

**THE CORPORATION OF  
THE TOWNSHIP OF SOUTH STORMONT**

**BY-LAW NO. 2011-100**

December 14, 2011

Prepared by

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**December 2018 Office Consolidation**

**Legend**

Amendments to Zoning By-law No. 2011-100 are indicated as follows:

~~Text that is stroked out has been removed from this by-law.~~

Text that is highlighted in grey has been added to this by-law.

**THE CORPORATION OF THE  
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BY-LAW NO. 2011-100**

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THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

By-Law No. 2011-100

BEING a by-law to regulate the use of all land, including density, size, location and use of all buildings within its territory.

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WHEREAS the *Municipal Act, 2001*, c. 25, S. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25, S. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS an Official Plan was approved for the United Counties of Stormont Dundas and Glengarry;

AND WHEREAS the *Planning Act, RSO 1990*, S. 27 requires that the Zoning By-law of the Township of South Stormont be amended to conform to the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS the *Planning Act, RSO 1990*, S. 24 provides that no Zoning By-law may be passed that does not conform with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS it is now deemed necessary and expedient to enact a new Zoning By-law for the Township of South Stormont that will be in conformity with the Official Plan.

NOW THEREFORE Council of the Township of South Stormont pursuant to Section 34 of the *Planning Act, RSO 1990*, chapter P.13, enacts as follows:

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## SECTION 1: AUTHORIZATION AND ADMINISTRATION

### 1.1 Title

BY-LAW  
2012-074

This By-law shall be known as the Zoning By-law or By-law No. 2010-44-2011-100 of the Corporation of the Township of South Stormont.

### 1.2 Defined Area

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of South Stormont.

### 1.3 Conformity with By-law

No land shall be used and no buildings or structures shall be erected, altered, enlarged, or used within the Township of South Stormont except in conformity with the provisions of this By-law. This By-law shall not reduce or mitigate any restrictions lawfully imposed by an authority having jurisdiction to make such restrictions. No person shall change the purpose for which any land, building or structure is used, or erect any new building or structure or addition to any existing building or structure or sever any lands from an existing parcel if the effect of such action is to cause the original, or remaining lands, buildings or structures to be in contravention of this By-law.

### 1.4 Violations and Penalties

Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction is liable to a fine prescribed under the *Planning Act* or other applicable statute.

Where a conviction is entered under this Subsection, in addition to any other remedy or any penalty provided by By-law, the applicable court may make an order prohibiting the continuation or repetition of the offence by the person convicted

Penalties imposed by conviction under this Section shall be recoverable under The *Provincial Offences Act*, as amended.

### 1.5 Remedies

Where any building or structure is erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is used, or any lot is used, in contravention of any requirements or other provisions of this By-law, such contravention may be removed or altered by the Township pursuant to the provisions of the *Planning Act*, or The *Municipal Act*.

Where any matter or thing is required to be done by a person under the provisions of this By-law, the Corporation may direct that in default of it being done by said person, such matter or thing may be done by the Corporation at the sole expense of the person and the expenses thereof with interest may be recovered by the Corporation in accordance with the provisions of the Municipal Act.

## **1.6 Enforcement**

This By-law shall be administered by a person designated from time to time by Council as the Planning/Zoning Administrator or any other officer or any person acting under his or her instructions, and no permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be a violation of any provision of this By-law.

## **1.7 Existing Uses Continued**

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

## **1.8 Effective Date**

By-law No. 2011-100 shall come into full force and effect as of December 14, 2011, subject to the Provisions of the *Planning Act*.

## **1.9 Validity**

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

## **1.10 Administrator**

This By-law shall be administered by a person designated from time to time by Council as the "Planning/Zoning Administrator" or any other officer or any person acting under his or her instructions.

## **1.11 Inspection of Premises**

The By-law Enforcement Officer, or any other officer or employee of the Corporation appointed by Council to administer or enforce the provisions of this By-law, or any person acting under his or her instructions, is hereby authorized, upon producing proper



identification, to enter at all reasonable times, upon any property or premises to inspect any property on, or in respect of which he believes on reasonable grounds that this By-law is being contravened.

Notwithstanding the above, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier, except under the authority of a search warrant issued under Section 49.1 of the *Planning Act*, R.S.O. 1990, c.P.13, or any successors thereto. The occupant shall be informed that the right of entry may be refused and entry made only under the authority of a search warrant.

#### **1.12 Licences and Permits**

No municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in contravention of any provision of this By-law. In addition, where the approval of another agency or authority is required, such approval shall be obtained and submitted to the Chief Building Official or Planning/Zoning Administrator at the time of application for a building permit.

Notwithstanding the above, receipt of such approval shall not be deemed to establish conformity with the provisions of this By-law.

#### **1.13 Other By-laws, Licenses, Permits and Regulations**

Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law in force from time to time.

#### **1.14 Certificate of Occupancy**

No change shall be made in the type of use of any land, building or structure within any zone, without first obtaining a Certificate of Occupancy from the Corporation confirming that the proposed use complies with this By-law.

