9.3.2.3.4.1 25 metres
- 9.3.2.3.4.2 Notwithstanding 9.3.2.3.4.1, 13.7 metres, if the whole or any part of the street lot line is on a curve, and the radius of such curve is 41 metres or less.
- 9.3.2.3.5 Location of Buildings and Other Structures:
- 9.3.2.3.5.1 No part of any building or structure shall be closer than 20 metres to any street line that abuts a County Road, nor closer than 7.5 metres where it abuts an internal street lot line.
- 9.3.2.3.5.2 On Lots 1, 2, and 3, no part of any dwelling shall be more than 35 metres from any street lot line of the lot on which the dwelling is erected.
- 9.3.2.3.5.3 On Lot 4, no part of any dwelling shall be more than 40 metres from the front lot line.
- 9.3.2.3.5.4 On Lots 5, 6, 7, 8, 9 and 10, no part of any dwelling shall be more than 30 metres from any street lot line of the lot on which the dwelling is erected.
- 9.3.2.3.5.5 On Lots 11, 12 and 13, the setbacks from the top-of-bank as agreed upon by the Kettle Creek Conservation Authority and shown on a Plan by W. J. Bartlett and Associates shall be as follows:
- Lot 11 - 15.25 metres
- Lot 12 - 10.0 metres
- Lot 13 - 7.00 metres
- 9.3.2.3.6 Ground Floor Area:
- 9.3.2.3.6.1 102 square metres for a one-storey one-family dwelling.
- 9.3.2.3.6.2 65 square metres for a two-storey, one-family dwelling.
- 9.3.2.3.7 Floor Area:
- 9.3.2.3.7.1 102 square metres for a one-storey, one-family dwelling.
- 9.3.2.3.7.2 120 square metres for a one-family Dwelling having more than one storey.
- 9.3.2.3.8 Exceptions:
- The provisions of subsections 9.3.1.4, 9.3.1.5, 9.3.1.7, 9.3.1.9 and 9.3.1.10 shall not apply to the area defined in subsection 9.3.2.2.1.<sup>379</sup>

<sup>379</sup> Subsection added by Clause 4. of By-law 3132, June 20<sup>th</sup>, 1989.

## **9.4 ESTATE RESIDENTIAL ZONE (R3) REGULATIONS**

### **9.4.1 GENERAL REGULATIONS**

9.4.1.1	<u>Permitted Uses:</u>	a) Residential uses b) Accessory uses, but subject to 9.4.1.2.
9.4.1.2	<u>Prohibited Uses:</u>	Notwithstanding anything to the contrary in subsection 9.4.1.1 a) no building or structure shall be erected or used, nor shall any land be used for the keeping of any horse, pony, goat, donkey, mule, cattle, swine, domestic fowl or pigeon, rabbit, mink, fox or reptile. b) no building or structure shall be erected or used for the keeping of more than two dogs.
9.4.1.3	<u>Permitted Buildings and Structures:</u>	a) one one-family dwelling b) accessory buildings but no more than one building or structure for the keeping of dogs.
I 9.4.1.4	<u>Lot Area:</u>	.80 hectares.
9.4.1.5	<u>Lot Frontage:</u>	53 metres.
9.4.1.6	<u>Lot Depth:</u>	153 metres.
9.4.1.7	<u>Coverage:</u>	10% maximum for the dwelling and for accessory buildings.
9.4.1.8	<u>Location of Buildings and other Structures:</u>	
	9.4.1.8.1 <u>Front Yard:</u>	22 metres.
	9.4.1.8.2 <u>Side Yard:</u>	3 metres.
	9.4.1.8.3 <u>Rear Yard:</u>	11 metres.
9.4.1.9	<u>Height:</u>	10.5 metres.
9.4.1.10	<u>Floor Area:</u>	A minimum floor area of 185 square metres for a one family dwelling.
9.4.1.11	<u>Off-Street Parking:</u>	2 parking spaces shall be provided and maintained on the lot on which the dwelling is located. <sup>380</sup>

### **9.4.2 SPECIAL USE REGULATIONS:**

Notwithstanding any other provision of this By-law, the special use regulations contained in this subsection and the general use regulations contained in subsection 9.4.1, shall, except as hereinafter provided, apply to the area or areas defined below:

#### 9.4.2.1

9.4.2.1.1	<u>Defined Area:</u>	R3-1 as shown on the Zoning Map, Part 2(h).
9.4.2.1.2	<u>Prohibited Uses:</u>	Notwithstanding anything to the

<sup>380</sup> Subsection added by Clause 4. of By-law 2619, May 25<sup>th</sup>, 1981.

contrary in subsection 9.4.1.1

- a) no building or structure shall be erected or used, nor, shall any land be used for the keeping of any goat, donkey, mule, cattle, swine, domestic fowl or pigeon, rabbit, mink, fox or reptile.
- b) no building or structure shall be erected or used for the keeping of more than two dogs.
- c) no building or structure shall be erected or used for the keeping of more than five horses or ponies.

9.4.2.1.3 Permitted Buildings and Structures:

- a) one one-family dwelling.
- b) accessory buildings but no more than one building or structures for the keeping of dogs or one building or structure for the keeping of horses or ponies.

9.4.2.1.4 Exceptions:

The provisions of subsections 9.4.1.2 and 9.4.1.3 shall not apply to the lands defined in subsection 9.4.2.1.1.<sup>381</sup>

9.4.2.2

9.4.2.2.1 Defined Area:

R3-2 as shown on the Zoning Map, Part 4(c).

9.4.2.2.2 Prohibited Uses:

Notwithstanding anything to the contrary in subsection 9.4.1.1:

- a) no building or structure shall be erected or used, nor shall any land be used for the keeping of any goat, donkey, mule, cattle, swine, domestic fowl or pigeon, rabbit, mink, fox or reptile.
- b) no building or structure shall be erected or used for the keeping of more than two dogs.
- c) no building or structure shall be erected or used for the keeping of more than five horses or ponies.

9.4.2.2.3 Permitted Buildings and Structures:

- a) One one-family dwelling.
- b) Accessory buildings but no more than one building or structure for the keeping of dogs or one building or structure for the keeping of horses or ponies.

9.4.2.2.4 Exceptions:

The provisions of subsections 9.4.1.2 and 9.4.1.3 shall not apply to the lands defined in subsection 9.4.2.2.1.<sup>382</sup>

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<sup>381</sup> Subsection added by Clause 3. of By-law 2625, June 8<sup>th</sup>, 1981.

9.4.2.3			
	9.4.2.3.1	<u>Defined Area:</u>	R3-3 as shown on the Zoning Map, Part 48(a).
	9.4.2.3.2	<u>Lot Frontage:</u>	10.5 metres.
	9.4.2.3.3	<u>Lot Depth:</u>	80 metres.
	9.4.2.3.4	<u>Exceptions:</u>	The provisions of subsections 9.4.1.5 and 9.4.1.6 shall not apply to the lands defined in subsection 9.4.2.3.1. <sup>383</sup>
9.4.2.4			
	9.4.2.4.1	<u>Defined Area:</u>	R3-4, as shown on Zoning Map, Part 2(0).
	9.4.2.4.2	<u>Lot Depth:</u>	56 metres (184 feet).
	9.4.2.4.3	<u>Exceptions:</u>	The provisions of subsection 9.4.1.6 shall not apply to the lands defined in subsection 9.4.2.4.1. <sup>384</sup>
9.4.2.5			
	9.4.2.5.1	<u>Defined Area:</u>	R3-5, as shown on Zoning Map, Part 2(p).
	9.4.2.5.2	<u>Lot Depth:</u>	65 metres.
	9.4.2.5.3	<u>Exceptions:</u>	The provisions of subsection 9.4.1.6 shall not apply to the lands defined in subsection 9.4.2.5.1. <sup>385</sup>
9.4.2.6			
	9.4.2.6.1	<u>Defined Area:</u>	R3-6, as shown on Zoning Map, Part 2(5).
	9.4.2.6.2	<u>Lot Frontage:</u>	8 metres.
	9.4.2.6.3	<u>Location of Buildings and Other Structures:</u>	
	9.4.2.6.3.1	<u>Front Yard:</u>	14 metres.
	9.4.2.6.3.2	<u>Setback:</u>	No buildings or structures shall be located within 30 metres of the Canadian National Railway right-of-way.
	9.4.2.6.4	<u>Exceptions:</u>	The provisions of subsection 7.21, 9.4.1.5, 9.4.1.6 and 9.4.1.8.1 shall not apply to the area defined in subsection 9.4.2.6.1. <sup>386</sup>

<sup>382</sup> Subsection added by Clause 3. of By-law 2707, August 9<sup>th</sup>, 1982.

<sup>383</sup> Subsection added by Clause 3. of By-law 2741, January 31<sup>st</sup>, 1983.

<sup>384</sup> Subsection added by Clause 6. of By-law 3097, November 7<sup>th</sup>, 1988.

<sup>385</sup> Subsection added by Clause 3. of By-law 3140, July 10<sup>th</sup>, 1989.

<sup>386</sup> Subsection added by Clause 3. of By-law 3301, March 8<sup>th</sup>, 1993.

**BUSINESS ZONES**

## **BUSINESS (B) ZONE REGULATIONS**

### **SECTION 10**

#### **10.1. EXISTING USES IN BUSINESS ZONES**

- 10.1.1. The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces, shall remain as they lawfully exist on the day of the passing of this by-law.
- 10.1.2. Sub-section 10.1.1. shall not prohibit the erection of accessory buildings or structures, or the enlargement or extension of buildings or other structures which are permitted under the provisions of sub-sections 10.2., 10.3., 10.4., 10.5.7 and 10.6., provided the erection, enlargement, or extension is in conformity with the applicable provisions of this by-law other than subsection 10.1.1.
- 10.1.3. Where the frontage, depth and/or area of a lot on which buildings and other structures are located is less than that required in sub-sections 10.2., 10.3., 10.4., 10.5.7 and 10.6., the lot frontage, depth and/or area which lawfully exist on the day of the passing of this by-law shall be the minimum lot frontage, the minimum depth and the minimum lot area of such lot for the purposes of this by-law.

## **10.2. BUSINESS ZONE 1 (B1) REGULATIONS**

### **10.2.1. GENERAL USE REGULATIONS**

10.2.1.1.	<u>Permitted Uses:</u>	Agricultural storage facilities such as grain elevators, live stock auction barns and yards, market gardening, nurseries (horticultural), garden centres, commercial riding stables; commercial open space recreation, golf courses, country clubs, cemeteries, air ports, fair grounds, mixing and storage and selling of fertilizers, servicing and selling of farm machinery and equipment, petroleum distribution centres, BUT does not include gasoline filling stations, automobile service stations, wrecking yards, junk yards, pits or residential uses.
10.2.1.2.	<u>Permitted Buildings and other Structures:</u>	Buildings and other structures associated with the uses permitted.
10.2.1.3.	<u>Lot Area:</u>	40,000 square feet.
10.2.1.4.	<u>Lot Frontage:</u>	200 feet.
10.2.1.5.	<u>Lot Depth:</u>	200 feet.
10.2.1.6.	<u>Lot Coverage:</u>	50% maximum.
10.2.1.7.	<u>Location of Buildings and other Structures:</u>	
	10.2.1.7.1. <u>Front Yard:</u>	80 feet.
	10.2.1.7.2. <u>Side Yards:</u>	10 feet.
	10.2.1.7.3. <u>Rear Yard:</u>	10 feet.
	10.2.1.7.4. <u>Extended Yards:</u>	Where a Business Zone 1 (B1) abuts a Residential Zone, a yard of 20 feet shall be provided on the business lot at all lot lines common to both zones.
10.2.1.8.	<u>Off-Street Parking:</u>	The entire front yard shall be provided for off-street parking including driveways.

### **10.2.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 10.2.1., the special regulations contained in this subsection shall apply to the area or areas defined:

10.2.2.1.		
	10.2.2.1.1. <u>Defined Area:</u>	B1-1 as shown on the Zoning Map, Part 37 <sup>387</sup> .
	10.2.2.1.2. <u>Other Permitted Accessory Uses:</u>	Residential use.
	10.2.2.1.3 <u>Other Permitted Accessory Buildings and Structures:</u>	One one-family dwelling.

***(B1-2 and B1-3 zones deleted by Clause 2. to By-law 2708, August 9<sup>th</sup>, 1982.)***

***(B1-4 zone deleted by Clause 1. to By-law 3151, October 10<sup>th</sup>, 1989.)***

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<sup>387</sup> Map Part amended from 21 to 37 by Clause 13.(2) of By-law 2124, December 8<sup>th</sup>, 1970.

<b>10.2.2.5</b>		
10.2.2.5.1	<u>Defined Area:</u>	B1-5, as shown on Map Part 7(h).
10.2.2.5.2	<u>Only Permitted Uses:</u>	Plumbing heating and cooling sales and service including the retail sale of accessory and related products, market gardening, horticultural nursery, and a restricted business use.
10.2.2.5.3	<u>Lot Area:</u>	3250 square metres.
10.2.2.5.4	<u>Lot Frontage:</u>	45 metres.
10.2.2.5.5	<u>Coverage:</u>	35% maximum.
10.2.2.5.6	<u>Off-Street Parking:</u>	3 spaces per 100 square metres of floor area.
10.2.2.5.7	<u>Exceptions:</u>	The provisions of subsections 10.2.1.1, 10.2.1.3, 10.2.1.4, 10.2.1.7.4, 10.2.1.8, and 7.21 shall not apply to the area defined in subsection 10.2.2.5.1. <sup>388</sup>
<b>10.2.2.6</b>		
10.2.2.6.1	<u>Defined Area:</u>	B1-6, as shown on Zoning Map, Part 15(ao).
10.2.2.6.2	<u>Only Permitted Use:</u>	(a) the sale, storage, servicing, repair and reconditioning of farm equipment and machinery directly associated with the operation of a farm. (b) the sale of farm supplies. (c) accessory uses.
10.2.2.6.3	<u>Equipment/Machinery Display Area:</u>	Notwithstanding any other provision of the bylaw an equipment/machinery display area not exceeding an area of 1394 square metres is permitted within the required front yard.
10.2.2.6.4	<u>Off Street Parking:</u>	A minimum of 20 off street parking spaces shall be provided and maintained, at all times, within the defined area.
10.2.2.6.5	<u>Exceptions:</u>	The provisions of subsection 10.2.1.1, 10.2.1.8, shall not apply to the area defined in subsection 10.2.2.6.1. <sup>389</sup>

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<sup>388</sup> New subsection added by Clause 3. to By-law 3278, August 10<sup>th</sup>, 1992.

<sup>389</sup> New subsection added by Clause 4. to By-law 213, June 26<sup>th</sup>, 2000.

### **10.3. BUSINESS ZONE 2 (B2) REGULATIONS**

#### **10.3.1. GENERAL USE REGULATIONS**

10.3.1.1.	<u>Permitted Uses:</u>	Automobile service station.
10.3.1.2.	<u>Lot Frontage:</u>	150 feet.
10.3.1.3.	<u>Lot Depth:</u>	150 feet.
10.3.1.4.	<u>Permitted Buildings and Structures:</u>	Buildings and structures lawfully existing on the day of the passing of this by-law.
10.3.1.5.	<u>Lot Coverage:</u>	20% maximum.
10.3.1.6.	<u>Location of Buildings and Structures:</u>	
	10.3.1.6.1. <u>Front Yard:</u>	(a) 60 feet for buildings; (b) 15 feet for pump islands; (c) 10 feet for signs.
	10.3.1.6.2. <u>Side Yards:</u>	(a) 15 feet for buildings and pump islands; (b) 5 feet for signs.
10.3.1.6.3.	<u>Rear Yard:</u>	5 feet.
10.3.1.6.4.	<u>Distance From Existing Residential Buildings:</u>	No building or pump island shall be erected less than 25 feet from an existing residential building.

#### **10.3.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 10.3.1., the special regulations contained in this subsection shall apply to the area or areas defined:

10.3.2.1.		
	10.3.2.1.1. <u>Defined Area:</u>	B2-1 as shown on the Zoning Map, Part 22.
	10.3.2.1.2. <u>Other Permitted Uses:</u>	Residential use as an accessory use.
	10.3.2.1.3. <u>Other Permitted Buildings or Structures:</u>	One dwelling unit in the main building.

***(B2-2 zone deleted by Clause 2 to By-law 2816, March 12<sup>th</sup>, 1984.)***

10.3.2.3.		
	10.3.2.3.1. <u>Defined Area:</u>	B2-3 as shown on the Zoning Map, Part 19.
	10.3.2.3.2. <u>Other Permitted Uses:</u>	A variety store and engine repair shop.
	10.3.2.3.3. <u>Other Permitted Buildings or Structures:</u>	Buildings or structures for the permitted use.
10.3.2.3.		
	10.3.2.4.1. <u>Defined Area:</u>	B2-4 as shown on the Zoning Map, Part 1.
	10.3.2.4.2. <u>Other Permitted Uses:</u>	A variety store.
	10.3.2.4.3. <u>Other Permitted Buildings or Structures:</u>	Buildings or structures for the

permitted use.

**(B2-5 zone deleted by Clause 2 to By-law 3124, April 10<sup>th</sup>, 1989.)**

**(B2-6 zone repealed by Clause 4. to By-law 2748, April 19<sup>th</sup>, 1983.)**

10.3.2.6

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| 10.3.2.6.1 | <u>Defined Area:</u>                       | <i>B2-6 as shown on the Zoning Map, Part 2 (j) .</i>   |
| 10.3.2.6.2 | <u>Other Permitted Uses:</u>               | <i>(a) a Variety Store<br/>(b) retail sale of propane<br/>(c) retail sale of box plants and garden produce<br/>(d) storage, rental and leasing of trucks and trailers<br/>(e) a dwelling unit above the main or first storey of the main building.</i> |
| 10.3.2.6.3 | <u>Permitted Buildings and Structures:</u> | <i>Buildings and structures for the permitted uses.</i>  |
| 10.3.2.6.4 | <u>Front Yard:</u>                         | <i>(a) 15 metres for buildings<br/>(b) 4 metres for pump islands.</i>  |
| 10.3.2.6.5 | <u>Storage and Parking Area:</u>           | <i>The storage and parking area permitted for the use permitted in subsection 10.3.2.6.2(d) shall not exceed a maximum area equal to 30% of the total lot area.</i>  |
| 10.3.2.6.6 | <u>Off-Street Parking:</u>                 | <i>There shall be provided and maintained a minimum of 15 parking spaces.</i>  |
| 10.3.2.6.7 | <u>Exceptions:</u>                         | <i>The provisions of subsections 10.3.1.4 and 10.3.1.6.1(a) and (b) shall not apply to the lands defined in subsection 10.3.2.6.1.<sup>390</sup></i>   |

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<sup>390</sup> New subsection added by Clause 3. to By-law 2748, April 19<sup>th</sup>, 1983.