#### **1.15 Applications and Plans**

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

- a) the true dimensions of the lot to be built upon or otherwise used;

- b) the proposed location, height and dimensions of any building, structure or use proposed for such lot, including any water supply and sewage disposal facilities;
- b) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law;
- c) the use and location of all existing buildings or structures on the lot; and
- d) a statement signed by the owner, disclosing the exact use proposed for each building, structure or use and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

## **1.16 Interpretation**

### **(1) Definitions**

In this By-law, unless the context requires otherwise, the definitions and interpretations set out in Section 2 hereof shall apply. Words not defined shall have the customary meaning or as defined in a standard dictionary.

### **(2) “use” and “occupy”**

In this By-law, unless the context requires otherwise:

- (a) the verb “use” shall include “design to be used”, “arrange to be used”, “intend to be used”, and “permit to be used”; and
- (b) the verb “occupy” shall include “design to be occupied”, “arrange to be occupied”, “intend to be occupied”, and “permit to be occupied”.

### **(3) Typographical Corrections**

No amendment to this By-law shall be required in order for the Corporation to make typographical changes where, in the opinion of the Corporation, such corrections do not affect the intent of the By-law.

### **(4) Severability of Provisions**

The provisions, sections or subsections of this By-law are hereby declared to be separate from each other and the invalidity of any provision, section or subsection does not affect the validity of any other provision, section or subsection.

### **(5) References to Other Legislation and Agencies**

Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations there under. Where this By-law makes reference to the jurisdiction of a public agency and

where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency or legislation. Reference to MDS I or MDS II formulae shall be deemed to include the most current standards.

(6) Compliance with Zoning Requirements

The extent and boundaries of all zones are shown on the Schedules attached hereto. For all such zones, both the general provisions and specific zone provisions shall be met.

(7) Zone Symbols

The short form symbols used on the Schedules attached hereto refer to individual zones used in the By-law and may be used when describing or making reference to any zone herein.

(8) Lots Split by more Than One Zone

Where a lot has more than one zone applying to it, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zones. Where the use or uses of a lot divided into two or more zones are permitted in all such zones, the more restrictive zone requirements shall apply.

(9) Calculation of Numerical Requirements

Where the application of this By-law results in a numerical fraction the more restrictive requirement shall apply.

(10) Road Widenings

Nothing in this By-law shall prevent the use of any land, building or structure or the erection of any building or structure on a lot which does not conform to the minimum lot frontage and/or lot area and/or front yard setback and/or setback from road allowance and in the case of a corner lot, the exterior side yard setback, as a result of a road widening taken by the Corporation of the Township of South Stormont, the Counties of Stormont, Dundas and Glengarry, or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

(11) Dwellings Per Lot

With respect to the number of dwellings permitted on any lot, the by-law intends to permit the development of a single form of housing on a lot. The actual number permitted on a lot is identified in each zone, sub-zone or exception zone. For example, where a semi-detached dwelling is permitted it shall be noted that one (1) dwelling is permitted on said lot, which is needed to permit the development of the semi-detached dwelling which is made up of two (2) dwelling units. The same approach is to be used when developing other multiple forms of housing.

(12) Prohibited uses

With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

**1.17 Imperial Measurement**

This By-law is in metric units only. Where numbers and imperial units appear in brackets anywhere in this By-law, such numbers and units do not form part of this By-law. They are to be considered as appendix information only and are so placed only for the convenience of the user.

**1.18 Repeal of Existing By-laws**

All existing By-laws of the Township of South Stormont, including the former Township of Cornwall and Township of Osnabruck, enacted pursuant to Section 34 of the *Planning Act*, as they may affect the lands which are governed by this By-law, are hereby repealed and such repeal shall come into effect upon the date that this By-law comes into force.

The adoption of this By-law, however, shall not prevent any pending or future prosecution of or action to abate any existing violation of the said By-laws if the violation is also a violation of the provisions of this By-law.

Notwithstanding any other provisions of this By-law, any decision of the Committee of Adjustment fully in effect will continue to apply for a period of two years from the date of passing by Council of this By-law to permit the construction that was approved by the Committee of Adjustment.

Two years after the adoption of this By-law, decisions by the Committee of Adjustment will be considered as legal non-conforming instead of being addressed as special exceptions or some other recognition under the general provisions.

**1.19 Request for Amendment**

Every request for an amendment to this Zoning By-law shall be accompanied by two (2) complete copies of the Corporation's "Application for Amendment to Zoning By-law" along with the required fee.

**1.20 Conflict**

In the event of a conflict between this By-law and amendments thereto and any other general or special By-law of the Municipality, or by other applicable legislation, the most restrictive By-law or legislation shall prevail.

### **1.21 Notes and Illustrations**

Where “notes” and/or “illustrations” are included in this By-law, they are provided for explanation purposes and do not form a part of this By-law.

BY-LAW  
2012-074

### **1.22 Technical Revisions**

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

- (1) correction of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;
- (2) adding or revising technical information on maps or schedules that does not affect the zoning of lands including by not limited to, matters such as updating and correcting infrastructure information, keys, legends, or title blocks; and
- (3) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this by-law and are editorially inserted for convenience of reference only.