## **10.4. BUSINESS ZONE 3 (B3) REGULATIONS**

### **10.4.1. GENERAL USE REGULATIONS**

10.4.1.1.	<u>Permitted Uses:</u>	A motel, motor hotel or tourist cabins, a restaurant or other commercial eating place, refreshment stand, fruit or vegetable retail stand.
10.4.1.2.	<u>Permitted Buildings:</u>	Buildings for permitted uses including accessory buildings.
10.4.1.3.	<u>Lot Frontage:</u>	(a) Motel, motor hotel or tourist cabins: 200 feet. (b) Other permitted uses: 100 feet.
10.4.1.4.	<u>Lot Depth:</u>	200 feet.
10.4.1.5.	<u>Coverage:</u>	25% maximum.
10.4.1.6.	<u>Height:</u>	2 storey maximum.
10.4.1.7.	<u>Location of Buildings and other Structures:</u>	
	10.4.1.7.1. <u>Front Yard:</u>	(a) Buildings: 80 feet; (b) Signs: 10 feet.
	10.4.1.7.2. <u>Side Yards:</u>	10 feet.
	10.4.1.7.3. <u>Rear Yard:</u>	10 feet.
10.4.1.8.	<u>Off-Street Parking:</u>	The entire front yard shall be provided for parking including driveways.
10.4.1.9.	<u>Extended Yards:</u>	Where a Business Zone 3 (B3) abuts a Residential Zone, a yard of 20 feet shall be provided on the business lot at all lot lines common to both zones.
10.4.1.10.	<u>Accessory Residential Use:</u>	One dwelling unit shall be permitted in conjunction with a Business Zone 3 (B3) use provided for the accessory dwelling unit an area of 4,000 square feet of land is provided in addition to the minimum area required for the permitted use.

### **10.4.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 10.4.1., the special regulations contained in this subsection shall apply to the area or areas defined:

10.4.2.1.		
	10.4.2.1.1. <u>Defined Area:</u>	B3-1 as shown on the Zoning Map, Part 37 <sup>391</sup> .
	10.4.2.1.2. <u>Other Permitted Uses:</u>	A variety store.
	10.4.2.1.3 <u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted use.
10.4.2.2.		
	10.4.2.2.1. <u>Defined Area:</u>	B3-2 as shown on the Zoning Map, Part 37 <sup>392</sup> .

<sup>391</sup> Map Part amended from 21 to 37 by Clause 13.(2) of By-law 2124, December 8<sup>th</sup>, 1970.

<sup>392</sup> Map Part amended from 21 to 37 by Clause 13.(2) of By-law 2124, December 8<sup>th</sup>, 1970.

10.4.2.2.2.	<u>Other Permitted Uses:</u>	A variety store, a gasoline filling station.
10.4.2.2.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted use.
10.4.2.3.		
10.4.2.3.1.	<u>Defined Area:</u>	B3-3 as shown on the Zoning Map, Part 19.
10.4.2.3.2.	<u>Other Permitted Uses:</u>	A gasoline filling station, a dry-cleaning pick-up station.
10.4.2.3.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted use.
10.4.2.3.		
10.4.2.4.1.	<u>Defined Area:</u>	B3-4 as shown on the Zoning Map, Part 8.
10.4.2.4.2.	<u>Other Permitted Uses:</u>	A gasoline filling station.
10.4.2.4.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted use.

**(B3-5 zone deleted by Clause 2 of By-law 3004, May 11<sup>th</sup>, 1987.)**

10.4.2.6.		
10.4.2.6.1.	<u>Defined Area:</u>	B3-6 as shown on Zoning Map Part 15(f).
10.4.2.6.2.	<u>Other Permitted Uses:</u>	A retail store for swimming pools and pools and accessories, saunas, pool tables, shuffle boards, boats, kits for replica automobiles.
10.4.2.6.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted uses. <sup>393</sup>
10.4.2.7		
10.4.2.7.1	<u>Defined Area:</u>	B3-7 as shown on the zoning map, Part 15(g).
10.4.2.7.2	<u>Other Permitted Uses:</u>	Sale of farm machinery and farm supplies including the outside display of such machinery; repair of farm machinery; sale of antiques and bric-a-brac; manufacture and sale of tools and dyes.
10.4.2.7.3	<u>Exception:</u>	The provisions of subsection 10.4.1.3(b) shall not apply to the defined area.
10.4.2.7.4	<u>Lot Frontage:</u>	200 feet for uses permitted by subsection 10.4.2.7.2.
10.4.2.7.5	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for uses permitted by subsection 10.4.2.7.2. <sup>394</sup>

<sup>393</sup> New Subsection added by Clause 1.(1) of By-law 2283, March 10<sup>th</sup>, 1975.

<sup>394</sup> New Subsection added by Clause 1.(1) of By-law 2393, May 17<sup>th</sup>, 1977.

**(Original B3-8 zone repealed by Clause 1. of By-law 2957, June 26<sup>th</sup>, 1986.)**

**(New B3-8 lands rezoned to B4-15 by Clause 2. of By-law 1660, November 25<sup>th</sup>, 2013.)**

**(B3-9 zone deleted by Clause 1. of By-law 2981, February 2<sup>nd</sup>, 1987.)**

**(Original B3-10 zone deleted by Clause 1. of By-law 2930, March 3<sup>rd</sup>, 1986.)**

10.4.2.10

10.4.2.10.1 Defined Area: B3-10 as shown on the Zoning Maps, Parts 15(n) and 31(a).

10.4.2.10.2 Other Permitted Uses:

1. The retail sale of :
  - a) craft supplies and gifts
  - b) patio furnishings and prefabricated concrete slabs
  - c) swimming pools, accessories and supplies
  - d) spas, hot tubs and saunas
  - e) satellite dishes and TV antennas
  - f) pool tables and accessories
  - g) exercise equipment
  - h) classic automobiles
  - i) uses accessory to the foregoing.<sup>395</sup>

10.4.2.10.3 Other Permitted Buildings and Structures: Buildings and structures for the permitted uses.

10.4.2.10.4 Location of Buildings and Other Structures:

10.4.2.10.4.1 Front Yard: a) Buildings - 8.5 metres.

b) Signs - 3.05 metres.

10.4.2.10.4.2 Side Yards: 3.05 metres.

10.4.2.10.4.3 Rear Yard: 3.05 metres.

10.4.2.10.5 Off-Street Parking: A minimum of 8 parking spaces shall be provided and maintained.<sup>396</sup>

10.4.2.10.6 Exceptions: The provisions of subsections 10.4.1.7 and 10.4.1.8 shall not apply to the area defined in subsection 10.4.2.10.1.<sup>397</sup>

10.4.2.11

10.4.2.11.1 Defined Area: B3-11, as shown on the Zoning Maps, Parts 15(r) and 31(b).

10.4.2.11.2 Other Permitted Uses:

- a) restaurant
- b) drive-in restaurant
- c) automotive trade
- d) automobile service station

<sup>395</sup> Subsection 10.4.2.10.2 replaced by Clause 1. of By-law 3478, November 12<sup>th</sup>, 1996.

<sup>396</sup> Subsection 10.4.2.10.5 replaced by Clause 1. of By-law 3478, November 12<sup>th</sup>, 1996.

<sup>397</sup> New Subsection added by Clause 4. of By-law 2930, March 3<sup>rd</sup>, 1986.

- e) *automotive service business*
- f) *automatic car wash*
- g) *wholesale business*
- h) *business of leasing and selling vehicles and equipment*
- i) *farm machinery and equipment sales*
- j) *moving and storage business*
- k) *building supply outlet*
- l) *printing establishment*
- m) *garden centre*
- n) *plant nursery*
- o) *animal clinic*
- p) *pet grooming shop*
- q) *antique or craft shop*
- r) *institution*
- s) *hotel*
- t) *motel*
- u) *boat sales*
- v) *wholesale business*
- w) *restricted business office*
- x) *convenience store with a maximum floor area of 390 m<sup>2</sup>*
- y) *retail foodstore*
- z) *clinic*
- aa) *uses accessory to the foregoing*

10.4.2.11.3 *Other Permitted Buildings and Structures:*

*Buildings and structures for the uses permitted by subsection 10.4.2.11.2.*

10.4.2.11.4 *Off-Street Parking:*

*A minimum of 65 parking spaces shall be provided and maintained.*

10.4.2.11.5 *Services Required:*

*In this zone, the following requirements for services shall apply:*

- (a) *Subject to paragraph (b) of this subsection, no buildings or structures shall be erected or used for any purpose permitted by subsection 10.4.2.11.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:*
  - i) *a water supply system, and*
  - ii) *a sanitary sewage system and a storm system or a combined sanitary and storm sewage system.*
- (b) *Buildings or structures may be used for any purpose permitted by subsection 10.4.2.11.2 if:*

- i) a water supply system provided by the municipality is available to service any building or structure and the land on which it is situate; and
- ii) the sanitary waste for such building or structure is discharged to a sanitary waste disposal system approved by the Medical Officer of Health for the County of Elgin.

10.4.2.11.6	<u>Exemptions:</u>	<i>The provisions of subsections 7.2.1, 10.4.1.8 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.11.1.<sup>398</sup></i>
10.4.2.12		
10.4.2.12.1	<u>Defined Area:</u>	<i>B3-12, as shown on Zoning Map, Part 15(u).</i>
10.4.2.12.2	<u>Other Permitted Uses:</u>	<i>Automobile service station, automobile repair shop, retail sales of cars and other motor vehicles, including mobile homes, gasoline filling station, farm equipment sales and service agency, building supply outlet.</i>
10.4.2.12.3	<u>Other Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted in subsection 10.4.2.12.2.</i>
10.4.2.12.4	<u>Lot Frontage:</u>	<i>50 metres for the uses permitted in subsection 10.4.2.12.2.</i>
10.4.2.12.5	<u>Exceptions:</u>	<i>The provisions of subsections 10.4.1.9 and 10.4.1.10 shall not apply to the uses permitted.<sup>399</sup></i>
10.4.2.13		
10.4.2.13.1	<u>Defined Area:</u>	<i>B3-13, as shown on Zoning Map, Part 15(x).</i>
10.4.2.13.2	<u>Other Permitted Uses:</u>	<i>Automobile service station, automobile repair shop, retail sales of cars and other motor vehicles, including mobile homes, gasoline filling station, farm equipment sales and service, building supply outlet, and accessory uses thereto.</i>
10.4.2.13.3	<u>Other Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted in subsection 10.4.2.13.2.</i>
10.4.2.13.4	<u>Lot Frontage:</u>	<i>50 metres for the uses permitted in subsection 10.4.2.13.2.</i>
10.4.2.13.5	<u>Exceptions:</u>	<i>The provisions of subsections 10.4.1.9 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.13.1.<sup>400</sup></i>

<sup>398</sup> Subsection 10.4.2.11 replaced in its entirety by Clause 1. of By-law 536, July 21<sup>st</sup>, 2003.

<sup>399</sup> New Subsection added by Clause 3. of By-law 2917, November 4<sup>th</sup>, 1985. Zone subsequently expanded through By-law 2929, March 3<sup>rd</sup>, 1986.

**(B3-14 zone deleted by Clause 1. of By-law 3134, June 19<sup>th</sup>, 1989.)**

10.4.2.15

10.4.2.15.1 Defined Area:

B3-15 as shown on the Zoning Map, Part 15(y).

10.4.2.15.2 Permitted Uses:

Automobile, trailer or boat sales agencies, automobile service stations, gas bars, public garages, building supply outlets, a restaurant or drive-in restaurant, motels, hotels, and accessory eating establishments, farm machinery and equipment sales and service, farm supplies, antique or craft shops, veterinarian clinic, commercial greenhouse, plant nurseries, machine shop and uses accessory to the permitted uses.

10.4.2.15.3 Exceptions:

The provisions of subsections 7.21 and 10.4.1.1 shall not apply to the area defined in subsection 10.4.2.15.1.<sup>401</sup>

10.4.2.16

10.4.2.16.1 Defined Area:

B3-16, as shown on Zoning Maps Parts 15(z) and 31(d).

10.4.2.16.2 Other Permitted Uses:

- a) Gasoline filling station.
- b) Retail foodstore.
- c) Auditorium.
- d) Accessory uses.

10.4.2.16.3 Other Permitted Buildings and Structures:

Buildings and structures for the permitted uses.

10.4.2.16.4 Off-Street Parking:

A minimum of 55 parking space shall be provided and maintained.

10.4.2.16.5 Exceptions:

The provisions of subsections 10.4.1.4, 10.4.1.8 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.16.1.<sup>402</sup>

10.4.2.17

10.4.2.17.1 Defined Area:

B3-17 as shown on the Zoning Map, Part 15(aa).

10.4.2.17.2 Permitted Uses:

1. Dealership for the sale maintenance and repair of motor vehicles, lawn mowers, gasoline engines and accessories.
2. Sale of cedar, pine, spruce and Christmas trees.
3. Storage of flexible drainage pipe.
4. Design, display and sale of kitchen and bathroom cupboards, counter tops, vanity stands, shower stalls and uses accessory to the above.

<sup>400</sup> New Subsection added by Clause 3. of By-law 2984, February 2<sup>nd</sup>, 1987.

<sup>401</sup> New Subsection added by Clause 3. of By-law 3002, May 11<sup>th</sup>, 1987.

<sup>402</sup> New Subsection added by Clause 3. of By-law 3004, May 11<sup>th</sup>, 1987.

- 10.4.2.17.3 Front Yard: 14 metres.
- 10.4.2.17.4 Exceptions: The provisions of subsections 10.4.1.1, 10.4.1.3(a), 10.4.1.7.1(a) shall not apply to the area defined in subsection 10.4.2.17.1.<sup>403,404,405</sup>

**(B3-19 zone deleted by Clause 1. of By-law 3190, July 9<sup>th</sup>, 1990; replaced by Clause 1. of By-law 3332, March 14<sup>th</sup>, 1994; repealed by Clause 5. of By-law 111, May 25<sup>th</sup>, 1999.)**

10.4.2.20

- 10.4.2.20.1 Defined Area: B3-20 as shown on Zoning Map, Part 15(ad).
- 10.4.2.20.2 Other Permitted Uses: a) a gasoline filling station.  
b) a one hour photo service shop.
- 10.4.2.20.3 Other Permitted Buildings and Structures: a) Buildings and structures for the permitted uses.
- 10.4.2.20.4 Locations of Buildings and Other Structures:
- 10.4.2.20.4.1 Front Yard: a) Kiosk and Gas Bar Island: 6.096 metres.
- 10.4.2.20.5 Off-Street Parking: A minimum of 24 parking spaces shall be provided and maintained.
- 10.4.2.20.6 Exceptions: The provisions of subsection 10.4.1.7.1(a) shall not apply to the area defined in subsection 10.4.2.20.1 during any period of use for the uses permitted in subsection 10.4.2.20.2.<sup>406</sup>

10.4.2.21

- 10.4.2.21.1 Defined Area: B3-21, as shown on Zoning Map, Part 9(n).
- 10.4.2.21.2 Only Permitted Uses: a) an automobile service business.  
b) accessory uses.
- 10.4.2.21.3 Permitted Buildings and Structures: Buildings and Structures for the permitted uses.
- 10.4.2.21.4 Definition: An automobile service business means a building or a part of a building where:
- (1) motor vehicle parts and accessories are kept or offered for sale at wholesale or retail, or
  - (2) repairs are made to motor vehicles or parts of such vehicles are replaced, or
  - (3) repairs are made to motor vehicle transmissions,

<sup>403</sup> New Subsection added by Clause 3. of By-law 3012, July 13<sup>th</sup>, 1987.

<sup>404</sup> Clauses 3 and 4 added to Subsection 10.4.2.17.2 by Clause 1. of By-law 3111, January 9<sup>th</sup>, 1989.

<sup>405</sup> Wording of Subsection 10.4.2.17.4 amended by Clause 2. of By-law 3111, January 9<sup>th</sup>, 1989.

<sup>406</sup> Subsection 10.4.2.20 deleted and replaced by Clause 1. of By-law 3224, June 10<sup>th</sup>, 1991.

- radiators or other motor vehicle components, or*
- (4) *motor vehicles are lubricated, but excludes a building or part thereof or any lands where:*
- (i) *motor vehicles are sold or leased, or*
  - (ii) *motor vehicles are wrecked, or*
  - (iii) *motor vehicle fuel is sold,*
- and also excludes car washes including a coin-operated car wash and an automatic car wash.*
- 10.4.2.21.5 Lot Frontage: 90 metres.
- 10.4.2.21.6 Off Street Parking: a) 10 spaces shall be provided and maintained for the uses permitted by subsection 10.4.2.21.2.
- 10.4.2.21.7 Outdoor Storage: Outdoor storage is only permitted within an enclosed area.
- 10.4.2.21.8 Exceptions: The provisions of subsection 10.4.1.1, 10.4.1.2, 10.4.1.3, 10.4.1.8, 10.4.1.10, and 7.21 shall not apply to the area defined in subsection 10.4.21.1 of this bylaw.<sup>407</sup>

***B3-22 zone no longer applicable, lands transferred to City, now in C6-9 zone of St. Thomas By-law 50-88.***

- 10.4.2.23
- 10.4.2.23.1 Defined Area: B3-23, as shown on Map Part 15(ah).
- 10.4.2.23.2 Only Permitted Uses:
- a) *a Hotel or Motel and accessory uses only within the area identified as BLOCK 1 on Schedule 33.*
  - b) *a banquet hall only within the area identified as BLOCK 2 on Schedule 33.*
  - c) *a restaurant, gas bar, convenience store, personal service shops, antique/craft shop, banking machine, flower shop, hair salon, travel agent, pharmacy, bake shop, bookstore, hardware store and the storage and sale of furniture, flooring materials, wallpaper, paint and accessories and other similar commercial establishments only within the area identified as BLOCK 2 on Schedule 33.*
- 10.4.2.23.3 Only Permitted Buildings and Structures: *Buildings and Structures for the uses permitted in subsection 10.4.2.23.2.*
- 10.4.2.23.4 Lot Area: .8 hectares.
- 10.4.2.23.5 Maximum Floor Area: a) *The maximum floor area of all*

<sup>407</sup> New Subsection added by Clause 1. of By-law 3347, July 11<sup>th</sup>, 1994.