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## SECTION 2: DEFINITIONS

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

**Accessory** shall mean a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot.

**Adult Entertainment Use** shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes a body rub parlour.

BY-LAW  
2016-068

**Adventure Games** shall mean an active commercial recreational activity where participants pay a fee to play combat games in protective gear with paintball guns, airsoft guns or similar equipment in a designated area.

**Aggregate Recycling Facility** shall mean a premises used for the recycling of used aggregate materials such as concrete and asphalt into a usable product but does not include the operation of an asphalt or concrete batching plant.

**Agricultural Machinery Sales and Service** shall mean a building and/or lot used principally for the display and sale of new and/or used agricultural machinery, accessories and related products and may include the servicing and repair of such products.

BY-LAW  
2018-079

**Agricultural Use** shall mean the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment. Agricultural use shall not be construed to include facilities such as commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales and does not include Cannabis Production and Processing.

**Agricultural Use, Small** shall mean agricultural use limited to five (5) nutrient units or less as defined by the Nutrient Management Act and Regulations there under.

BY-LAW  
2015-050

**Agriculture-related use** shall mean those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation 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.

BY-LAW  
2018-079

**Air Treatment Control** shall mean the functional use of an industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person(s).

**Alter** shall mean:

i) When used in reference to a building, structure or part thereof, means:

to change any one or more of the external dimensions of such building or structure; or

to change the type of construction of the exterior walls or roof of such building or structure; or

to change the use of such building or structure or the number or types of uses or dwelling units contained therein.

ii) When used in reference to a lot means:

to change the boundary of such lot with respect to a street or lane; or

to change any dimension or area, relating to such lot; to change the grade and drainage pattern of such lot; or

to change the use of such lot or the number of uses located thereon.

**Animal Hospital** shall mean a building or part of a building used by a veterinary surgeon where domestic animals (household pets) and birds are kept for treatment including surgery, and where veterinary drugs and other related products, including pet food, may be sold. The treatment of livestock (cattle, horses, etc.) and similar animals is specifically excluded.

**Art Gallery** shall mean a building, place or area where paintings, sculptures or other works of art are exhibited or sold and may be operated as either a main use or as a Home-Based Business.

**Artist's Studio** shall mean a building or part of a building used to produce artist's products including the display and retail sales of artist's supplies and products and may be operated as either a main use or as a Home-Based Business.

**Attached** shall mean a building or structure otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.

**Asphalt Batching Plant** shall mean an industrial facility used for the production of asphalt, or asphalt products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the

storage and maintenance of required equipment, but does not include the retail sale of finished asphalt products;

**Assembly Hall** shall mean a Building or Structure or part thereof where facilities are provided for athletic, civic, educational, political or social events, trade shows, conferences, fashion shows and may include an arena, auditorium, gymnasium, stadium, theatre, banquet hall, or similar use.

**Auction Sales Establishment** shall mean a business establishment engaged in selling merchandise on an agency basis by the auction method but shall not include the sale of livestock.

**Automobile Body Shop** shall mean an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard or impound yard as defined herein.

**Automotive Rental Establishment** shall mean an establishment engaged in the rental of passenger automobiles or trucks without drivers.

**Automotive Repair Garage** shall mean a building used for the storage, repair and servicing of motor vehicles, having at least one (1) service bay where minor repairs essential to the actual operation of a motor vehicle are performed. This definition does not include the sale of new or used vehicles or an impound yard or salvage yard as defined herein.

**Automobile Sales or Rental Establishment** shall mean an establishment with a sales office having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

**Automobile Service Station** shall mean a place for supplying fuel, oil and minor accessories for motor vehicles at retail, direct to the consumer and having at least one (1) service bay where minor repairs essential to the actual operation of motor vehicles may be performed. If more than two (2) motor vehicles are kept on the premises for the purpose of selling such vehicles then such establishment shall be classified as an automobile sales or rental establishment.

**Automotive Store** shall mean an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance and repair operations on motor vehicles. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

**Bake Shop** shall mean a building or portion thereof where baked foods are made for retail sale on the premises.

**Bakery (Commercial/Industrial)** ~~shall mean an establishment where the producing, mixing, compounding or baking of bread, biscuits, cakes or any other bakery product is undertaken and may include the retail sale on the premises of finished products.~~



BY-LAW  
2019-095

shall mean a facility where the primary activities include the mass production, mixing, compounding or baking of food products to be shipped to off-site retailers, and does not typically include retail sale of products on the premises.

**Bank or Financial Office** shall mean a chartered bank, finance company office, co-op, trust company office, loan company or similar establishment.

**Bar** shall mean a licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a pub or tavern.

**Basement** shall mean that portion of a building below the first storey but which has at least one-half of its height (measured from finished floor to finished ceiling) above the average level of ground adjacent to the exterior walls of the building

**Bed and Breakfast Establishment** shall mean a private dwelling designed to be used in part for the accommodation of the travelling or vacationing public with sleeping accommodations in a maximum of four (4) rooms and other related services and facilities within the occupant's dwelling.

**Bingo Hall** shall mean a building or premise or part thereof used for bingo or a bingo event and is duly registered under the *Gaming Control Act*, 1992, S.O. 1992, c. 24, or a successor thereto and is in compliance with municipal by-laws and approvals.

**Boarding House** shall mean a building (that has a building height not exceeding three storeys and a building area not exceeding 600 m<sup>2</sup>) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

**Boat House** shall mean an accessory building or structure intended for use to house, shelter or protect a boat or other form of water transportation, which shall not be capable of being occupied as a permanent or seasonal dwelling. When constructed in association with a dwelling, a boat house shall be deemed to be an accessory building. Consultation with the applicable Conservation Authority will be required for any new boathouse.

**Box Retail** shall mean a large retail store whose physical layout resembles a large square or 'box' when seen from above and is characterized by a large amount of floor space (often more than 50,000 square feet), a wide array of items available for sale, and its location in suburban areas.

**Broadcasting Studio** shall mean a radio, television and/or production studio.

**Building** shall mean any structure used or intended for sheltering any use or occupancy. ~~The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code Act*, R.S.O. 1992, c.23, not including recreational vehicles.~~

BY-LAW  
2015-050

- i) **Accessory Building** shall mean a building customarily incidental and subordinate to the main use or building and located on the same lot with such

main use or building.

- ii) **Main Building** shall mean the building in which is conducted the principle uses of the lot on which it is situated.
- iii) **Temporary Building** shall mean a building or structure intended for removal or demolition within a prescribed time, not exceeding two years, as set out in a building permit.

**Building Code** shall mean the *Ontario Building Code Act, R.S.O. 1992, c.23*, and any successor thereto.

BY-LAW  
2015-050

**Building Height** shall mean the vertical distance between the average finished grade at the base of the building and in the case of a flat or arched roof the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs the mean height level between the base of the roof and highest point of the roof.

**Building Line** shall mean a line within a lot drawn parallel or concentric to a lot line serving to establish the distance between that lot line and any portion of a building or structure which may be erected as required by the provisions of this By-law.

**Building Supply Store** shall mean a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for sale at retail or wholesale. This definition shall not include a lumber yard or a salvage yard where used building supplies are stored, displayed, or kept for retail sale.

**Business Training Centre** shall mean a building where an employer provides job-related training or instruction to its employees that is designed to improve job performance or enhance the career advancement opportunities of those employees.

**Campground, Recreational** shall mean an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which without limiting the generality of the foregoing, shall include, but shall not be limited to the following: children's camp or establishment, scout camp, girl guides, religious camp, institutional camp, or other like or similar camp or establishment.

**Campground, Tourist** shall mean an area of land providing short term and seasonal accommodation for tents, recreational vehicles, park model trailers or campers and may include accessory uses such as: a laundromat, convenience store, sale of propane fuels and recreational uses for persons using the campground where a fee is charged or paid for such accommodation.

BY-LAW  
2018-079

**Cannabis** shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include, but are not limited to, marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp.

BY-LAW  
2018-079

**Cannabis Production and Processing** shall mean lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping cannabis authorized by a federally issued license or registration.

BY-LAW  
2019-095

- (i) Standard shall mean cannabis production and processing with no established municipal restrictions on operation size;
- (ii) Cannabis Production and Processing, Micro-Cultivation shall mean cannabis production and processing that is limited to 200m<sup>2</sup> of gross plant surface area;
- (iii) Cannabis Production and Processing, Nursery shall mean cannabis production and processing that is limited to 50m<sup>2</sup> of gross plant surface area or “canopy” and is intended to allow for the creation of “starter” plant material, production of seeds and to develop new plant varieties.

**Canopy** shall mean a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.

**Carport** shall mean a covered parking area which is open on at least 40% of the total perimeter.

**Car Washing Establishment** shall mean a building or portion thereof used for washing or cleaning of motor vehicles for gain or profit.

**Cardlock Establishment** shall mean one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by custom access, or similar card systems.

**Catering Establishment** shall mean an establishment in which homemade meals and beverages are prepared on a small scale to be served for consumption off the premises.

**Cellar** shall mean that portion of a building below the first storey which is partly or wholly underground but which has more than one-half of its height (measured from finished floor to finished ceiling) below the average level of ground adjacent to the exterior walls of the building

**Cemetery** shall mean a place or area used for the burial of deceased persons and shall include an accessory mausoleum, columbarium but not a pet cemetery.

**Cemetery, Pet** shall mean a property used for the disposal of material consisting entirely of the remains of deceased domestic pets

**Chief Building Official** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, together with any regulations made thereunder, and the provisions of the Building By-law.

BY-LAW  
2015-050

BY-LAW  
2018-079

**Clinic** shall mean a building used solely for the purpose of consultations, diagnosis and treatment of patients, by ~~two (2)~~ one (1) or more regulated health-care professionals, including but not limited to legally qualified physicians, dentists, optometrists, chiropodists, chiropractors, registered massage therapists, physiotherapists, or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operation rooms for major surgery.