*buildings, located within the area identified as Block 1 on Schedule 33, shall not exceed 3066 square metres.*

- b) The maximum floor area of all buildings, located within the area identified as Block 2 on Schedule 33, shall not exceed 3066 square metres.*
- c) The maximum floor area of a banquet hall permitted by subsection 10.4.2.23.2 (b) shall not exceed 960 square metres.*
- d) The maximum floor area of a single use permitted by subsection 10.4.2.23.2 (c) shall not exceed 470 square metres.*

**10.4.2.23.6 Location of Buildings and other Structures:**

**10.4.2.23.6.1 Front Yard:** 12 metres

**10.4.2.23.6.2 Side Yard:** 3 metres

**10.4.2.23.6.3 Rear Yard:** 3 metres

**10.4.2.23.6.4 Signs:** 3 metres

**10.4.2.23.6.5 Provincial Highway:**

*Notwithstanding the requirements of subsections 10.4.2.23.6.1, 10.4.2.23.6.2 and 10.4.2.23.6.3 the setback of buildings and structures from a Provincial Highway shall be:*

- i) 15 metres.*
- ii) 9 metres for a gas bar and canopy.*

**10.4.2.23.7 Off-Street Parking:**

- a) for the uses permitted by Subsection 10.4.2.23.2 (a) - 3 parking spaces for every 100 square metres of floor area.*
- b) for the uses permitted by subsection 10.4.2.23.2 (b) - 10 parking spaces for every 100 square metres of floor area.*
- c) for the uses permitted by subsection 10.4.2.23.2 (c) - 3.5 parking spaces for every 100 square metres of floor area.*

**10.4.2.23.8 Services Required:**

*No buildings or structures shall be erected or used for any purpose within the area defined by subsection 10.4.2.23.1 unless the following municipal services are available to service the building or structure and the land on which it is situate:*

- a) a water supply system, and*
- b) a sanitary sewage system and a storm system.*

**10.4.2.23.9 Exceptions:**

*The provisions of subsections*

10.4.1.1, 10.4.1.2, 10.4.1.3, 10.4.1.4, 10.4.1.5, 10.4.1.7, 10.4.1.8, 10.4.1.9 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.23.1.<sup>408</sup>

10.4.2.24

- 10.4.2.24.1 Defined Area: B3-24, as shown on Map Part 15(ah).
- 10.4.2.24.2 Only Permitted Uses: a) a wholesale business, a restricted business office, gas bar, automobile service station, automotive trade, automotive service business, automobile repair shop, automatic car wash, business of leasing vehicles and equipment, recreational vehicle business, equipment sales/service, home improvement outlets, building supplies/fixtures, retail sales of cars and other motor vehicles including mobile homes, animal clinic, and farm equipment sales/service.
- 10.4.2.24.3 Only Permitted Buildings and Structures: Buildings and structures for the uses permitted in subsection 10.4.2.24.2.
- 10.4.2.24.4 Lot Area: .95 hectares.
- 10.4.2.24.5 Maximum Floor Area: a) The maximum floor area of all buildings, located within the area identified as BLOCK 3 and 5 on Schedule 33, shall not exceed 2800 square metres.  
b) The maximum floor area of all buildings, located within the area identified as BLOCK 4 on Schedule 33, shall not exceed 1860 square metres.
- 10.4.2.24.6 Location of Buildings and other Structures:
- 10.4.2.24.6.1 Front Yard: 12 metres
- 10.4.2.24.6.2 Side Yard: 3 metres
- 10.4.2.24.6.3 Rear Yard: 3 metres
- 10.4.2.24.6.4 Signs: 3 metres
- 10.4.2.24.6.5 Provincial Highway: Notwithstanding the requirements of subsections 10.4.2.23.6.1, 10.4.2.23.6.2 and 10.4.2.23.6.3 the setback of buildings and structures from a Provincial Highway shall be:
- i) 15 metres
- 10.4.2.24.7 Off-Street Parking: a) for the uses permitted by subsection 10.4.2.24.2 - 4 parking spaces for every 100 square metres of floor area.
- 10.4.2.24.8 Services Required: No buildings or structures shall be

<sup>408</sup> New Subsection added by Clause 3. of By-law 3223, June 10<sup>th</sup>, 1991.

erected or used for any purpose within the area defined by subsection 10.4.2.24.1 unless the following municipal services are available to service the building or structure and the land on which it is situate:

- a) a water supply system, and
- b) a sanitary sewage system and a storm system.
- c) a water supply and a sanitary waste disposal system approved by the Medical Officer of Health for the County of Elgin.

10.4.2.24.9 Exceptions:

The provisions of subsections 10.4.1.1, 10.4.1.2, 10.4.1.3, 10.4.1.4, 10.4.1.5, 10.4.1.7, 10.4.1.8, 10.4.1.9 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.24.1.<sup>409</sup>

**(Note: The following zone designation was duplicated in error and will be corrected in a future consolidation of the By-law.)**

10.4.2.24

10.4.2.24.1 Defined Area:

B3-24, as shown on Zoning Map, Part 4(h).

10.4.2.24.2 Only Permitted Use:

Retail sale of flowers, plants, nursery stock and accessory products.

10.4.2.24.3 Permitted Buildings and Structures:

Buildings and structures for the permitted uses.

10.4.2.24.4 Lot frontage:

28 metres.

10.4.2.24.5 Lot Area:

1350 square metres.

10.4.2.24.6 Side Yards:

1 metre.

10.4.2.24.7 Rear Yard:

1 metre.

10.4.2.24.8 Off Street Parking:

15 parking spaces shall be provided and maintained at all times.

10.4.2.24.9 Exceptions:

The provisions of subsections 10.4.1.1, 10.4.1.2, 10.4.1.3, 10.4.1.4, 10.4.1.7.2, 10.4.1.7.3, 10.4.1.8, and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.24.1.<sup>410</sup>

10.4.2.25

10.4.25.1 Defined Area:

B3-25 as shown on the Zoning Map, Part 6(g).

10.4.25.2 Only Permitted Uses:

- a) plumbing/heating and cooling sales and service including the retail sale of accessory and related products.
- b) variety store/farmers market.

10.4.25.3 Only Permitted Buildings and Structures:

One building having a maximum floor

<sup>409</sup> New Subsection added by Clause 5. of By-law 3223, June 10<sup>th</sup>, 1991.

<sup>410</sup> New Subsection added by Clause 3. of By-law 3293, January 11<sup>th</sup>, 1993.

		area floor area not greater than 420 square metres. <sup>411</sup>
10.4.25.4	<u>Prohibited Uses:</u>	No outdoor storage of goods or materials is permitted.
10.4.25.5	<u>Off Street Parking:</u>	a) 3 spaces per 100 square metres of floor area for the use permitted by subsection 10.4.25.2 (a). b) 5 spaces per 100 square metres of floor area for the use permitted by subsection 10.4.25.2 (b).
10.4.25.6	<u>Location of Buildings and Structures:</u>	No building or structure shall be located within 25 metres of the front lot line.
10.4.25.7	<u>Exceptions:</u>	The provisions of subsection 10.4.1.1, 10.4.1.2, 10.4.1.3(a), 10.4.1.5, 10.4.1.6 10.4.1.7, 10.4.1.8, 10.4.1.9 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.25.1. <sup>412</sup>
10.4.2.26		
10.4.2.26.1	<u>Defined Area:</u>	B3-26, as shown on Zoning Map, Part 6(i).
10.4.2.26.2	<u>Only Permitted Uses:</u>	(a) Animal Clinic; (b) Residential use; (c) Accessory Uses.
10.4.2.26.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures for the permitted uses.
10.4.2.26.4	<u>Maximum Number of Dwelling Units:</u>	One residential dwelling unit only shall be permitted.
10.4.2.26.5	<u>Front Yard:</u>	12.8 metres.
10.4.2.26.6	<u>Off-Street Parking:</u>	(a) A minimum of five parking spaces shall be provided and maintained for the uses permitted by subsection 10.4.2.26.2 (a); (b) A minimum of one parking space shall be provided and maintained for the use permitted by subsection 10.4.2.26.2 (b).
10.4.2.26.7	<u>Prohibited Uses:</u>	Kennels and outdoor facilities associated with the permitted animal clinic use, including outdoor exercise runs and pens, shall be prohibited.
10.4.2.26.8	<u>Exceptions:</u>	The provisions of subsections 10.4.1.1, 10.4.1.2, 10.4.1.4, 10.4.1.7.1, 10.4.1.8, 10.4.1.10 shall

<sup>411</sup> Subsection 10.4.25.3 replaced by Clause 1. of By-law 3508, June 9<sup>th</sup>, 1997.

<sup>412</sup> New Subsection added by Clause 3. of By-law 3482, December 9<sup>th</sup>, 1996.

not apply to the area defined in subsection 10.4.2.26.1<sup>413</sup>

10.4.2.27

- 10.4.2.27.1 Defined Area: B3-27, as shown on Zoning Map, Part 15(am).
- 10.4.2.27.2 Only Permitted Use: (a) Builders Depot;  
(b) Retail sale of exterior renovation products, including, but not limited to: windows, doors, siding, soffit, fascia and eaves trough;  
(c) Accessory uses.
- 10.4.2.27.3 Permitted Buildings and Structures: Buildings and structures for the permitted uses.
- 10.4.2.27.4 Prohibited Uses: No outdoor storage of goods or materials is permitted.
- 10.4.2.27.5 Off Street Parking: 10 parking spaces shall be provided and maintained at all times.
- 10.4.2.27.6 Exceptions: The provisions of subsection 10.4.1.1, 10.4.1.2, 10.4.1.3(a), 10.4.1.8 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.27.1.<sup>414</sup>

**(B3-28 lands rezoned to B3-29 through Clause 4. of By-law 881, June 12<sup>th</sup>, 2006.)**

**(B3-29 lands rezoned to B3-30 through Clause 4. of By-law 1043, March 25<sup>th</sup>, 2008.)**

10.4.2.30

- 10.4.2.30.1 Defined Area: B3-30, as shown on Zoning Map, Part 9(ad).
- 10.4.2.30.2 Only Permitted Uses: (a) gasoline filling station;  
(b) dispensing, retail sale and storage of propane;  
(c) convenience store;  
(d) coin-operated car wash;  
(e) mini-storage facility;  
(f) business office for the sale and leasing of shipping/storage containers;  
(g) used car sales;  
(h) accessory uses.
- 10.4.2.30.3 Permitted Buildings and Structures: Buildings and structures for the permitted uses.
- 10.4.2.30.4 Maximum Floor Area: The maximum floor area of the convenience store permitted by subsection 10.4.2.30.2(c) shall not exceed 275 square metres.
- 10.4.2.30.5 Storage: No storage of goods, materials or products associated with the use permitted by subsection 10.4.2.30.2(f) shall be permitted.

<sup>413</sup> New Subsection added by Clause 3. of By-law 24, February 26<sup>th</sup>, 1998.

<sup>414</sup> New Subsection added by Clause 3. of By-law 55, September 28<sup>th</sup>, 1998.

- 10.4.2.30.6 Location of Mini Storage Use: Notwithstanding any other provisions of this By-law, a mini-storage use permitted by Subsection 10.4.2.30.2(e) shall only be permitted within the area shown in bold on Schedule 67 to this By-law.
- 10.4.2.30.7 Display of Used Cars: Notwithstanding any other provisions of this By-law, the display of used cars for sale as permitted by subsection 10.4.2.30.2(g) shall only be permitted within the area shown hatched on Schedule 67 to this By-law.
- 10.4.2.30.8 Front Yard:
- (a) Gasoline Filling Station Canopy: 20 metres.
  - (b) Buildings and structures for other permitted uses: 24.4 metres.
- 10.4.2.30.9 Services Required:
- (a) In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 10.4.2.30.2 unless the following services are available to service the building or structure and the land on which it is situate:
    - i) a water supply system, and
    - ii) a sanitary sewage system approved by the designated regulatory authority.
  - (b) A coin-operated car wash permitted by subsection 10.4.2.30.2(d) shall be serviced by:
    - i) a sanitary sewage system approved by the designated regulatory authority, or
    - ii) a waste water recycling system approved by the municipality.
- 10.4.2.30.10 Off-Street Parking: Parking shall be provided and maintained at the following rates:  
 Gasoline Filling Station, dispensing, retail sale and storage of propane: 5 spaces  
 Convenience Store: 4.5 spaces per 100m<sup>2</sup> of floor area.
- 10.4.2.30.11 Exceptions: The provisions of subsections 10.4.1.1, 10.4.1.2, 10.4.1.8 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.30.1.<sup>415</sup>

**(B3-31 lands rezoned to hB3-32 by Clause 2. of By-law 1290, October 18<sup>th</sup>, 2010.)**

10.4.2.32

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<sup>415</sup> New Subsection added by Clause 4. of By-law 1043, March 25<sup>th</sup>, 2008.

10.4.2.32.1	<u>Defined Area:</u>	<i>B3-32, as shown on Zoning Map, Part 9(af).</i>
10.4.2.32.2	<u>Only Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) <i>motel;</i></li> <li>(b) <i>tourist cabins;</i></li> <li>(c) <i>convenience store;</i></li> <li>(d) <i>restaurant;</i></li> <li>(e) <i>gift shop;</i></li> <li>(f) <i>accessory uses.</i></li> </ul>
10.4.2.32.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the permitted uses.</i>
10.4.2.32.4	<u>Maximum Floor Area:</u>	<i>The aggregate maximum gross floor area for all convenience store and/or gift shop uses permitted by subsection 10.4.2.32.2 within the Defined Area shall not exceed 150 square metres.</i>
10.4.2.32.5	<u>Front Yard:</u>	<i>15 metres.</i>
10.4.2.32.6	<u>Services Required:</u>	<p><i>In this zone, no buildings or structures shall be erected or used for any purpose permitted by subsection 10.4.2.32.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:</i></p> <ul style="list-style-type: none"> <li><i>i) a water supply system, and</i></li> <li><i>ii) a sanitary sewage system and a storm sewage system.</i></li> </ul>
10.4.2.32.7	<u>Off-Street Parking:</u>	<p><i>Parking shall be provided and maintained at the following rates:</i></p> <p><i>Convenience Store/Gift Shop: 4.5 spaces per 100m<sup>2</sup> of floor area.</i></p> <p><i>Restaurant: 8 spaces per 100m<sup>2</sup> of floor area.</i></p> <p><i>Motel/Tourist Cabins: 1 space per room or cabin.</i></p>
10.4.2.32.8	<u>Exceptions:</u>	<i>The provisions of subsections 10.4.1.1, 10.4.1.2, 10.4.1.7.1, 10.4.1.8 and 10.4.1.10 shall not apply to the area defined in subsection 10.4.2.32.1.<sup>416</sup></i>

**(B3-33 zone expired through Clause 4. of By-law 1343, April 26<sup>th</sup>, 2014.)**

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<sup>416</sup> New Subsection added by Clause 3. of By-law 1290, October 18<sup>th</sup>, 2010.

**10.5. BUSINESS ZONE 4 (B4) REGULATIONS**

**10.5.1. GENERAL USE REGULATIONS**

10.5.1.1.	<u>Permitted Uses:</u>	A bowling alley, curling rink, roller skating rink, nursery, garden centre, animal hospital, funeral parlour, automobile sales lot; accessory uses, including a dwelling unit when accessory to the business use.
10.5.1.2.	<u>Permitted Buildings:</u>	Buildings for permitted uses.
10.5.1.3.	<u>Lot Frontage:</u>	100 feet.
10.5.1.4	<u>Lot Depth:</u>	200 feet.
10.5.1.5.	<u>Coverage:</u>	25% maximum.
10.5.1.6.	<u>Location of Buildings and other Structures:</u>	
	10.5.1.6.1. <u>Front Yard:</u>	80 feet.
	10.5.1.6.2. <u>Side Yards:</u>	10 feet.
	10.5.1.6.3. <u>Rear Yard:</u>	35 feet.
	10.5.1.6.4. <u>Setback:</u>	No sign shall be erected closer than 10 feet from any lot line.
	10.5.1.6.5. <u>Extended Side Yards:</u>	Where a Business Zone 4 (B4) abuts a Residential Zone, a yard of 20 feet shall be provided at the side lot lines on the business lot adjacent to the Residential zone.
10.5.1.7.	<u>Accessory Residential Use:</u>	One dwelling unit shall be permitted in conjunction with a Business Zone 4 (B4) use provided for the accessory dwelling unit an area of 4,000 square feet of land is provided in addition to the minimum area required for the permitted use.
10.5.1.8.	<u>Off-Street Parking:</u>	The entire front yard shall be provided for off-street parking including driveways.

**10.5.2 SPECIAL USE REGULATIONS**

*Notwithstanding any other provision of this By-law, the special regulations contained in this subsection and the general regulations contained in subsection 10.5.1, except as hereinafter provided, apply to the area or areas defined below.*

**(B4-1 zone rezoned B4-4 by Clause 2. of By-law 3018, July 13<sup>th</sup>, 1987.)**

**(B4-2 zone repealed by Clause 1. of By-law 3041, October 13<sup>th</sup>, 1987.)**

**(Old B4-3 zone deleted by Clause 1. of By-law 3186, June 21<sup>st</sup>, 1990.)**

**(B4-3 lands now in the City of St. Thomas, within a C7 zone in St. Thomas By-law 50-88.)**

**(B4-4 lands rezoned B4-8 by Clause 2. of By-law 3410, November 14<sup>th</sup>, 1995.)**

**(B4-5 lands rezoned B4-7 by Clause 2. of By-law 3396, August 14<sup>th</sup>, 1995.)**

**(B4-6 lands rezoned B4-7 by Clause 2. of By-law 3396, August 14<sup>th</sup>, 1995.)**

10.5.2.7

10.5.2.7.1	<u>Defined Area:</u>	B4-7 as shown on Zoning Map, Part 15(ai) and Part 31(g).
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- 10.5.2.7.2 Permitted Uses:
- a) restaurant
  - b) drive-in restaurant
  - c) automotive trade
  - d) automobile service station
  - e) automotive service business
  - f) automatic car wash
  - g) wholesale business
  - h) business of leasing vehicles and equipment
  - i) farm machinery and equipment sales
  - j) moving and storage business
  - k) building supply outlet
  - l) printing establishment
  - m) garden centre
  - n) plant nursery
  - o) animal clinic
  - p) pet grooming shop
  - q) antique or craft shop
  - r) institution
  - s) hotel
  - t) motel
  - u) boat sales
  - v) convenience store with a maximum floor area of 390m<sup>2</sup>.
  - w) uses accessory to the foregoing.<sup>417</sup>
- 10.5.2.7.3 Permitted Buildings and Structures:
- Buildings and structures for the uses permitted by subsection 10.5.2.7.2.*
- 10.5.2.7.4 Services Required:
- In this zone no buildings or structures shall be erected or used for any purpose permitted by subsection 10.5.2.7.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:*
- i) a water supply system provided by the municipality is available to service any building or structure and the land on which it is situate; and
  - ii) the sanitary waste for such building or structure is discharged to a sanitary waste disposal system approved by the Medical Officer of Health for the County of Elgin.
- 10.5.2.7.5 Off- Street Parking:
- Parking shall be provided and maintained at the following rates:*
- Restaurant: 20.0 spaces per 100m<sup>2</sup> of floor area.*

<sup>417</sup> Subsection 10.5.2.7.2 deleted and replaced by Clause 1. of By-law 3429, March 11<sup>th</sup>, 1996.

*Hotel/Motel: 1 space per suite plus space for other uses in accordance with this by-law if over 10% of hotel/motel area.*

*Automotive trade, automobile service station, automotive service business: 4.5 spaces per 100m<sup>2</sup> of floor area plus 5 spaces for temporary vehicle storage.*

*Other commercial uses not listed: 3.0 spaces per 100m<sup>2</sup> of floor area.*

10.5.2.7.6 Exceptions:

*The provisions of subsections 7.21, 10.5.1.1, 10.5.1.2, 10.5.1.7 and 10.5.1.8 shall not apply to the area defined in subsection 10.5.2.7.1.<sup>418</sup>*

**(B4-8 lands rezoned to B4-11 by Clause 3. of By-law 601, September 22<sup>nd</sup>, 2003.)**

10.5.2.9

10.5.2.9.1 Defined Area:

*B4-9 as shown on Zoning Map, Part 15(ak) and Part 31(h).*

10.5.2.9.2 Permitted Uses:

- a) *skate sharpening and repairs,*
- b) *retail sale of skates, skating dresses and figure skating supplies,*
- c) *a restaurant and coffee shop,*
- d) *automotive trade,*
- e) *automotive service business,*
- f) *the single detached dwelling existing on the date of the passing of this by-law,*
- g) *uses accessory to the foregoing.<sup>419</sup>*

10.5.2.9.3 Permitted Buildings and Structures:

*Buildings and structures for the uses permitted by subsection 10.5.2.9.2.*

10.5.2.9.4 Lot Depth:

*40 metres*

10.5.2.9.5 Services Required:

*In this zone, the following requirements for services shall apply:*

- (a) *Subject to paragraph (b) of this subsection, no buildings or structures shall be erected or used for any purpose permitted by subsection 10.5.2.9.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:*
  - i) *a water supply system, and*
  - ii) *a sanitary sewage system and a storm system*
- (b) *Buildings or structures may be used for any purpose*

<sup>418</sup> New Subsection added by Clause 3. of By-law 3396, August 14<sup>th</sup>, 1995.

<sup>419</sup> Subsection 10.5.2.9.2 replaced by Clause 1. of By-law 3512, June 16<sup>th</sup>, 1997.

permitted by subsection  
10.5.2.9.2 if:

- i) a water supply system provided by the municipality is available to service any building or structure and the land on which it is situate; and
- ii) the sanitary waste for such building or structure is discharged to a sanitary waste disposal system approved by the Medical Officer of Health for the County of Elgin.

10.5.2.9.6 Off- Street Parking:

- a) 4.5 spaces per 100 square metres of floor area
- b) in addition to a) above, 5 spaces for temporary parking for uses permitted by subsection 10.5.2.9.2 d) and e).<sup>420</sup>

10.5.2.9.7 Exceptions:

The provisions of subsections 10.5.1.1, 10.5.1.2, 10.5.1.4, 10.5.1.7 and 10.5.1.8 shall not apply to the area defined in subsection 10.5.2.9.1.<sup>421</sup>

10.5.2.10

10.5.2.10.1 Defined Area:

B4-10 as shown on the Zoning Maps, Part 15(a) and 31(i).

10.5.2.10.2 Only Permitted Uses:

- a) restricted business office
- b) picture framing studio including the retail sale of accessory products.

10.5.2.10.3 Only Permitted Buildings and Structures:

The building existing on the property at the date of the passing of this by-law.

10.5.2.10.4 Prohibited Uses:

No outdoor storage of goods or materials is permitted.

10.5.2.10.5 Lot Frontage:

25 metres.

10.5.2.10.6 Off Street Parking:

- a) 3 spaces per 100 square metres of floor area for the use permitted by subsection 10.5.2.1 0.2 (a).
- b) 5 spaces per 100 square metres of floor area for the use permitted by subsection 10.5.2.10.2 (b).

10.5.2.10.7 Services Required:

In this zone, the following requirements for services shall apply:

- (a) Subject to paragraph (b) of this subsection, no buildings or

<sup>420</sup> Subsection 10.5.2.9.6 replaced by Clause 1. of By-law 3512, June 16<sup>th</sup>, 1997.

<sup>421</sup> New Subsection added by Clause 3. of By-law 3479, November 12<sup>th</sup>, 1996.

structures shall be erected or used for any purpose permitted by subsection 10.5.2.9.2 unless the following municipal services are available to service the building or structure and the land on which it is situate:

- i) a water supply system, and
- ii) a sanitary sewage system and a storm system.

(b) Buildings or structures may be used for any purpose permitted by subsection 10.5.2.10.2 if:

- i) a water supply system provided by the municipality is available to service any building or structure and the land on which it is situate; and
- ii) the sanitary waste for such building or structure is discharged to a sanitary waste disposal system approved by the Medical Officer of Health for the County of Elgin.

10.5.2.10.8 Exceptions:

The provisions of subsections 10.5.1.1, 10.5.1.2, 10.5.1.3, 10.5.1.4, 10.5.1.7 and 10.5.1.8 shall not apply to the area defined in subsection 10.5.2.10.1.<sup>422</sup>

**(B4-11 zone deleted by Clause 1. of By-law 1458, April 23<sup>rd</sup>, 2012.)**

10.5.2.12

10.5.2.12.1 Defined Area:

B4-12, as shown on Zoning Map, Part 7(n).

10.5.2.12.2 Additional Permitted Uses:

- (a) bingo hall
- (b) place of assembly
- (c) wholesale business
- (d) antique or craft shop
- (e) restricted business use
- (f) restaurant
- (g) warehouse
- (h) institutional use
- (i) accessory uses

10.5.2.12.3 Additional Permitted Buildings and Structures:

Buildings and structures for the uses permitted by Subsection 10.5.2.12.2.

10.5.2.12.4 Minimum Lot Area:

2.3 hectares.

10.5.2.12.5 Minimum Lot Frontage:

115 metres.

<sup>422</sup> New Subsection added by Clause 3. of By-law 3489, February 6<sup>th</sup>, 1997.

10.5.2.12.6	<u>Maximum Coverage:</u>	40%.
10.5.2.12.7	<u>Maximum Height:</u>	15.24 metres.
10.5.2.12.8	<u>Building Setback:</u>	No buildings or structures for the uses permitted by subsection 10.5.1.1 and 10.5.2.12.2 shall be permitted within 30.48 metres of a lot line.
10.5.2.12.9	<u>Off-Street Parking:</u>	250 spaces for the uses permitted by Subsection 10.5.2.12.2.
10.5.2.12.10	<u>Definition:</u>	For the purposes of this amendment, a "place of assembly" permitted by subsection 10.5.2.12.2(b) shall mean the use of land, buildings or structures for the purposes of holding banquets, receptions, conferences, exhibitions, shows and displays, but does not include a private club or entertainment centre.
10.5.2.12.11	<u>Exceptions:</u>	The provisions of subsections 10.5.1.3, 10.5.1.4, 10.5.1.5, 10.5.1.6, 10.5.1.7 and 10.5.1.8 shall not apply to the uses permitted by subsection 10.5.2.12.2. <sup>423</sup>

**(B4-13 lands rezoned to B4-14 by Clause 2. of By-law 1605, June 24<sup>th</sup>, 2013.)**

10.5.2.14		
10.5.2.14.1	<u>Defined Area:</u>	B4-14, as shown on Zoning Map, Part 7(o).
10.5.2.14.2	<u>Additional Permitted Uses:</u>	(a) Antique or craft shop. (b) Restricted business use. (c) Restaurant. (d) Institutional use. (e) Commercial storage business. (f) A residence accessory to a permitted commercial storage business. (g) Accessory uses.
10.5.2.14.3	<u>Additional Permitted Buildings and Structures:</u>	(a) Buildings and structures for the uses permitted by Subsection 10.5.2.13.2. (b) One single detached dwelling accessory to the use permitted by Subsection 10.5.2.14.2(e).
10.5.2.14.4	<u>Maximum Floor Area of Permitted Storage Buildings:</u>	6,200 square metres, with no one building to exceed 1,500 square metres.
10.5.2.14.5	<u>Minimum Lot Area:</u>	2.3 hectares.
10.5.2.14.6	<u>Minimum Lot Frontage:</u>	30 metres.
10.5.2.14.7	<u>Maximum Coverage:</u>	40%.

<sup>423</sup> New Subsection added by Clause 4. of By-law 1458, April 23<sup>rd</sup>, 2012.

10.5.2.14.8	<u>Maximum Height:</u>	15.24 metres.
10.5.2.14.9	<u>Location of Buildings and Structures:</u>	<ul style="list-style-type: none"> <li>(a) 25 metres from a lot line abutting a public road.</li> <li>(b) 15 metres from any other lot line.</li> </ul>
10.5.2.14.10	<u>Off-Street Parking:</u>	<ul style="list-style-type: none"> <li>(a) 25 spaces for the use permitted by Subsection 10.5.2.14.2(e).</li> <li>(b) 20 spaces per 100m<sup>2</sup> of floor area for a permitted restaurant.</li> <li>(c) 10 spaces per 100m<sup>2</sup> of floor area for a permitted institutional use.</li> <li>(d) 3 spaces per 100m<sup>2</sup> of floor area for all other permitted uses.</li> </ul>
10.5.2.14.11	<u>Outdoor Storage:</u>	No outdoor storage shall be permitted with respect to the use permitted by Subsection 10.5.2.14.2(e).
10.5.2.14.12	<u>Signs:</u>	One sign shall be permitted for the uses permitted by Subsection 10.5.2.14.2 with a surface area not to exceed 3 square metres.
10.5.2.14.13	<u>Location of Signs:</u>	Notwithstanding the provisions of Subsection 10.5.2.14.8, a permitted sign may be located within 3 metres of an exterior lot line.
10.5.2.14.14	<u>Exceptions:</u>	The provisions of subsections 10.5.1.3, 10.5.1.4, 10.5.1.5, 10.5.1.6, 10.5.1.7 and 10.5.1.8 shall not apply to the uses permitted by subsection 10.5.2.14.2. <sup>424</sup>
10.5.2.15		
10.5.2.15.1	<u>Defined Area:</u>	B4-15, as shown on Zoning Map, Part 7(p).
10.5.2.15.2	<u>Additional Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) Horticultural nursery.</li> <li>(b) Garden centre.</li> <li>(c) Flower shop.</li> <li>(d) Market garden.</li> <li>(e) Commercial storage business.</li> <li>(f) Restricted business office.</li> <li>(g) Retail store.</li> <li>(h) Accessory uses.</li> </ul>
10.5.2.15.3	<u>Additional Permitted Buildings and Structures:</u>	(a) Buildings and structures for the uses permitted by Subsection 10.5.2.15.2.
10.5.2.15.4	<u>Maximum Floor Area of Permitted Storage Buildings:</u>	1,200 square metres, with no one building to exceed 950 square metres.

<sup>424</sup> New Subsection added by Clause 3. of By-law 1605, June 24<sup>th</sup>, 2013.

10.5.2.15.5	<u>Minimum Lot Area:</u>	1.0 hectares.
10.5.2.15.6	<u>Minimum Lot Frontage:</u>	25 metres.
10.5.2.15.7	<u>Maximum Coverage:</u>	40%.
10.5.2.15.8	<u>Maximum Height:</u>	15.24 metres.
10.5.2.15.9	<u>Location of Buildings and Structures:</u>	(a) 25 metres from a front lot line (b) 10 metres from any other lot line.
10.5.2.15.10	<u>Off-Street Parking:</u>	(a) 12 spaces for the use permitted by Subsection 10.5.2.15.2(e). (b) 3 spaces per 100m <sup>2</sup> of floor area for all other permitted uses.
10.5.2.15.11	<u>Outdoor Storage:</u>	No outdoor storage shall be permitted with respect to the use permitted by Subsection 10.5.2.15.2(e).
10.5.2.15.12	<u>Signs:</u>	One sign shall be permitted for the uses permitted by Subsection 10.5.2.15.2 with a surface area not to exceed 3 square metres.
10.5.2.15.13	<u>Location of Signs:</u>	Notwithstanding the provisions of Subsection 10.5.2.15.9, a permitted sign may be located within 3 metres of the front lot line.
10.5.2.15.14	<u>Exceptions:</u>	The provisions of subsections 10.5.1.3, 10.5.1.4, 10.5.1.5, 10.5.1.6, 10.5.1.7 and 10.5.1.8 shall not apply to the uses permitted by subsection 10.5.2.15.2. <sup>425</sup>
10.5.2.16		
10.5.2.16.1	<u>Defined Area:</u>	B4-16, as shown on Zoning Map, Part 6(m).
10.5.2.16.2	<u>Only Permitted Uses:</u>	(a) Business office (b) Restricted business office (c) Institutional use (d) Personal service shop (e) Restaurant (f) Fitness centre
10.5.2.16.3	<u>Only Permitted Buildings and Structures:</u>	Buildings and structures existing at the time of the passing of this by-law.
10.5.2.16.4	<u>Maximum Floor Area of a Permitted Restaurant:</u>	(a) The maximum floor area of a restaurant permitted by subsection 10.5.2.16.2(e) shall be 350 m <sup>2</sup> . (b) Notwithstanding subsection 10.5.2.16.4 (a), an accessory patio to a permitted

<sup>425</sup> New Subsection added by Clause 3. of By-law 1660, November 24<sup>th</sup>, 2013

*restaurant use shall not be included in the floor area calculation of a "Restaurant"*

**10.5.2.16.5 Maintenance Building:**

*The former maintenance building existing at the time of the passing of this by-law may be used for a property restoration business, subject to the following:*

- (a) No outdoor storage of equipment or supplies is permitted.<sup>426</sup>*

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<sup>426</sup> By-law 1949 deleted and replaced by By-law 2647, October 12<sup>th</sup>, 2021

**10.6. BUSINESS ZONE 5 (B5) REGULATIONS**

**10.6.1. GENERAL USE REGULATIONS**

10.6.1.1.	<u>Permitted Uses:</u>	(a) Any Restricted Business Use carried on within a completely enclosed building and with no vehicular traffic into and out of the front of the building from any front yard, but not including a shopping centre; (b) Institutional uses; (c) Dwelling units above the main or first storey of the main building; (d) Home occupations; (e) Accessory uses.
10.6.1.2.	<u>Permitted Buildings:</u>	Buildings for permitted uses.
10.6.1.3.	<u>Lot Frontage:</u>	(a) 30 feet. (b) 15 feet where access is provided to the rear of the lot from a public lane or road other than through the front yard of the lot or a residential zone.
10.6.1.4	<u>Lot Depth:</u>	165 feet.
10.6.1.5.	<u>Coverage:</u>	40% maximum.
10.6.1.6	<u>Building Size:</u>	
	10.6.1.6.1.	Where the lot frontage is 15 feet the entire frontage of the lot shall be occupied by the main building having a minimum depth, measured from and at right angles to the building line, of 40 feet and a minimum height of one storey.
	10.6.1.6.2.	Where the lot frontage is more than 15 feet the main building on the lot shall have a frontage of not less than 15 feet and a minimum depth, measured from and at right angles to the building line, of 40 feet and a minimum height of one storey.
10.6.1.7.	<u>Height:</u>	(a) 35 feet maximum for the main building and the front wall of the main building shall be continuous for the full height of the building. (b) 20 feet maximum for accessory buildings.
10.6.1.8.	<u>Floor Area Ratio:</u>	0.80 maximum.
10.6.1.9.	<u>Location of Buildings and other Structures:</u>	
	10.6.1.9.1. <u>Front Yard:</u>	80 feet.
	10.6.1.9.2. <u>Side Yards:</u>	(a) 15 feet where access to the rear of the lot is not provided for otherwise;

- (b) No side yard shall be required where access is provided to the rear of the lot from a public lane or road other than through the front yard of the lot or a residential zone;
- (c) Where a side yard must be provided, one side yard only shall be required;
- (d) Where two side yards are provided, each side yard shall be 15 feet;
- (e) A side yard at a side street lot line shall not be required;
- (f) Where a Business Zone 5 (B5) abuts a Residential Zone, a side yard of 20 feet shall be provided on the business zone lot at the side lot line common to both zones.