**Club, Non-Profit** shall mean a building or premises used as a meeting place for members of an organization and may include athletic, recreational or social club not operated for gain or profit. This definition may include a social service club, a lodge, a fraternity or sorority house, a hostel, labour union hall, Royal Canadian Legion or similar use.

**Commercial Vehicle** shall mean a vehicle used for commercial trade or government services and without limiting the foregoing includes delivery vehicles, emergency vehicles, motor buses, tractors and tractor trailers and single or multiple axle trucks.

**Communications Facility** shall mean an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone, cellular telephone tower, radio or television broadcast tower, fiber optic communication infrastructure or similar facility.

**Community Centre** shall mean a building, structure or premises where facilities are provided for the following: athletic, civic, educational, political, recreational, religious, social events, trade shows, conferences or fashion shows. This definition may include an arena, assembly hall, auditorium, gymnasium, hall, stadium, theatre or similar use, operated by a Public Authority.

**Compost Facility** shall mean premises owned or operated by a government authority or by a private operator with a Ministry of Environment Certificate of Approval where the primary purpose is for the composting of food waste and organic materials.

**Conservation Use** shall mean the maintenance of the natural environment for the purpose of preservation, research, observation and outdoor uses such as hiking, hunting and fishing. This may include the erection and use of trail shelters and other similar uses ancillary to the foregoing, but shall not include the use of a dwelling, mobile home, tourist vehicle or tourist trailer.

**Concrete Batching Plant** shall mean an industrial facility used for the production of concrete, or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished concrete products.

**Contractor's Shop or Yard** shall mean a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, sandblasting or for the operation of a yard for equipment including a truck, bulldozer, loader and/or backhoe. Such place of business may be used for the storage of equipment, materials and vehicles which are used on construction sites and may include such related uses as office space, or maintenance facilities, and may also include a retail business, sales counter or a wholesale business as an accessory use.

**Convenience Store** shall mean a building or part of a building used primarily for the sale of grocery and confectionery items and incidentally for the sale of such other merchandise as is required to fulfill the day-to-day needs of a surrounding community; and for automated banking machines, rental of items such as videos, video games or similar items.

**Corporation** shall mean the Corporation of the Township of South Stormont.

**Council** shall mean the Council of the Corporation of the Township of South Stormont.

**County** shall mean the Corporation of the United Counties of Stormont, Dundas and Glengarry.

**Crematorium** shall mean a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

**Day Nursery, Licensed** shall mean a place wherein the temporary care of children is provided in facilities and by staff licensed by the Province of Ontario and operated in accordance with the provisions of the *Day Nurseries' Act*, R.S.O. 1990, c. D.2 .

**Day Nursery, Private** shall mean a place wherein the temporary care of children is provided, in accordance with the applicable provisions of the *Day Nurseries Act*, R.S.O. 1990, c. D.2, for a maximum of 5 children.

**Deck** shall mean a structure abutting a dwelling or building with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

**Detached** shall mean when used in reference to a building, a building which is not dependent on any other building for structural support or enclosure.

**Development** shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.

**Dressmaker/Tailor Shop** shall mean a building or portion thereof, where the business of individual custom tailoring is carried on, including remodeling, hemstitching and buttonhole making, but does not include a shop where clothing manufacture is carried on.

**Drive-in Theatre** shall mean a form of cinema structure consisting of a large outdoor screen, a projection booth, a concession stand and a large parking area from which customers can view movies from the privacy and comfort of their vehicles.

**Driving Range** shall mean a public or private area operated for the purpose of developing golf techniques, including a miniature golf course, but excluding a golf course.

**Dry Cleaning or Laundry Outlet** shall mean a building or portion thereof used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to the process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods which have been received therein.

**Dry Cleaning or Laundry Plant** shall mean a building or portion thereof where dry cleaning, dry dyeing, cleaning, repairing or pressing of articles or goods of fabric is

conducted in which solvents which emit no odours or fumes are, or can be, used, and in which no noise or vibration causes a nuisance or inconvenience beyond the premises. This definition may include a dry cleaning or laundry outlet.

**Dwelling** shall mean a detached building occupied or capable of being occupied as the home, residence or sleeping place by one or more persons, and containing one or more dwelling units, including a factory built modular home, but shall not include a mobile home, park model trailer, a tent, bus, boat, vessel, motor vehicle, recreational vehicle, camper or commercial trailer.

BY-LAW  
2012-074

**Dwelling, Accessory** shall mean a single detached dwelling which is incidental, subordinate and accessory to a permitted non-residential use, ~~unless such use is prohibited by the Ontario Building Code~~, located on the same lot therewith and is occupied either by the owner of such non-residential use or by a person employed on the lot where such dwelling is located. For the purposes of this By-Law, a *Dwelling, Secondary Unit (Detached)* is not considered a *Garden Suite Dwelling, Accessory*.

BY-LAW  
2019-095

BY-LAW  
2018-087

~~**Dwelling, Accessory Apartment** shall mean a dwelling unit located within a single detached dwelling.~~

**Dwelling, Apartment Building** shall mean a building containing three (3) or more dwelling units, but shall not include a townhouse.

**Dwelling, Converted** shall mean a dwelling altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a floor space of not less than 55 m<sup>2</sup>.

**Dwelling, Duplex** shall mean a building divided horizontally into two (2) dwelling units each of which has an independent entrance and may include a common vestibule.

**Dwelling, Mobile Home** shall mean a transportable, factory built dwelling designed to be used as a year-round residential dwelling and has been manufactured to comply with the Canadian Standards Association (CSA) Standard No. Z240, as amended or replaced from time to time, but does not include a modular home dwelling, a park model trailer, a motor home, a mobile camper trailer, a truck camper or any other dwelling defined in this by-law.

**Dwelling, Modular Home** shall mean a single detached dwelling that is constructed by assembling, on a permanent foundation and has been manufactured in a Canadian Standards Association (CSA) A277 certified factory. For the purposes of this By-law a modular home dwelling shall be considered as a single detached dwelling.

**Dwelling, Park Model Trailer** shall mean a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series M "Park Model Trailer, as set out in the Ontario Building Code Act, R.S.O. 1992, c.23, and is used or intended to be used as a dwelling or seasonal dwelling.

BY-LAW  
2018-087

**Dwelling, Secondary Unit (Attached)** shall mean a self-contained dwelling unit located within the principal dwelling. For the purposes of this By-Law, a *Dwelling, Secondary Unit (Attached)* shall not be considered an accessory building, structure or use.

BY-LAW  
2018-087

**Dwelling, Secondary Unit (Detached)** shall mean a self-contained dwelling unit located within a structure ancillary to the principal dwelling on the same lot. For the purposes of this By-Law, a *Dwelling, Secondary Unit (Detached)* shall not be considered an accessory building, structure or use, a *Garden Suite*, or a *Dwelling, Accessory*.

BY-LAW  
2017-068

**Dwelling, Street Townhouse** shall mean a building divided vertically into three (3) or more dwelling units but not more than six (6) units, having frontage on a public street. Each unit is attached by common walls extending from the base of the foundation to the roof line, ~~each dwelling unit having~~ with a separate entrance at grade

BY-LAW  
2017-068

**Dwelling, Townhouse** shall mean a building divided vertically into three (3) or more dwelling units but not more than six (6) units, having frontage and primary access on a private street or internal driveway. Each unit is attached by common walls extending from the base of the foundation to the roof line, with a separate entrance at grade.

**Dwelling, Semi-Detached** shall mean a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.

**Dwelling, Single-Detached** shall mean a detached building containing one (1) dwelling unit.

**Dwelling Unit** shall mean one or more rooms designed as a housekeeping unit, used or intended to be used as a domicile by one or more persons and in which separate cooking, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building. This shall not include a mobile home, park model trailer, recreational vehicle, hotel, motel or boarding house.

**Dwelling Unit, Accessory** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building unless prohibited by the Official Building Code. Such dwelling unit shall be occupied either by the owner of such non-residential use or by an employee on the lot where such dwelling is located.

**Easement** shall mean the legal right acquired by contract to pass over, along, upon or under the lands of another.

**Equipment Rental Establishment – Domestic** shall mean a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.

**Equipment Rental Establishment – Industrial** shall mean an establishment primarily engaged in the rental of machinery, equipment, furniture, fixtures and other goods, of a size and type which would be used for business, industrial and major construction undertakings or which may involve bulk shipping of such goods, large catering undertakings, or similar non-household oriented rental functions.

**Equipment Sales Establishment - Industrial** shall mean a building or part of a building or place where machinery or equipment for use in industrial and major construction undertakings, commercial vehicles, and other similar goods are kept for sale at retail or wholesale.

**Equipment Service and Repair Establishment - Industrial** shall mean a building or part of a building where any equipment, vehicle, including commercial vehicles, and/or trailers may be serviced, washed or repaired and may include an equipment body shop.

**Equipment and Vehicle Storage Yard - Industrial** shall mean an uncovered area which is used for the storage of machinery and equipment for use in industrial and major construction undertakings, commercial vehicles, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, vehicles and goods may be permitted in a building provided such repair is clearly incidental and secondary to the storage use.

**Erect** shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension. This includes any work for which a building permit is required under the *Ontario Building Code Act*, R.S.O. 1992, c.23.

**Established Building Line, Rural** shall mean the average setback from the street line of existing buildings in either the Agriculture, Rural or Rural Residential Zones when at least five buildings have been erected on any one side of a continuous 200 metres of land with frontage on an improved street.

**Established Building Line, Urban** shall mean the average setback from the street line of existing buildings in the Residential zones on one side of one block where more than one-half of the lots on the said side of the block have been built upon.