10.6.1.9.3. Rear Yard: 35 feet.

10.6.1.9.4. Accessory Buildings: An accessory building shall not be located between the front lot line and the front of the main building.

10.6.1.10. Off-Street Parking: The entire front yard shall be provided for parking including driveways.

10.6.1.11. Residential Uses:

- (a) Where sanitary sewers are not available and dwelling units above the main or first storey of the main building are provided, for each dwelling unit an area of 4,000 square feet of land shall be provided on the lot in addition to the minimum area required for the permitted business use.
- (b) The minimum floor area per dwelling unit shall be 600 square feet not including stairways and hallways.

**10.6.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 10.6.1., the special regulations contained in this subsection shall apply to the area or areas defined:

10.6.2.1.  
 10.6.2.1.1. Defined Area: B5-1 as shown on the Zoning Map, Part 22.

10.6.2.1.2. Other Permitted Uses: One family residential use as an accessory use.

10.6.2.1.3 Other Permitted Buildings or Structures: Buildings and structures for the permitted uses and one single-family dwelling unit.

10.6.2.2.  
 10.6.2.2.1. Defined Area: B5-2 as shown on the Zoning Map, Part 19.

10.6.2.2.2. Other Permitted Uses: A gasoline filling station, post office agency, school bus storage.

10.6.2.2.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted uses.
10.6.2.3.		
10.6.2.3.1.	<u>Defined Area:</u>	B5-3 as shown on the Zoning Map, Part 5.
10.6.2.3.2.	<u>Other Permitted Uses:</u>	One family residential use as an accessory use.
10.6.2.3.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted uses and one single-family dwelling unit.
10.6.2.4.		
10.6.2.4.1.	<u>Defined Area:</u>	B5-4 as shown on the Zoning Map, Part 8.
10.6.2.4.2.	<u>Other Permitted Uses:</u>	A post office agency, one family residential use.
10.6.2.4.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted uses and a single-family dwelling unit.
10.6.2.5.		
10.6.2.5.1.	<u>Defined Area:</u>	B5-5 as shown on the Zoning Map, Part 36. <sup>427</sup>
10.6.2.5.2.	<u>Other Permitted Uses:</u>	A gasoline filling station, one family residential use.
10.6.2.5.3	<u>Other Permitted Buildings or Structures:</u>	Buildings and structures for the permitted uses and a single-family dwelling unit.
10.6.2.6		
10.6.2.6.1	<u>Defined Area:</u>	<i>B5-6 as shown on the Zoning Map, Part 15(m).</i>
10.6.2.6.2	<u>Other Permitted Uses:</u>	<i>A residential use as an accessory use.</i>
10.6.2.6.3	<u>Other Permitted Buildings and Structures:</u>	<i>One one-family dwelling.</i>
10.6.2.6.4	<u>Lot Frontage:</u>	<i>31 metres.</i>
10.6.2.6.5	<u>Lot Depth:</u>	<i>44.5 metres.</i>
10.6.2.6.6	<u>Front Yard:</u>	<i>21 metres.</i>
10.6.2.6.7	<u>Side Yards:</u>	<i>3 metres.</i>
10.6.2.6.8	<u>Rear Yard:</u>	<i>3 metres.</i>
10.6.2.6.9	<u>Exceptions:</u>	<i>The provisions of subsections 10.6.1.1(b), (c) and (d), 10.6.1.3, 10.6.1.4, 10.6.1.6, 10.6.1.9, 10.6.1.11 shall not apply to uses, buildings and structures permitted by subsections 10.6.1.1, 10.6.1.2, 10.6.2.6.1 and 10.6.2.6.2.<sup>428</sup></i>

**(B5-7 zone repealed by Clause 6. to By-law 3403, September 11<sup>th</sup>, 1995.)**

<sup>427</sup> Map Part amended from 18 to 36 by Clause 12.(2) of By-law 2124, December 8<sup>th</sup>, 1970.

<sup>428</sup> New subsection added by Clause 3. to By-law 2618, May 25<sup>th</sup>, 1981.

10.6.2.8		
10.6.2.8.1	<u>Defined Area:</u>	B5-8, as shown on the Zoning Map, Part 36(f).
10.6.2.8.2	<u>Other Permitted Uses:</u>	a) the storage and refinishing of furniture. b) the production of hand-made crafts and goods for retail sale on 'the premises.
10.6.2.8.3	<u>Other Permitted Buildings and Structures:</u>	Only existing buildings or structures are permitted on the lot.
10.6.2.8.4	<u>Minimum Lot Depth:</u>	40 metres.
10.6.2.8.5	<u>Off-Street Parking:</u>	The lands outlined in heavy solid lines on Schedule "A" to this By-law, shall not be used for any purpose permitted by subsection 10.6.2.8.2, unless nine off-street parking spaces are provided and maintained during such use, within a radius of 40 metres of the south-west corner of the subject property.
10.6.2.8.6	<u>Exceptions:</u>	The provisions of subsections 10.6.1.1(b), 10.6.1.2, 10.6.1.4, 10.6.1.5, 10.6.1.6, 10.6.1.7, 10.6.1.9 and 10.6.1.10, shall not apply to uses, buildings and structures permitted by subsections 10.6.2.8.2 and 10.6.2.8.3. <sup>429</sup>
10.6.2.9		
10.6.2.9.1	<u>Defined Area:</u>	B5-9, as shown on the Zoning Map, Part 36(g).
10.6.2.9.2	<u>Off-Street Parking:</u>	The lands outlined in heavy solid lines on Schedule "A" to this By-law, shall not be used for any purpose permitted by subsection 10.6.1.1, unless seven off-street parking spaces are provided and maintained during such use, within a radius of 120 metres of the subject property.
10.6.2.9.3	<u>Exceptions:</u>	The provisions of subsection 10.6.1.10 shall not apply to the defined area set out in subsection 10.6.2.9.1. <sup>430</sup>
10.6.2.10		
10.6.2.10.1	<u>Defined Area:</u>	B5-10, as shown on the Zoning Map, Part 36(i).
10.6.2.10.2	<u>Additional Permitted Use:</u>	Residential. <sup>431</sup>
10.6.2.10.3	<u>Lot Depth:</u>	42.5 metres.
10.6.2.10.4	<u>Side Yard:</u>	3.5 metres.
10.6.2.10.5	<u>Rear Yard:</u>	3.0 metres.
10.6.2.10.6	<u>Off-Street Parking:</u>	The lands outlined in heavy solid lines on Schedule "A" to this By-law, shall not be used for any purpose unless

<sup>429</sup> New subsection added by Clause 3. to By-law 2883, August 12<sup>th</sup>, 1985.

<sup>430</sup> New subsection added by Clause 3. to By-law 2927, February 10<sup>th</sup>, 1986.

<sup>431</sup> Subsection 10.6.2.10.2 deleted and replaced by Clause 1. to By-law 3085, September 12<sup>th</sup>, 1988.

seven off-street parking spaces are provided and maintained during such use.

10.6.2.10.7 Exceptions:

The provisions of subsections 10.6.1.1(b), (c) and (d), 10.6.1.4, 10.6.1.9.2, 10.6.1.9.3, 10.6.1.10, and 10.6.1.11 shall not apply to the area defined by subsection 10.6.2.10.1.<sup>432</sup>

10.6.2.11

10.6.2.11.1 Defined Area:

B5-11, as shown on the Zoning Map, Part 36(k).

10.6.2.11.2 Lot Depth:

18 metres.

10.6.2.11.3 Front Yard:

8 metres.

10.6.2.11.4 Side Yard:

2 metres.

10.6.2.11.5 Rear Yard:

1 metre.

10.6.2.11.6 Off-Street Parking:

The lands outlined in heavy, solid lines on Schedule "A" to this By-law, shall not be used for any use permitted by subsection 10.6.11(a), unless 17 off-street parking spaces are provided and maintained during such use, within a radius of 120 metres of the subject property.

10.6.2.11.7 Exceptions:

The provisions of subsections 7.21, 10.6.1.1(b), (c) and (d), 10.6.1.4, 10.6.1.5, 10.6.1.6, 10.6.1.9, 10.6.1.10, and 10.6.1.11 shall not apply to the defined area set out in subsection 10.6.2.11.1.<sup>433</sup>

**(B5-12 zone repealed by Clause 1. to By-law 321, May 22<sup>nd</sup>, 2001.)**

10.6.2.13

10.6.2.13.1 Defined Area:

B5-13 as shown on the Zoning Map, Part 36(o).

10.6.2.13.2 Other Permitted Uses:

a) A residential use.

10.6.2.13.3 Other Permitted Buildings and Structures:

a) one single detached dwelling.

10.6.2.13.4 Off Street Parking:

a) 4.5 spaces for every 100 square metres of floor area devoted to a restricted business use.

b) 1 space for a dwelling unit.

10.6.2.13.6 Exceptions:

The provisions of subsections 10.6.1.1(b), (c), (d), 10.6.1.6, 10.6.1.9, 10.6.1.10 and 10.6.1.11 shall not apply to the area defined in subsection 10.6.2.13.1.<sup>434</sup>

10.6.2.14

10.6.2.14.1 Defined Area:

B5-14, as shown on Zoning Map, Part 7(i) and 8(as).

10.6.2.14.2 Other Permitted Uses:

(a) a gasoline filling station.

<sup>432</sup> New subsection added by Clause 3. to By-law 2937, April 14<sup>th</sup>, 1986.

<sup>433</sup> New subsection added by Clause 3. to By-law 3001, May 11<sup>th</sup>, 1987.

<sup>434</sup> New subsection added by Clause 3. to By-law 3183, February 11<sup>th</sup>, 1991.

		(b) a miniature golf course.
10.6.2.14.3	<u>Lot Frontage:</u>	75 metres.
10.6.2.14.4	<u>Lot Depth:</u>	110 metres.
10.6.2.14.5	<u>Height:</u>	10 metres maximum.
10.6.2.14.6	<u>Front Yard:</u>	Notwithstanding subsection 10.6.1.9.1, the Minimum front yard requirement for the gasoline filling station in existence at the date of passage of this By-law shall be the front yard existing as of the date of the passing of this By-law.
10.6.2.14.7	<u>Off-Street Parking:</u>	
	(a) Hotel/Motel:	1 space per suite.
	(b) Restaurant:	20 spaces per 100 m <sup>2</sup> of floor area.
	(c) Dwelling units:	1 space per dwelling unit.
	(d) Other commercial uses not listed:	3 spaces per 100m <sup>2</sup> of floor area.
10.6.2.14.8	<u>Exceptions:</u>	The provisions of subsections 1.6.1.1(b), 10.6.1.3, 10.6.1.4, 10.6.1.6, 10.6.1.7 and 10.6.1.10 shall not apply to the area defined in subsection 10.6.2.14.1. <sup>435</sup>
10.10.6.2.15		
10.6.2.15.1	<u>Defined Area:</u>	B5-15 as shown on Zoning Map, Part 36(s).
10.6.2.15.2	<u>Other Permitted Uses:</u>	(a) the storage and refinishing of furniture. (b) the production of handmade crafts and goods for retail sale on the premises. (c) residential use.
10.6.2.15.3	<u>Other Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted in 10.6.2.15.2.
10.6.2.15.4	<u>Minimum Lot Frontage:</u>	30 metres
10.6.2.15.5	<u>Minimum Lot Depth:</u>	40 metres.
10.6.2.15.6	<u>Off-Street Parking:</u>	1) 1 space for residential use.
10.6.2.15.7	<u>Maximum Height:</u>	2 storeys
10.6.2.15.8	<u>Maximum Coverage:</u>	20%
10.6.2.15.9	<u>Exceptions:</u>	The provisions of subsections 10.6.1.1(b), 10.6.1.3, 10.6.1.4, 10.6.1.5, 10.6.1.6, 10.6.1.7, 10.6.1.8, 10.6.1.9, 10.6.1.10 and subsection 7.21 shall not apply to the area defined in subsection 10.6.2.15.1. <sup>436</sup>
10.6.2.16		
10.6.2.16.1	<u>Defined Area:</u>	B5-16, as shown on Zoning Map, Part 36(y).

<sup>435</sup> New subsection added by Clause 4. to By-law 3403, September 11<sup>th</sup>, 1995.

<sup>436</sup> New subsection added by Clause 3. to By-law 3411, November 14<sup>th</sup>, 1995.

10.6.2.16.2	<u>Only Permitted Use:</u>	(a) a retail store. (b) accessory uses.
10.6.2.16.3	<u>Maximum Floor Area:</u>	The maximum floor area of all uses permitted by 10.6.2.16.2 shall not exceed 103 square metres.
10.6.2.16.4	<u>Lot Frontage:</u>	24 metres.
10.6.2.16.5	<u>Lot Depth:</u>	40 metres.
10.6.2.16.6	<u>Lot Area:</u>	960 square metres.
10.6.2.16.7	<u>Front Yard:</u>	4.5 metres.
10.6.2.16.8	<u>Height:</u>	10 metres for the main building, 6 metres for accessory buildings.
10.6.2.16.9	<u>Off Street Parking:</u>	A minimum of 2 off street parking spaces to be provided within the defined area.
10.6.2.16.10	<u>Exceptions:</u>	The provisions of subsection 10.6.1.1, 10.6.1.3, 10.6.1.4, 10.6.1.5, 10.6.1.6, 10.6.1.7, 10.6.1.8, 10.6.1.9.1, 10.6.1.9.3, 10.6.1.10 and 10.6.1.11 shall not apply to the area defined in subsection 10.6.2.16.1. <sup>437</sup>
10.6.2.17		
10.6.2.17.1	<u>Defined Area:</u>	B5-17, as shown on Zoning Map, Part 22(e).
10.6.2.17.2	<u>Additional Permitted Use:</u>	two dwelling units within the main or first storey of the main building;
10.6.2.17.3	<u>Permitted Buildings and structures:</u>	Buildings and structures for the permitted uses in existence at the date of the passing of this By-law.
10.6.2.17.4	<u>Front Yard:</u>	8 metres.
10.6.2.17.5	<u>Off Street Parking:</u>	20 parking spaces shall be provided and maintained, at all times.
10.6.2.17.6	<u>Exceptions:</u>	The provisions of subsection 7.21, 10.6.1.1(b), 10.6.1.1(d), 10.6.1.6, 10.6.1.9.1, and 10.6.1.10 shall not apply to the area defined in subsection 10.6.2.17.1. <sup>438</sup>
10.6.2.18		
10.6.2.18.1	<u>Defined Area:</u>	B5-18, as shown on Zoning Map, Part 7(l).
10.6.2.18.2	<u>Additional Permitted Uses:</u>	a) a gasoline filling station b) automotive trade
10.6.2.18.3	<u>Additional Permitted Buildings and Structures:</u>	Buildings and structures for the uses permitted by 10.6.2.18.2.
10.6.2.18.4	<u>Lot Depth:</u>	120 metres
10.6.2.18.5	<u>Lot Frontage:</u>	75 metres
10.6.2.18.6	<u>Height:</u>	10 metres maximum.

<sup>437</sup> New subsection added by Clause 3. to By-law 207, May 23<sup>rd</sup>, 2000.

<sup>438</sup> New subsection added by Clause 4. to By-law 321, May 22<sup>nd</sup>, 2001.

10.6.2.18.7	<u>Off Street Parking:</u>	<ul style="list-style-type: none"> <li>(a) Hotel/Mote1: 1 space per suite.</li> <li>(b) Restaurant: 20 spaces per 100m<sup>2</sup> of floor area.</li> <li>(c) Dwelling Units: 1 space per dwelling unit.</li> <li>(d) Commercial Uses not listed: 3 spaces per 100m<sup>2</sup> of floor area.</li> </ul>
10.6.2.18.8	<u>Location of Motor Vehicle Display Area:</u>	<i>An outdoor motor vehicle display area for an automotive trade use permitted under Subsection 10.6.2.18.2(b) of this by-law shall be set back a minimum of 8 metres from the front lot line.</i>
10.6.2.18.9	<u>Exceptions:</u>	<i>The provisions of subsections 10.6.1.1(b), 10.6.1.3, 10.6.1.4, 10.6.1.6, 10.6.1.7 and 10.6.1.10 shall not apply to the area defined in subsection 10.6.2.18.1.<sup>439</sup></i>
10.6.2.19		
10.6.2.19.1	<u>Defined Area:</u>	<i>B5-19, as shown on Zoning Map, Part 19(m).</i>
10.6.2.19.2	<u>Other Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) Storage of equipment, motor vehicles and building materials.</li> <li>(b) Carpentry shop.</li> </ul>
10.6.2.19.3	<u>Other Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by Subsection 10.6.2.19.2.</i>
10.6.2.19.4	<u>Minimum Lot Area:</u>	<i>0.25 hectares.</i>
10.6.2.19.5	<u>Minimum Lot Frontage:</u>	<i>70 metres.</i>
10.6.2.19.6	<u>Maximum Gross Floor Area:</u>	<i>250 square metres.</i>
10.6.2.19.7	<u>Minimum Front Yard:</u>	<i>15 metres.</i>
10.6.2.19.8	<u>Minimum Exterior Side Yard:</u>	<i>15 metres.</i>
10.6.2.19.9	<u>Minimum Interior Side Yard:</u>	<i>6 metres.</i>
10.6.2.19.10	<u>Off-Street Parking:</u>	<i>2 spaces for the uses permitted by Subsection 10.6.2.19.2.</i>
10.6.2.19.11	<u>Outdoor Storage:</u>	<i>No outdoor storage shall be permitted in association with the uses permitted by Subsection 10.6.2.19.2.</i>
10.6.2.19.12	<u>Exceptions:</u>	<i>The provisions of subsections 10.6.1.3, 10.6.1.4, 10.6.1.5, 10.6.1.6, 10.6.1.8, 10.6.1.9.1, 10.6.1.9.2, 10.6.1.9.4 and 10.6.1.10 shall not apply to the area defined in subsection 10.6.2.19.1.<sup>440</sup></i>

<sup>439</sup> New subsection added by Clause 3. to By-law 590, November 17<sup>th</sup>, 2003.