**Existing** shall mean legally existing as of the date of the passing of this By-law.

**Factory Outlet** shall mean a building or part of a building accessory to a permitted industrial use where products manufactured by that industry are kept for wholesale or retail sale.

**Fairground** shall mean lands where fairs, livestock shows, horseracing, demolition derbies, other sports events, circuses, or exhibitions are held primarily outdoors, and includes any accessory and temporary buildings.

**Farm Equipment Sales and Service** shall mean a building, structure or area where farm machinery and farm supplies are kept for sale at retail and may include facilities for the servicing of such machinery but shall not include any other establishment otherwise defined or classified herein.

**Farm Produce Outlet** shall mean a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

**Farm Supply Establishment** shall mean a building wherein farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel, etc., may be sold or rented.



**Farmers' Market** shall mean an establishment or premises where the farm products of a local farming community are sold at retail from covered or uncovered areas designated for individual retailers.

**Fence** shall mean any barrier or structure constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

**Financial Institution** shall mean an establishment operated by a chartered trust bank, trust company, mortgage broker, accountant, financial adviser or similar such establishment.

**Finished Grade** shall mean:

- i) when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of such building;
- ii) when used with reference to a structure, the average elevation of the finished surface of the ground immediately surrounding such structure;
- iii) when used with reference to a street, road or highway, the elevation of the street, road or highway established by the Corporation or other designated authority.

**Fire Hall** shall mean a building or structure used for the purposes of supporting the provision of municipal fire protection services and which can include sleeping and dining facilities for fire fighting personnel, vehicle storage, maintenance, and repair facilities, training space, and office space.

**Flea Market** shall mean a street market composed of a series of individual retailer's booths or tables where sundry, new or secondhand articles, fresh produce or preserves are offered for sale.

**Flood Line** shall mean the line defined by the 1 in 100 year flood storm as established by the Ministry of Natural Resources, Conservation Authority, or other designated agency or by an approved engineering study.

**Flood Plain** shall mean the area below the 1:100 year floodline as established by the Ministry of Natural Resources or other designated agency or by an approved engineering study.

**Floor Area** shall mean:

BY-LAW  
2019-095

- i) ~~for a dwelling or dwelling unit, the total area of the storeys contained within the outside walls of the dwelling or dwelling unit exclusive of any garage, carport, porch, veranda, attic, basement or cellar;~~
- i) for a dwelling or, dwelling unit or dwelling, secondary unit (detached), the total area of the stories contained within the outside walls of the dwelling or dwelling unit, or building containing dwelling, secondary unit (detached) exclusive of any garage, carport, porch, veranda, attic, basement or cellar;

BY-LAW  
2019-095

- ii) ~~for a building other than a dwelling or dwelling unit, the total area of all the floors contained within the outside walls of the building.~~
- ii) for a building other than a dwelling or dwelling unit or dwelling, secondary unit (detached), the total area of all the floors contained within the outside walls of the building.

In all cases, only that floor area having a clear height to the ceiling of at least 2.2 metres shall be considered in the calculation of the floor area. The minimum floor area requirements for a dwelling as required in this By-law will apply to the floor area above finished grade.

**Forestry Use** shall mean the planting, management and harvesting of timber resources in accordance with good forestry practices. This definition may include the establishment and occasional use of an accessory portable sawmill.

**Fuel Depot, Bulk** shall mean land, building or structures used for the bulk storage, distribution and sale of gasoline, propane, heating oil, diesel, ethanol, natural gas or motor oil.

**Funeral Home** shall mean a building or part thereof designed for the purpose of providing funeral services to the public and includes facilities used for the preparation of deceased human bodies for the internment or cremation, for the viewing of deceased persons, but does not include a crematorium.

**Furniture and Home Improvement Centre** shall mean a retail store specializing in the sale of home building/design and garden products and the provision of related services. Goods offered for sale may include lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies, flowers and plants, shrubs, trees or similar vegetation, but shall not include a nursery or the bulk storage of unpackaged sand, gravel, soil, fertilizers or similar material. Related services may include a tool rental centre and a fast food kiosk, which is not a drive through service facility. Do-it-yourself training facilities are permitted as an accessory use.

**Garage, Private** shall mean an accessory building or portion of a dwelling which is greater than 40% enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

**Garden Centre** shall mean a lot, building or structure or part thereof used for the wholesale and retail sale of trees, shrubs, plants, soil, landscaping supplies, garden ornaments, fertilizers and similar materials, including situations where it is accessory to a retail store.

BY-LAW  
2018-079

**Garden Nursery** shall mean a lot, building or structure or part thereof used for the growing and sale of trees, shrubs, plants, soil, landscaping supplies, garden ornament, fertilizers and similar materials but does not include Cannabis Production and Processing.

BY-LAW  
2018-079

**Garden Suite** shall mean a temporary, detached portable housing unit intended for the use of an elderly member of the immediate family which is located on the same lot with an existing single detached dwelling where the family is residing and which shares the water supply and sewage disposal facilities with the single detached dwelling. For the purposes of this By-Law, a *Dwelling, Secondary Unit (Detached)* is not considered a *Garden Suite*.