<sup>440</sup> New subsection added by Clause 3. to By-law 1297, November 15<sup>th</sup>, 2010.

10.6.2.20

- 10.6.2.20.1 Defined Area: B5-20, as shown on Zoning Map, Part 7(s).
- 10.6.2.20.2 Additional Permitted Use:
- (a) The production and sale of candles.
  - (b) The sale of candle related accessories, and giftware, including but not limited to candle holders.<sup>441</sup>

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<sup>441</sup> New subsection added by Clause 3. to By-law 2191, November 13<sup>th</sup>, 2017.

**INSTITUTIONAL ZONES**

**INSTITUTIONAL (IN) ZONE REGULATIONS**

**SECTION 11**

**11.1. EXISTING USES IN INSTITUTIONAL ZONES**

11.1.1. The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces, shall remain as they lawfully exist on the day of the passing of this by-law.

**11.2. INSTITUTIONAL ZONE (IN) REGULATIONS**

**11.2.1. GENERAL USE REGULATIONS**

- |             |  |  |
|-------------|--|--|
| 11.2.1.1.   | <u>Permitted Uses:</u>                             | Governmental, hospital, religious and educational institutions.  |
| 11.2.1.2.   | <u>Permitted Buildings:</u>                        | Buildings for permitted uses.  |
| 11.2.1.3.   | <u>Location of Buildings and other Structures:</u> |  |
| 11.2.1.3.1. | <u>Front Yard:</u>                                 | 20 feet.   |
| 11.2.1.3.2. | <u>Side Yards:</u>                                 | 15 feet.   |
| 11.2.1.3.3. | <u>Rear Yard:</u>                                  | 15 feet.   |
| 11.2.1.4.   | <u>Off-Street Parking:</u>                         | (a) Governmental Uses: 1 parking space for each 400 square feet of floor space;<br>(b) Hospital Uses: 5 parking spaces for each 4 beds;<br>(c) Religious Uses: 1 parking space for each 4 seats in the main auditorium;<br>(d) Educational Uses:<br>1. Elementary schools: 3 spaces plus one space per classroom;<br>2. Secondary schools: 8 spaces plus one space per classroom;<br>(e) Public Utilities:<br>1. Offices: 1 parking space for each 400 square feet of floor space;<br>2. Service Areas: 1 space for each 9,000 square feet of service area, up to 5 spaces, plus 1 space for each additional 18,000 square feet of service area. |

**11.2.2. SPECIAL USE REGULATIONS**

Notwithstanding any other provision of this by-law, the special use regulations contained in this subsection and the general use regulations contained in subsection 11.2.1. shall, except as hereinafter provided, apply to the area or areas defined below:

- 11.2.2.1.
- 11.2.2.1.1. Defined Area: *IN-1 as shown on the Zoning Map, Part 2(c).*
- 11.2.2.1.2. Exception: *The provisions of 11.2.1.3. and 11.2.1.4. shall not apply to the defined area.*
- 11.2.2.1.3. Location of Buildings and structures: *As shown on Schedule 6 to this By-law.*
- 11.2.2.1.4. Location of Off-Street Parking Facilities: *As shown on Schedule 6 to this By-law.*
- 11.2.2.1.5. Off-Street Parking: *There shall be provided and maintained at all times within the area designated parking area on Schedule 6 to this by-law, 100 parking spaces.*
- 11.2.2.1.6. *No buildings or structures, other than a side walk, lighting standard or sign shall be permitted in the area designated open space on Schedule 6 to this by-law.*
- 11.2.2.1.7. Height: *40 feet.<sup>442 443 444</sup>*

**(IN-2 zone added by Clause 3. of By-law 2537, October 1<sup>st</sup>, 1979, however not approved by the OMB.)**

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<sup>442</sup> Section 11 restored and new Wording added by Clause 4. of By-law 2390, May 17<sup>th</sup>, 1977.

<sup>443</sup> Section 11 deleted with the repeal of By-law 2390 by By-law 2407, July 12<sup>th</sup>, 1977.

<sup>444</sup> Section 11 restored by Clause 4. of By-law 2408, July 12<sup>th</sup>, 1977.

## **INDUSTRIAL ZONES**

## **INDUSTRIAL (C) ZONE REGULATIONS**

### **SECTION 12**

#### **12.1. EXISTING USES IN INDUSTRIAL ZONES**

- 12.1.1. The height, floor area and location of any buildings and other structures, the floor area ratio, the size, frontage and depth of the lot on which the buildings and other structures are located, the front, side and rear yards on such lots, the maximum coverage and the number and location of off-street parking spaces, shall remain as they lawfully exist on the day of the passing of this by-law.
- 12.1.2. Sub-section 12.1.1. shall not prohibit the erection of accessory buildings or structures, or the enlargement or extension of buildings or other structures which are permitted under the provisions of sub-sections 12.2., 12.4., 12.5. and 10.6., provided the erection, enlargement, or extension is in conformity with the applicable provisions of this by-law other than subsection 12.1.1.

**12.2. INDUSTRIAL ZONE 1 (C1) REGULATIONS**

**12.2.1. GENERAL USE REGULATIONS**

- 12.2.1.1. Permitted Uses:
  - (a) Industrial-commercial use;
  - (b) Office use in connection with an industrial-commercial use;
  - (c) Industrial commercial accessory uses;
  - (d) Living quarters for a watchman or caretaker and his family whose duties are essential to the maintenance of an industrial-commercial use, and which living quarters shall be permitted only on the same lot or land where such industrial-commercial use is located.
  
- 12.2.1.2. Permitted Buildings and other Structures: Buildings and other structures for the permitted uses.
  
- 12.2.1.3. Lot Area: 15,000 square feet minimum and one acre maximum.
  
- 12.2.1.4. Lot Frontage: 100 feet.
  
- 12.2.1.5. Lot Depth: 150 feet.
  
- 12.2.1.6. Coverage: 50% maximum.
  
- 12.2.1.7. Floor Area Ratio: 0.50 maximum.
  
- 12.2.1.8. Location of Buildings and other Structures:
  - 12.2.1.8.1. Front Yard: 20 feet.
  - 12.2.1.8.2. Side Yards: 15 feet.
  - 12.2.1.8.3. Rear Yard: 35 feet.
  
- 12.2.1.9. Off-street Parking: An area comprising part of the side or rear yards and equal to the floor area of the buildings, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.
  
- 12.2.1.10. Off-street Loading: Off-street loading facilities shall be provided on the same lot on which the use is located and may be provided in the front, side or rear yard.
  
- 12.2.1.11. Adult Entertainment Parlour:
  - 1. *In this zone, no building or structure shall be erected or used for the purposes of an Adult Entertainment Parlour if the lot on which such Adult Entertainment Parlour is located within 500 metres, measured in a continuous path over the shortest distance, of a residence, a school, a church, a day nursery or a public park in this zone or any other zone, or a Residential or Open Space Zone.*
  - 2. *An Adult Entertainment Parlour shall be permitted only in freestanding, single use building or structure.*<sup>445</sup>

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<sup>445</sup> New subsection added by Clause 4. of By-law 306, April 17<sup>th</sup>, 2001.

**12.2.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 12.2.1., the special regulations contained in this subsection shall apply to the area or areas defined:

- 12.2.2.1.
  - 12.2.2.1.1. Defined Area: C1-1 as shown on the Zoning Map, Part 15 and Part 17.
  - 12.2.2.1.2. Other Permitted Uses: One family residential use as an accessory use.
  - 12.2.2.1.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses and one single-family dwelling unit.
- 12.2.2.2.
  - 12.2.2.2.1. Defined Area: C1-2 as shown on the Zoning Map, Part 17.
  - 12.2.2.2.2. Other Permitted Uses: One family residential use as an accessory use.
  - 12.2.2.2.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses and one single-family dwelling unit.
- 12.2.2.3.
  - 12.2.2.3.1. Defined Area: C1-3 as shown on the Zoning Map, Part 15.
  - 12.2.2.3.2. Other Permitted Uses: One family residential use as an accessory use.
  - 12.2.2.3.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses and one single-family dwelling unit.
- 12.2.2.4.
  - 12.2.2.4.1. Defined Area: C1-4 as shown on the Zoning Map, Part 15.
  - 12.2.2.4.2. Other Permitted Uses: One family residential use as an accessory use.
  - 12.2.2.4.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted uses and one single-family dwelling unit.

***(C1-5 zone deleted.)***

***(C1-6 lands rezoned to C1-11 through Clause 3. of By-law 3182, May 14<sup>th</sup>, 1990.)***

- 12.2.2.7.
  - 12.2.2.7.1. Defined Area: C1-7 as shown on the Zoning Map, Part 10.
  - 12.2.2.7.2. Other Permitted Uses: A gasoline filling station.
  - 12.2.2.7.3. Other Permitted Buildings or Structures: Buildings or structures for the permitted use.
- 12.2.2.8.
  - 12.2.2.8.1. Defined Area: C1-8 as shown on the Zoning Map, Part 15.
  - 12.2.2.8.2. Other Permitted Uses: One family residential use as an accessory use.

12.2.2.8.3 Other Permitted Buildings or Structures: Buildings or structures for the permitted uses and a single-family dwelling unit.

12.2.2.9

12.2.2.9.1 Defined Area: C1-9 as shown on Zoning Map, Part 36(c).

12.2.2.9.2 Permitted Uses:

- a) retail sales
- b) cutting, storage and manufacturing of clothes and products made of cotton, polyester, wool, silk or combinations thereof
- c) dwelling units above the main or first storey of the main building.

12.2.2.9.3 Coverage: 15% maximum.

12.2.2.9.4 Floor Area Ratio: .30 maximum.

12.2.2.9.5 Front Yard: 2 metres.

12.2.2.9.6 Exceptions: The provisions of subsections 12.2.1.1, 12.2.1.5, 12.2.1.6, 12.2.1.7, 12.2.1.8, shall not apply to the area defined in subsection 12.2.2.9.1.<sup>446,447</sup>

**(C1-10 zone deleted by Clause 1. of By-law 3225, June 10<sup>th</sup>, 1991.)**

12.2.2.11

12.2.2.11.1 Defined Area: C1-11 as shown on the Zoning Map, Part 10(d).

12.2.2.11.2 Other Permitted Uses:

- (a) Used Car Sales.
- (b) Gasoline Filling Station.

12.2.2.11.3 Used Car Display: Notwithstanding any other provision of this By-law the display of used cars for sale shall only be permitted within the area shown on Schedule "29" as "car display area". Furthermore the use permitted by subsection 12.2.2.11.2(a) does not permit the storage of used cars other than the cars available for sale and located within the "car display area".<sup>448</sup>

12.2.2.12

12.2.2.12.1 Defined Area: C1-12, as shown on Map Part 19(i).

12.2.2.12.2 Other Permitted Uses:

- a) Automobile repair shop,
- b) Restricted Business Use,
- c) Retail sale of motor vehicles.

12.2.2.12.3 Other Permitted Buildings and Structures: Buildings and structures for the permitted uses.

12.2.2.12.4 Motor Vehicle

<sup>446</sup> Subsection added by Clause 3. of By-law 2622, June 8<sup>th</sup>, 1981.

<sup>447</sup> Subsection 12.2.2.9.2 deleted and replaced by Clause 1. of By-law 3173, April 9<sup>th</sup>, 1990.

<sup>448</sup> Subsection added by Clause 3. of By-law 3182, May 14<sup>th</sup>, 1990.

	<u>Display Area:</u>	a) Notwithstanding any other provision of This By-law the display of motor vehicles for sale shall only be permitted within the area shown on Schedule 34 as "vehicle display area". <sup>449</sup>
12.2.2.13		
	12.2.2.13.1 <u>Defined Area:</u>	C1-13, as shown on Zoning Maps, Parts 15(aj) and 56.
	12.2.2.13.2 <u>Additional Permitted Uses:</u>	a) transportation facilities, b) warehousing, c) wholesaling, d) automotive trade, e) accessory uses.
	12.2.2.13.3 <u>Services Required:</u>	Within the area defined by subsection 12.2.2.13.1, the following requirements for services shall apply: a) no buildings or structures shall be erected or used for any purpose permitted unless the following municipal services are available to service the building or structure and the land on which it is situate: i) a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent and the Elgin St. Thomas Health Unit and; ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent and the Elgin St. Thomas Health Unit and; iii) a storm water drainage system.
	12.2.2.13.4 <u>Minimum Lot Area:</u>	no minimum
	12.2.2.13.5 <u>Minimum Lot Frontage:</u>	15 metres
	12.2.2.13.6 <u>Minimum Front Yard Depth:</u>	6 metres
	12.2.2.13.7 <u>Maximum Height:</u>	13 metres
	12.2.2.13.8 <u>Exceptions:</u>	The provisions of subsections 12.2.1.1(d), 12.2.1.3, 12.2.1.4, 12.2.1.5, 12.2.1.7, 12.2.1.8, 12.2.1.9, 12.2.1.10 and section 7.21

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<sup>449</sup> Subsection added by Clause 4. of By-law 3225, June 10<sup>th</sup>, 1991.

shall not apply to the area defined in subsection 12.2.2.13.1.<sup>450</sup>

12.2.2.14

- 12.2.2.14.1 Defined Area: C1-14, as shown on Zoning Map, Part 17(i).
- 12.2.2.14.2 Additional Permitted Uses: a) heating and air conditioning showroom and workshop,  
b) a restaurant/bakery with a drive thru window,  
c) accessory uses.
- 12.2.2.14.3 Services Required: Within the area defined by subsection 12.2.2.14.1, no buildings or structures shall be erected or used for any purpose permitted unless the following municipal services are available to service the building or structure and the land on which it is situate:
- i) a Municipal water supply system, or a water supply system approved by the Ministry of Environment and Energy or their designated agent and the Elgin St. Thomas Health Unit and;
- ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by the Ministry of Environment and Energy or their designated agent and the Elgin St. Thomas Health Unit and;
- iii) a storm water drainage system.
- 12.2.2.14.4 Minimum Lot Area: no minimum
- 12.2.2.14.5 Minimum Lot Frontage: 15 metres
- 12.2.2.14.6 Minimum Front Yard Depth: 6 metres
- 12.2.2.14.7 Maximum Height: 13 metres
- 12.2.2.14.8 Off Street Parking: A minimum of 40 off street parking spaces shall be provided and maintained.
- 12.2.2.14.9 Exceptions: The provisions of subsections 12.2.1.1(d), 12.2.1.3, 12.2.1.4, 12.2.1.5, 12.2.1.7, 12.2.1.8, 12.2.1.9, 12.2.1.10 and section 7.21 shall not apply to the area defined in subsection 12.2.2.14.1.<sup>451</sup>

**(C1-15 zone repealed by Clause 1. of By-law 1703, March 24<sup>th</sup>, 2014.)**

12.2.2.16

- 12.2.2.16.1 Defined Area: C1-16, as shown on Zoning Map, Part 17(j).
- 12.2.2.16.2 Lot Area: 3.4 hectares.

<sup>450</sup> Subsection added by Clause 4. of By-law 3418, December 11<sup>th</sup>, 1995.

<sup>451</sup> Subsection added by Clause 3. of By-law 3435, April 15<sup>th</sup>, 1996.

12.2.2.16.3	<u>Lot Frontage:</u>	<i>183 metres on Talbot Line and 97 metres on Tower Road.</i>
12.2.2.16.4	<u>Lot Coverage:</u>	<i>50% maximum.</i>
12.2.2.16.5	<u>Outdoor Storage:</u>	<i>Outdoor storage of goods, materials or products associated with the permitted uses shall be located within the Outdoor Storage Area shown on Schedule 50.</i>
12.2.2.16.6	<u>Landscaped Area:</u>	<i>The area designated as "Landscaped Area" on Schedule 50 shall be used in accordance with subsection 2.81 of the By-law.</i>
12.2.2.16.7	<u>Services Required:</u>	<p><i>Within the area defined by subsection 12.2.2.16.1 no buildings or structures shall be erected or used for any purpose permitted unless the following services are available to service the building or structure and the land on which it is situate:</i></p> <ul style="list-style-type: none"> <li><i>i) a water supply system; and</i></li> <li><i>ii) a sewage disposal system approved by the designated regulatory authority.</i></li> </ul>
12.2.2.16.8	<u>Off Street Parking:</u>	<i>26 parking spaces shall be provided and maintained at all times.</i>
12.2.2.16.9	<u>Exceptions:</u>	<i>The provisions of subsections 12.2.1.1(d), 12.2.1.3, 12.2.1.4 12.2.1.5. 12.2.1.6 and 12.2.19 shall not apply to the area defined in subsection 12.2.2.16.1.<sup>452</sup></i>
12.2.2.17		
12.2.2.17.1	<u>Defined Area:</u>	<i>C1-17. as shown on Zoning Map, Part 22(d).</i>
12.2.2.17.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li><i>(a) A metal fabrication shop for the manufacturing and repairing of protective sheet metal products for the machine tool industry.</i></li> <li><i>(b) Accessory uses.</i></li> </ul>
12.2.2.17.3	<u>Outdoor Storage Area:</u>	<i>Notwithstanding any other provision of the by-law the outdoor storage of goods, materials or products associated with the permitted use shall be within an enclosed area surrounded by a barrier through which it is not possible to see and shall not exceed an area greater than 5% of the lot area.</i>
12.2.2.17.4	<u>Lot Area:</u>	<i>1858 square metres minimum and .5 hectares maximum.</i>
12.2.2.17.5	<u>Off Street Parking:</u>	<i>A minimum of 20 off street parking spaces shall be provided and maintained, at all times, within the defined area.</i>
12.2.2.17.6	<u>Exceptions:</u>	<i>The provisions of subsection 2.2.1.1,</i>

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<sup>452</sup> Subsection added by Clause 4. of By-law 120, June 21<sup>st</sup>, 1999.

12.2.1.3, 12.2.1.9 shall not apply to the area defined in subsection 12.2.2.17.1.<sup>453</sup>

12.2.2.18

12.2.2.18.1 Defined Area:

C1-18, as shown on Zoning Map; Parts 17(l) and 18(b).

12.2.2.18.2 Additional Permitted Uses:

- a) Airport uses including hangar, Landing strips, fuel storage for aircraft, places for maintenance of aircraft, airport terminal facilities .including accommodation for flying clubs, administration and government offices for airport purposes, industrial uses for the manufacturing and repair of aircraft or parts thereof, and aerial spraying operations.
- b) Manufacturing
- c) Light manufacturing and assembly
- d) Warehouse-commercial use
- e) Wholesale establishment
- f) Industrial repair shop
- g) Industrial supply outlet
- h) Equipment rental business
- i) Service or repair shop
- j) Transportation facilities
- k) Repair and custom workshop
- l) Restaurant
- m) Recreational vehicle business
- n) Automotive trade
- o) Automobile repair shop
- p) Automobile service business
- q) Accessory uses

12.2.2.18.3 Permitted Buildings and Structures:

Buildings and structures for the uses permitted by 12.2.2.18.2.

12.2.2.18.4 Exceptions:

The provisions of subsections 12.2.1.1(d) shall not apply to the area defined in subsection 12.2.2.18.1.<sup>454</sup>

12.2.2.18

12.2.2.18.1 Defined Area:

C1-19, as shown on Zoning Map, Part 17(o).

12.2.2.18.2 Additional Permitted Uses:

- a) Warehouse-commercial use.
- b) Wholesale establishment.
- c) Industrial repair shop.
- d) Equipment rental business.
- e) Service or repair shop.
- f) Repair and custom workshop.

<sup>453</sup> Subsection added by Clause 4. of By-law 219, July 24<sup>th</sup>, 2000.

<sup>454</sup> Subsection added by Clause 4. of By-law 987, July 16<sup>th</sup>, 2007.

- g) Restaurant.
- h) Automotive trade.
- i) Automotive repair shop,
- j) Accessory uses.

12.2.2.18.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by 12.2.2.18.2.</i>
12.2.2.18.4	<u>Lot Area:</u>	<i>.81 hectares</i>
12.2.2.18.5	<u>Lot Frontage:</u>	<i>91m</i>
12.2.2.18.6	<u>Maximum Floor Area:</u>	<i>The maximum floor area devoted to the uses permitted by subsection 12.2.2.18.2 shall not exceed 700 square metres.</i>
12.2.2.18.7	<u>Services Required:</u>	<p><i>Within the area defined by subsection 8.2.2.102.1 no buildings or structures shall be erected or used for any purpose permitted unless the following services are available to service the building or structure and the land on which it is situate:</i></p> <ul style="list-style-type: none"> <li><i>i) a municipal water supply system; and</i></li> <li><i>ii) a sewage disposal system approved by the designated regulatory authority.</i></li> </ul>
12.2.2.18.8	<u>Off Street Parking:</u>	<i>30 parking spaces shall be provided and maintained at all times.</i>
12.2.2.18.9	<u>Site Access:</u>	<i>The access from Talbot Line shall be located adjacent to the easterly limits of the area defined in subsection 8.2.2.102.1, and designed in accordance with the standards and specifications of the Ontario Ministry of Transportation.</i>
12.2.2.18.10	<u>Exceptions:</u>	<i>The provisions of subsections 12.2.1.1(d), 12.2.1.3, 12.2.1.4, and 12.2.1.9 shall not apply to the area defined in subsection 12.2.2.18.1<sup>455</sup></i>
<b>12.2.2.20</b>		
12.2.2.20.1	<u>Defined Area:</u>	<i>C1-20, as shown on Zoning Map, Part 16(r).</i>
12.2.2.20.2	<u>Only Permitted Use:</u>	<ul style="list-style-type: none"> <li><i>(a) Construction trade.</i></li> <li><i>(b) An office accessory to a permitted construction trade use.</i></li> <li><i>(c) Accessory uses.</i></li> </ul>
12.2.2.20.3	<u>Only Permitted Buildings and Structures:</u>	<i>Buildings and structures existing at the time of passing of this by-law.</i>
12.2.2.20.4	<u>Location of Accessory Buildings and Structures:</u>	<i>Accessory buildings and structures may be located within 1.5 metres of a side lot line or a rear lot line.</i>

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<sup>455</sup> Subsection added by Clause 3. of By-law 1524, October 9<sup>th</sup>, 2012.

- 12.2.2.20.5 Lot Area: 4000 square metres.
- 12.2.2.20.6 Lot Frontage: 7 metres.
- 12.2.2.20.7 Off-Street Parking: 6 spaces.
- 12.2.2.20.8 Exceptions: The provisions of subsections 12.2.1.1, 12.2.1.2, 12.2.1.3, 12.2.1.4 and 12.2.1.9 shall not apply to the area defined by subsection 12.2.2.20.1.<sup>456</sup>

12.2.2.21

- 12.2.2.21.1 Defined Area: C1-21, as shown on Zoning Map Part 10(k).
- 12.2.2.21.2 Additional Permitted Use:
- (a) The repair and sale of marine craft.
  - (b) Automotive trade.
  - (c) Accessory uses.<sup>457</sup>

**(The following subsection was added through By-law 2805 on June 12<sup>th</sup>, 2023. The amendment did not consolidate Map Part 15, therefore the changes do not show up on the consolidated version of Map Part 15. Reference should be made to the original By-law 2805 for mapping.)**

12.2.2.22

- a) .1 Defined Area: C1-22(a), as shown on Zoning Map Part 15(av).
- .2 Only Permitted Uses:
- (a) Business Office (1)
  - (b) Clinic (1)
  - (c) Commercial Service (1)
  - (d) Contractors Yard
  - (e) Dwelling unit (1) accessory to a permitted use for a custodian or maintenance employee
  - (f) Equipment Rental Store (1)
  - (g) Existing uses (2)
  - (h) Farm Equipment, Supplies and Machinery Sale, Storage, Servicing, Repair and Reconditioning (2)
  - (i) Industrial Mall (3)
  - (j) Industrial Supply Outlet
  - (k) Industrial Use, Light
  - (l) Restaurant (1)
  - (m) Retail Store accessory to a permitted use
  - (n) Storage, Indoor
  - (o) Transportation Depot
  - (p) Warehouse
  - (q) Wholesale Establishment

<sup>456</sup> Subsection added by Clause 6. of By-law 1705, March 24<sup>th</sup>, 2014.

<sup>457</sup> Subsection added by Clause 3. of By-law 2439, January 13<sup>th</sup>, 2020.

Notes:

- (1) *May only be permitted with other permitted uses within an Industrial Mall.*
  - (2) *Existing uses that legally existed on the date of the passing of this By-law.*
  - (3) *Accessory uses within an Industrial Mall are limited to 25% of the gross floor area.*
- 
- |     |   |  |
|-----|---|--|
| .3  | <i>Minimum Lot Frontage</i>   | <i>20m</i>   |
| .4  | <i>Minimum Lot Area</i>   | <i>750m<sup>2</sup></i>  |
| .5  | <i>Maximum Lot Coverage</i>   | <i>60%</i>   |
| .6  | <i>Minimum Front Yard Setback</i>   | <i>7.5m</i>  |
| .7  | <i>Minimum Rear Yard Setback</i>  | <i>7.5m</i>  |
| .8  | <i>Minimum Interior Side Yard Setback</i>   | <i>3.0m</i>  |
| .9  | <i>Minimum Exterior Yard Setback</i>  | <i>3.0m</i>  |
| .10 | <i>Minimum Setback of Building(s) for Primary Use from a Residential Use (1)</i>                                | <i>20 m (Minimum setback to be applied where there has not been a Land Use Compatibility Study completed to the satisfaction of the Municipality).</i> |
| .11 | <i>Minimum Setback of a Primary Building(s) or Structure(s) from the Canadian National Railway Right-of-way</i> | <i>15.0m</i>   |
| .12 | <i>Maximum Gross Floor Area Devoted to Retail where permitted as an Accessory Use</i>                           | <i>Not more than 10% of the amount of gross floor area used for a permitted main use shall be used for accessory retail purposes.</i>                  |
| .13 | <i>Maximum Building Height</i>  | <i>12m unless otherwise regulated through the Federal Airport Zoning By-law regulations.</i>   |
| .14 | <i>Minimum Landscaped Area</i>  | <i>25%</i>   |
| .15 | <i>Minimum Landscaped Strip</i>   | <i>3m</i>  |
| .16 | <i>Minimum Landscaped Strip Abutting any Existing Residential Use</i>   | <i>10 m (Landscape Strip shall not permit driveway, parking area, loading area, storage area, garbage or recycling area).</i>                          |
| .16 | <i>Parking Requirements:</i>  |  |
|     | <i>(a) Transportation Depot</i>   | <i>(a) 1 space per 100m<sup>2</sup> gross floor area</i>   |
|     | <i>(b) Warehouse</i>  | <i>(b) 1 space per 185 m<sup>2</sup> of gross floor area</i>   |
|     | <i>(c) All other Industrial Uses</i>  | <i>(c) 5 plus 1 space per 90 m<sup>2</sup> of gross floor area</i>   |
- 
- |    |    |                             |   |
|----|----|-----------------------------|---|
| b) | .1 | <i>Defined Area:</i>        | <i>C1-22(b), as shown on Zoning Map Part 15(av).</i>  |
|    | .2 | <i>Only Permitted Uses:</i> | <i>(a) Contractors Yard</i><br><i>(b) Custom Service Shop</i><br><i>(c) Dwelling unit (1) accessory to a permitted use for a custodian or maintenance employee</i><br><i>(d) Existing uses (2)</i><br><i>(e) Farm Equipment, Supplies and</i> |

- Machinery Sale, Storage, Servicing, Repair and Reconditioning (2)*
- (f) *Food and Beverage Manufacturing*
- (g) *Industrial Mall (3)*
- (h) *Industrial Use, General*
- (i) *Research and Development Development*
- (j) *Railway Marshalling Yard*
- (k) *Retail Store accessory to a permitted use*
- (l) *Storage, Indoor*
- (m) *Storage, Outside*
- (n) *Storage of Inflammable, Explosive and Other Liquids and Gases*
- (o) *Transportation Depot*
- (p) *Warehouse*
- (q) *Wholesale Establishment*

**Notes:**

- (1) *May only be permitted with other permitted uses within an Industrial Mall.*
- (2) *Existing uses that legally existed on the date of the passing of this By-law.*
- (3) *Accessory uses within an Industrial Mall are limited to 25% of the gross floor area.*

.3	<i>Minimum Lot Frontage</i>	<i>25m</i>
.4	<i>Minimum Lot Area</i>	<i>1000m<sup>2</sup></i>
.5	<i>Maximum Lot Coverage</i>	<i>80%</i>
.6	<i>Minimum Front Yard Setback</i>	<i>10m</i>
.7	<i>Minimum Rear Yard Setback</i>	<i>7.5m</i>
.8	<i>Minimum Interior Side Yard Setback</i>	<i>3.0m</i>
.9	<i>Minimum Exterior Yard Setback</i>	<i>4.5m</i>
.10	<i>Minimum Setback of Building(s) for Primary Use from a Residential Use (1)</i>	<i>70 m (Minimum setback to be applied where there has not been a Land Use Compatibility Study completed to the satisfaction of the Municipality).</i>
.11	<i>Minimum Setback of a Primary Building(s) or Structure(s) from the Canadian National Railway Right-of-way</i>	<i>15.0m</i>
.12	<i>Minimum Setback of a Railway Marshalling Yard from a Residential Use</i>	<i>300.0 m (Minimum setback to be applied where there has not been a Land Use Compatibility Study completed to the satisfaction of the Municipality).</i>
.13	<i>Maximum Gross Floor Area Devoted to Retail where permitted as an Accessory Use</i>	<i>Not more than 10% of the amount of gross floor area used for a permitted main use shall be used for accessory retail purposes.</i>
.14	<i>Maximum Building Height</i>	<i>15m unless otherwise regulated through the Federal Airport Zoning By-law regulations.</i>
.15	<i>Minimum Landscaped Area</i>	<i>20%</i>

	.16	<i>Minimum Landscaped Strip</i>	7.5m
	.17	<i>Minimum Landscaped Strip Abutting any Existing Residential Use</i>	10 m ( <i>Landscape Strip shall not permit driveway, parking area, loading area, storage area, garbage or recycling area</i> ).
	.17	<i>Parking Requirements:</i>	
		(a) <i>Transportation Depot</i>	(a) 1 space per 100m <sup>2</sup> gross floor area
		(b) <i>Warehouse</i>	(b) 1 space per 185 m <sup>2</sup> of gross floor area
		(c) <i>All other Industrial Uses</i>	(c) 5 plus 1 space per 90 m <sup>2</sup> of gross floor area
c)	.1	<i>Exceptions</i>	<p><i>For the purposes of subsections 12.2.2.22.a) and 12.2.2.22.b) contained within this by-law, the following shall apply:</i></p> <p><i>Where there is a Minimum Setback to a Residential Use and any other setback, the greater of the two (2) setbacks shall apply.</i></p>
d)	.1	<i>Additional Regulation for "Farm Equipment, Supplies and Machinery Sale, Storage, Servicing, Repair and Reconditioning"</i>	<i>Notwithstanding any other provisions of the bylaw an equipment/machinery display area not exceeding an area of 1364 square metres is permitted within the required front yard.</i>
e)		<i>Definitions:</i>	<p><i>For the purposes of subsections 12.2.2.22.a) and 12.2.2.22.b) contained within this by-law, the following definitions shall apply:</i></p> <p><b>'Building Area'</b> <i>means the greatest horizontal area of a storey above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centreline of firewalls.</i></p> <p><b>'Building Height'</b> <i>means the vertical distance measured from the average finished grade around the structure, and:</i></p> <p>a) <i>in the case of a flat roof, the highest point of the roof surface or exterior wall (other than a required fire wall);</i></p> <p>b) <i>in the case of a mansard roof, the ridge;</i></p> <p>c) <i>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 Bylaw.</i></p> <p>d) <i>in the case of a structure not having a roof, the uppermost part of such structure.</i></p> <p><i>Building height shall be exclusive of any accessory roof construction not used for human occupancy but</i></p>

necessary to house required mechanical equipment.

**'Building Setback'** means the shortest horizontal distance between a lot line and the nearest part of any building or structure on the lot.

**'Commercial Service'** means a commercial establishment that primarily serves businesses by providing services that support the operations of businesses, such as: delivery service, copy centre, printing facility.

**'Contractors Yard'** means a lot, building or part thereof wherein vehicles, equipment and/or supplies are parked, stockpiled, stored and maintained for use by a contractor for the construction and/or renovation trades. Facilities for the administration or management of the business as well as minor maintenance and assembly work normally considered to be accessory to the trade are permitted. It does not include the lease, retail, or wholesale sale of construction materials or supplies, or home improvement materials, equipment or supplies.

**'Custom Service Shop'** means a lot, building or part thereof used to store, produce, assemble, and or service (repair) goods to consumer specifications, by:

- a building (construction) or building-related contractor business;
- a business specializing in building (construction);
- a business specializing in building-related construction products, appliances, and mechanical equipment.

**'Food and Beverage Manufacturing'** means the use of land, buildings or structures primarily for the processing of food and beverage products for human consumption, which shall be limited to: bakery products including dehydrated fruit and vegetables, dairy products, vegetable products, cereal and other grain products, dry pasta products, sugar and confectionary products, and beverages.

**'Industrial Use, General'** means the use of land, buildings or structures primarily for manufacturing, processing, fabricating, packaging, cleaning, stamping, treating, finishing and assembling of goods or raw

materials, warehousing and bulk storage of goods, and the repair and servicing of goods including transportation terminals.

**'Industrial Use, Light'** means the use of a building or part thereof designed, used or intended for the purpose of manufacturing, assembling or processing of component parts to produce finished products suitable for retail, wholesale or service trade and including repairing, servicing, distributing, warehousing, storing or adapting for sale any substance, article or thing, but excluding any operation which creates a nuisance as a result of the emission of any noise or air pollution that can be smelled, heard or otherwise detected 30 metres from the outside of the building in which the operation is conducted and also excluding any operation which creates vibration that can be detected 30 metres from the outside of the building in which the operation is conducted.

**'Industrial Mall'** means a building or group of buildings which are planned, developed, managed and operated as a unit, and in which each building contains two or more units or spaces for lease or occupancy for industrial uses and other uses permitted in the applicable zone.

**'Noxious Uses'** means a trade which is offensive, dangerous or would pose a hazard to the public by reason of emission of odour, smoke, dust, noise, fumes, gas, vibration or refuse matter.

**'Business Office'** means a building in which one or more persons are employed in the management, direction or conducting of a business, a government institution or nongovernment organization or where professionally qualified persons and their staff serve clients who seek advice and consultation of a public or private agency, a business, a brokerage, or a labour or fraternal organization.

**'Research and Development Use'** means a lot, building, structure, or part thereof, specializing in the research, development, and or creation of advanced technology products (software and or hardware), services, systems, processes, and or prototyping.

**'Transportation Depot'** means a lot, building, structure, or part thereof, used for the dispatch, temporary storage, and maintenance

*of vehicles including ships, trucks, transports, taxis or buses.*

*f) Services Required*

*Within the area defined by subsection 12.2.2.22.a).1 and 12.2.2.22.b).1, the following requirements for services shall apply:*

- a) no buildings or structures shall be erected or used for any purpose permitted unless the following municipal services are available to service the building or structure and the land on which it is situate:
  - i) a Municipal water supply system, or a water supply system approved by Municipality or their designated agent and;*
  - ii) a Municipal sanitary sewage system or a sanitary waste disposal system approved by Municipality or their designated agent and;*
  - iii) a storm water drainage system.**

### **12.3. INDUSTRIAL ZONE 2 (C2) REGULATIONS**

#### **12.3.1. GENERAL USE REGULATIONS**

- 12.3.1.1. Permitted Uses:
- (a) Industrial-commercial use;
  - (b) Office use in connection with an industrial-commercial use;
  - (c) Industrial commercial accessory uses;
  - (d) Living quarters for a watchman or caretaker and his family whose duties are essential to the maintenance of an industrial-commercial use, and which living quarters shall be permitted only on the same lot or land where such industrial-commercial use is located.
- 12.3.1.2. Permitted Buildings and other Structures: Buildings and other structures for the permitted uses.
- 12.3.1.3. Lot Area: One acre minimum and five acres maximum.
- 12.3.1.4. Lot Frontage: 200 feet.
- 12.3.1.5. Lot Depth: 200 feet.
- 12.3.1.6. Coverage: 50% maximum.
- 12.3.1.7. Floor Area Ratio: 0.50 maximum.
- 12.3.1.8. Location of Buildings and other Structures:
- 12.3.1.8.1. Front Yard: 40 feet.
  - 12.3.1.8.2. Side Yards: 15 feet.
  - 12.3.1.8.3. Rear Yard: 35 feet.
- 12.3.1.9. Off-street Parking: An area comprising part of the side or rear yards and equal to the floor area of the buildings, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.
- 12.3.1.10. Off-street Loading: Off-street loading facilities shall be provided on the same lot on which the use is located and may be provided in the front, side or rear yard.<sup>458</sup>
- 12.3.2 Notwithstanding any other provisions of this By-law, the special regulations contained in this subsection and the General Use Regulations contained in subsection 12.3.1 except as hereinafter provided, shall apply to the area or areas defined below:

**(C2-1 zone deleted by Clause 20.(2) of By-law 2124, December 8<sup>th</sup>, 1970; repealed and replaced by Clause 1 of By-law 2392, May 17<sup>th</sup>, 1977; repealed and replaced by Clause 1 of By-law 2947, May 12<sup>th</sup>, 1986.)**

#### 12.3.2.1

##### 12.3.2.1.1 Defined Area:

C2-1 as shown on the Zoning Map, Part I5(d).

<sup>458</sup> Subsection 12.3 deleted by Clause 20.(2) of By-law 2124, December 8<sup>th</sup>, 1970.

12.3.2.1.2	<u>Other Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) Retail sales of farm machinery, hardware and supplies and of industrial hardware.</li> <li>b) Retail sales and repair of motor vehicles.</li> </ul>
12.3.2.1.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures for the uses permitted by 12.3.1.1 and by 12.3.2.1.2.</i>
12.3.2.1.4	<u>Off-Street Parking:</u>	<i>Notwithstanding 12.3.1.9. an area comprising part of the side, front or rear yards and equal to the floor area of all the buildings on the lot, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.<sup>459</sup></i>
12.3.2.2		
12.3.2.2.1	<u>Defined Area:</u>	<i>C2-2 as shown on Zoning Map, Part 15(ac).</i>
12.3.2.2.2	<u>Other Permitted Uses:</u>	<ul style="list-style-type: none"> <li>a) Retail sale of motor vehicles, recreational vehicles and boats, and farm implements and machinery.</li> <li>b) Garden Centre.</li> <li>c) Inside warehousing and storage facilities for electricians, plumbers and other similar building tradesmen.</li> </ul>
12.3.2.2.3	<u>Permitted Buildings and Structures:</u>	<i>Buildings and structures located on the northerly 152 metres (500 feet) of the property.</i>
12.3.2.2.4	<u>Lot Frontage:</u>	<i>50 metres (165 feet).</i>
12.3.2.2.5	<u>Exceptions:</u>	<i>The provisions of subsections 7.21, 12.3.1.2 and 12.3.1.4 shall not apply to the area defined in subsection 12.3.2.2.1.<sup>460</sup></i>

<sup>459</sup> Subsection 12.3.2.1 repealed and replaced by Clause 1 of By-law 2947, May 12<sup>th</sup>, 1986.

<sup>460</sup> New subsection added by Clause 4. to By-law 3041, October 13<sup>th</sup>, 1987.

## **12.4. INDUSTRIAL ZONE 3 (C3) REGULATIONS**

### **12.4.1. GENERAL USE REGULATIONS**

- 12.4.1.1. Permitted Uses:
- (a) Industrial-commercial use;
  - (b) Office use in connection with an industrial-commercial use;
  - (c) Industrial commercial accessory uses;
  - (d) Living quarters for a watchman or caretaker and his family whose duties are essential to the maintenance of an industrial-commercial use, and which living quarters shall be permitted only on the same lot or land where such industrial-commercial use is located.
  - (e) *An adult entertainment parlour.*<sup>461</sup>
- 12.4.1.2. Permitted Buildings and other Structures: Buildings and other structures for the permitted uses.
- 12.4.1.3. Lot Area: 4 acres.
- 12.4.1.4. Lot Frontage: 300 feet.
- 12.4.1.5. Lot Depth: 400 feet.
- 12.4.1.6. Coverage: 50% maximum.
- 12.4.1.7. Floor Area Ratio: 0.50 maximum.
- 12.4.1.8. Location of Buildings and other Structures:
- 12.4.1.8.1. Front Yard: 60 feet.
  - 12.4.1.8.2. Side Yards: 15 feet.
  - 12.4.1.8.3. Rear Yard: 35 feet.
- 12.4.1.9. Off-street Parking: An area comprising part of the side or rear yards and equal to the floor area of the buildings, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.
- 12.4.1.10. Off-street Loading: Off-street loading facilities shall be provided on the same lot on which the use is located and may be provided in the front, side or rear yard.
- 12.4.1.11 Adult Entertainment Parlour:
- 1. *In this zone, no building or structure shall be erected or used for the purposes of an Adult Entertainment Parlour if the lot on which such Adult Entertainment Parlour is located within 500 metres, measured in a continuous path over the shortest distance, of a residence, a school, a church, a day nursery or a public park in this zone or any other zone, or a Residential or Open Space Zone.*
  - 2. *An Adult Entertainment Parlour shall be permitted only in freestanding, single use building or structure.*<sup>462</sup>

<sup>461</sup> New subsection added by Clause 5. of By-law 306, April 17<sup>th</sup>, 2001.

## **12.5. INDUSTRIAL ZONE 4 (C4) REGULATIONS**

### **12.5.1. GENERAL USE REGULATIONS**

12.5.1.1.	<u>Permitted Uses:</u>	(a) Warehouse use; (b) Office use in connection with a warehouse use; (c) Warehouse accessory uses; (d) Living quarters for a watchman or caretaker and his family whose duties are essential to the maintenance of a warehouse use, and which living quarters shall be permitted only on the same lot or land where such industrial-commercial use is located. (e) <i>An adult entertainment parlour.</i> <sup>463</sup>
12.5.1.2.	<u>Permitted Buildings and other Structures:</u>	Buildings and other structures for the permitted uses.
12.5.1.3.	<u>Lot Area:</u>	15,000 square feet.
12.5.1.4.	<u>Lot Frontage:</u>	100 feet.
12.5.1.5.	<u>Lot Depth:</u>	150 feet.
12.5.1.6.	<u>Coverage:</u>	50% maximum.
12.5.1.7.	<u>Floor Area Ratio:</u>	0.50 maximum.
12.5.1.8.	<u>Location of Buildings and other Structures:</u>	
	12.5.1.8.1. <u>Front Yard:</u>	20 feet.
	12.5.1.8.2. <u>Side Yards:</u>	15 feet.
	12.5.1.8.3. <u>Rear Yard:</u>	35 feet.
12.5.1.9.	<u>Off-street Parking:</u>	An area comprising part of the side or rear yards and equal to ½ the floor area of the buildings, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.
12.5.1.10.	<u>Off-street Loading:</u>	Off-street loading facilities shall be provided on the same lot on which the use is located and may be provided in the front, side or rear yard.
12.5.1.11	<u>Adult Entertainment Parlour:</u>	
	1. <i>In this zone, no building or structure shall be erected or used for the purposes of an Adult Entertainment Parlour if the lot on which such Adult Entertainment Parlour is located within 500 metres, measured in a continuous path over the shortest distance, of a residence, a school, a church, a day nursery or a public park in this zone or any other zone, or a Residential or Open Space Zone.</i>	
	2. <i>An Adult Entertainment Parlour shall be permitted only in freestanding, single use building or structure.</i> <sup>464</sup>	

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<sup>462</sup> New subsection added by Clause 6. of By-law 306, April 17<sup>th</sup>, 2001.

<sup>463</sup> New subsection added by Clause 7. of By-law 306, April 17<sup>th</sup>, 2001.

**12.5.2 SPECIAL USE REGULATIONS:**

Notwithstanding any other provision of this By-law, the special use regulations contained in this subsection and the general use regulations contained in subsection 12.5.1, shall, except as hereinafter provided, apply to the area or areas defined below:

12.5.2.1

12.5.2.1.1 Defined Area:

*C4-1 as shown on the Zoning Map, Part 36(d).*

12.5.2.1.2 Other Permitted Uses:

- (a) *building contractors work shop.*
- (b) *storage of equipment and new and used building materials.*

12.5.2.1.3 Other Permitted Buildings and Structures:

*Buildings and structures for the permitted uses.*

12.5.2.1.4 Exceptions:

*The provisions of subsection 12.5.1.1(d) shall not apply to the lands defined in subsection 12.5.2.1.1.<sup>465</sup>*

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<sup>464</sup> New subsection added by Clause 8. of By-law 306, April 17<sup>th</sup>, 2001.

<sup>465</sup> New subsection added by Clause 3. to By-law 2662, December 7<sup>th</sup>, 1981.

**12.6. INDUSTRIAL ZONE 5 (C5) REGULATIONS**

**12.6.1. GENERAL USE REGULATIONS**

12.6.1.1.	<u>Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) Transportation or Truck Terminal use;</li> <li>(b) Office use in connection the permitted use;</li> <li>(c) Automobile repair shop only if accessory to the transportation or truck terminal use and operated for the purposes of the permitted use only and not for hire;</li> <li>(d) Living quarters for a watchman or caretaker and his family whose duties are essential to the maintenance of the permitted use, and which living quarters shall be permitted only on the same lot or land where such industrial-commercial use is located.</li> <li>(e) <i>An adult entertainment parlour.</i><sup>466</sup></li> </ul>
12.6.1.2.	<u>Permitted Buildings and other Structures:</u>	Buildings and other structures for the permitted uses.
12.6.1.3.	<u>Lot Area:</u>	One acre.
12.6.1.4.	<u>Lot Frontage:</u>	200 feet.
12.6.1.5.	<u>Lot Depth:</u>	200 feet.
12.6.1.6.	<u>Coverage:</u>	70% maximum.
12.6.1.7.	<u>Floor Area Ratio:</u>	0.70 maximum.
12.6.1.8.	<u>Location of Buildings and other Structures:</u>	
	12.6.1.8.1. <u>Front Yard:</u>	20 feet.
	12.6.1.8.2. <u>Side Yards:</u>	15 feet.
	12.6.1.8.3. <u>Rear Yard:</u>	35 feet.
12.6.1.9.	<u>Off-street Parking:</u>	An area comprising part of the side or rear yards and equal to 5 parking spaces for each acre or part thereof of lot area, shall be available and maintained for the parking of motor vehicles on the same lot on which the use is located.
12.6.1.10.	<u>Off-street Loading:</u>	Off-street loading facilities shall be provided on the same lot on which the use is located and may be provided in the front, side or rear yard.
12.6.1.10	<u>Adult Entertainment Parlour:</u>	
	1. <i>In this zone, no building or structure shall be erected or used for the purposes of an Adult Entertainment Parlour if the lot on which such Adult Entertainment Parlour is located within 500 metres, measured in a continuous path over the shortest distance, of a residence, a school, a</i>	

<sup>466</sup>New subsection added by Clause 9. of By-law 306, April 17<sup>th</sup>, 2001.

church, a day nursery or a public park in this zone or any other zone, or a Residential or Open Space Zone.

2. An Adult Entertainment Parlour shall be permitted only in freestanding, single use building or structure.<sup>467</sup>

#### **12.6.2. SPECIAL USE REGULATIONS**

Notwithstanding other applicable provisions of this by-law, and in addition to the General Use Regulations contained in subsection 12.6.1., the special regulations contained in this subsection shall apply to the area or areas defined:

**(C5-1 lands rezoned to B4-2 by Clause 2. to By-law 2742, January 31<sup>st</sup>, 1983.)**

**(C5-2 zone repealed by Clause 1. to By-law 2404, September 9<sup>th</sup>, 2019.)**

##### 12.6.2.3

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| 12.6.2.3.1 | <u>Defined Area:</u>                             | C5-3 as shown on Zoning Map, Part 15(af).  |
| 12.6.2.3.2 | <u>Other Permitted Uses:</u>                     | a) Automobile repair shop.<br>b) Service and Sale of motor vehicles, farm and construction machinery and equipment.<br>c) Storage of motor vehicles and travel trailers. |
| 12.6.2.3.3 | <u>Other Permitted Buildings and Structures:</u> | Buildings and Structures, for the uses permitted by 12.6.2.3.2.  |
| 12.6.2.3.4 | <u>Exceptions:</u>                               | The provisions of subsection 12.6.1.1(c) shall not apply to the area defined as subsection 12.6.2.3.1. <sup>468</sup>  |

##### 12.6.2.4

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| 12.6.2.4.1 | <u>Defined Area:</u>                          | C5-4, as shown on Zoning Map, Parts 9(ae).   |
| 12.6.2.4.2 | <u>Other Permitted Uses:</u>                  | Residential uses existing as of the date of passing of this by-law.  |
| 12.6.2.4.3 | <u>Other Permitted Buildings:</u>             | Five dwelling units existing as of the date of the passing of this by-law.   |
| 12.6.2.4.4 | <u>Location of Other Permitted Buildings:</u> | As existing as of the date of passing of this by-law   |
| 12.6.2.4.5 | <u>Minimum Lot Area:</u>                      | 2.5 hectares.  |
| 12.6.2.4.6 | <u>Minimum Lot Frontage:</u>                  | 117 metres.  |
| 12.6.2.4.7 | <u>Off-Street Parking:</u>                    | 1.5 spaces per dwelling unit permitted by Subsection 12.6.2.4.3.   |
| 12.6.2.4.8 | <u>Exceptions:</u>                            | The provisions of subsections 12.6.1.1(d), 12.6.1.1(e), 12.6.1.3 and 12.6.1.4 shall not apply to the area defined in subsection 12.6.2.4.1. <sup>469</sup> |

##### 12.6.2.5

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| 12.6.2.5.1 | <u>Defined Area:</u> | C5-5, as shown on Zoning Map, Parts 9(a). |
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<sup>467</sup> New subsection added by Clause 10. of By-law 306, April 17<sup>th</sup>, 2001.

<sup>468</sup> New subsection added by Clause 5. to By-law 3151, October 10<sup>th</sup>, 1989.

<sup>469</sup> New subsection added by Clause 3. to By-law 1243, May 10<sup>th</sup>, 2010.

12.6.2.5.2	<u>Other Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(i) Residential uses existing as of the date of passing of this by-law.</li> <li>(ii) Commercial storage business.</li> <li>(iii) Accessory uses.</li> </ul>
12.6.2.5.3	<u>Other Permitted Buildings:</u>	<ul style="list-style-type: none"> <li>(i) Five dwelling units existing as of the date of the passing of this by-law.</li> <li>(ii) Buildings and structures for the use permitted by 12.6.2.5.2(ii).</li> <li>(iii) Accessory buildings and structures.</li> </ul>
12.6.2.5.4	<u>Maximum Floor Area:</u>	The maximum floor area for the use permitted by 12.6.2.5.2(ii) shall be 1,500m <sup>2</sup> .
12.6.2.5.5	<u>Outdoor Storage:</u>	An outdoor storage compound shall be permitted for the use permitted by 12.6.2.5.3(ii), and shall have a maximum area of 2,800m <sup>2</sup> .
12.6.2.5.6	<u>Minimum Lot Area:</u>	2.5 hectares.
12.6.2.5.7	<u>Minimum Lot Frontage:</u>	117 metres.
12.6.2.5.8	<u>Off-Street Parking:</u>	1.5 spaces per dwelling unit permitted by Subsection 12.6.2.5.3(i).
12.6.2.5.9	<u>Exceptions:</u>	The provisions of subsections 12.6.1.1(d), 12.6.1.1(e), 12.6.1.3 and 12.6.1.4 shall not apply to the area defined in subsection 12.6.2.5.1. <sup>470</sup>
12.6.2.6		
12.6.2.6.1	<u>Defined Area:</u>	C5-6, as shown on Zoning Map, Part 15(au).
12.6.2.6.2	<u>Additional Permitted Uses:</u>	<ul style="list-style-type: none"> <li>(a) The sale, storage, distribution, and marketing of petroleum and petroleum products, including gasoline, diesel fuel, fuel oil, propane and lubricants.</li> <li>(b) An office use in connection with the other permitted uses.</li> <li>(c) Motor vehicle sales and repair.</li> <li>(d) Accessory uses.</li> </ul>
12.6.2.6.3	<u>Additional Permitted Buildings and Structures:</u>	(a) Buildings and structures for the uses permitted in subsection 12.6.2.6.1. <sup>471</sup>

<sup>470</sup> New subsection added by Clause 4. to By-law 2165, July 24<sup>th</sup>, 2017.

<sup>471</sup> New subsection added by Clause 4. to By-law 2404, September 9<sup>th</sup>, 2019.

## **SECTION 13**

### **AIRPORT SAFETY ZONE I (AS I) REGULATIONS**

#### 13.1 Maximum Height

*Notwithstanding the provisions of section 2.26, buildings and other structures shall not exceed a maximum height of 35 feet in the areas zoned "AS1" except where other applicable regulations of this by-law restrict the maximum height of buildings and other structures to less than 35 feet in which case such other applicable regulations shall apply.<sup>472</sup>*

## **SECTION 14**

#### 14.1 Maximum-Height

*Notwithstanding the provisions of section 2.26, buildings and other structures shall not exceed a maximum height of 65 feet in the areas zoned "AS2", except where other applicable regulations of this by-law restrict the maximum height of buildings and other structures to less than 65 feet in which case such other applicable regulations shall apply.<sup>473</sup>*

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<sup>472</sup> Wording added by Clause 2.(1) of By-law 2124, December 8<sup>th</sup>, 1970

<sup>473</sup> Wording added by Clause 3.(1) of By-law 2124, December 8<sup>th</sup>, 1970