**Gasoline Bar** shall mean one (1) or more pump islands, each consisting of one (1) or more gasoline pumps, and a shelter having a floor area of not more than ten (10) square metres which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and may include automatic fuel vending facilities operated or controlled with credit or debit cards.

**Golf Course** shall mean a public or private area operated for the purpose of playing golf and includes a par 3 golf course, a driving range and may include as accessory, a pro-shop and/or an eating establishment but does not include a miniature course and similar use operated for commercial purposes.

**Golf, Miniature** shall mean an area designed for the purpose of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, corners or other similar obstacles.

**Grain Drying Facility** shall mean any land, buildings or structures wherein agricultural commodities such as cereal grains, corn, and soybeans are customarily dried.

BY-LAW  
2015-050

**Greenhouse, Commercial** shall mean a building used for the growing of flowers, vegetables, fruit, shrubs, trees and similar vegetation for wholesale or retail sale, and the accessory sale of gardening implements, fertilizer, and similar articles. This definition shall not include any premises used for the growing of mushrooms or Cannabis

BY-LAW  
2018-079

Production or Processing.

**Group Home, Type 1** shall mean a residence licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, physical or social condition or legal status, require group living arrangement for their well being, but excluding a Group Home Type 2.

**Group Home, Type 2** shall mean a group home which is primarily intended to house persons convicted under the Criminal Code or the Young Offenders Act, such as Halfway Houses for Ex-Offenders (Charitable Institutions Act), Community Resources Centres (Ministry of Correctional Services Act), or Group Homes for Young Offenders (Young Offenders Act). A Group Home Type 2 shall be licensed or approved by either the Ministry of Community and Social Services or the Ministry of Community Safety and Correctional Services.

**Hereafter** shall mean after the date of the passing of this By-law.

**Herein** shall mean in this By-law, and shall not be limited to any particular section of this By-law.

BY-LAW  
2017-068

**Home-Based Business** shall mean an occupation, or enterprise trade, business, profession or craft carried on as an accessory use within part of a dwelling unit for pursuits conducted by the occupants thereof provided that:

- i) the use is clearly secondary to the use of the dwelling unit as a private residence;
- ii) ~~the use may include the following:~~ the use includes one or more of the following:
  - (a) instruction in or businesses involving music, academic subjects, dancing, Private Day Nursery, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hairdressing or similar uses;
  - (b) businesses including offices involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters, or operators of commercial vehicles, provided that the storage of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;
  - (c) businesses involving the repair of small appliances, radios, televisions and similar items, skate or knife sharpening or similar uses;
  - (d) an office used by a physician, dentist or other medical practitioner, a registered massage therapist, an insurance agent, accountant, engineer, sales person, travel agent, or a person engaged in a similar occupation; or
  - (e) a bed and breakfast, which provides a maximum of four (4) bedrooms for commercial public use, but which does not contain individual cooking facilities.
- iii) the use does not include or permit, any wholesale store or vending outlet, restaurant, kennel, veterinary establishment, eating establishment, convalescent home, mortuary, funeral home, or any use of a storage yard or plant or ~~any of the trades,~~ contractors yard, adult entertainment use, automotive body shop, automotive repair garage, automotive sales or rental establishment, or automotive service station.

BY-LAW  
2017-068

**Home Industry** shall mean a use which is clearly incidental or secondary to the main agricultural use or residential use of a single detached dwelling and is conducted either entirely within a single detached dwelling or in an accessory building to a single detached dwelling, by an inhabitant thereof. Such use may include a seasonal retail outlet for farm produce produced on the farm, a workshop for wood workers, carpentry shop, painters, plumbers, a craft shop, an electrical shop, a small engine repair shop, a blacksmith shop, but does not include automotive body shop, automotive repair garage, automotive sales or rental establishment, automotive service station or other similar use.

**Hospice** shall mean a facility that provides palliative care and attends to the emotional and spiritual needs of terminally ill patients and their families.

**Hospital** shall mean a hospital as defined by the Private Hospitals Act, or a hospital as defined by the Public Hospitals Act, as amended, but does not include animal or veterinary hospitals.

**Impound Yard** shall mean a place where seized or damaged motorized vehicles are stored for the purposes of being returned to the rightful owner. This definition may include a towing service but shall not include a salvage yard.

## **Industrial Uses**

**Class 1 Industry, Light Industrial Uses** shall mean a place of business for a small scale, self contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply.

**Class 2 Industry, Medium Industrial Uses** shall mean a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks ~~during daytime hours~~. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing and contractor's shop or yard.

**Class 3 Industry, Heavy Industrial Uses** shall mean a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit any potential adverse effects on the environment or the surrounding areas and public health.

**Institution** shall mean land, building, structure or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, medical, benevolent objectives or public service and which is not operated for profit or gain.

**Intensive Livestock Operation** shall mean any permanent or semi-permanent facility or non-grazing area where at least 6 nutrient units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities (i.e. lagoons) where a Nutrient Management Plan has been approved. This includes any high-density seasonal feeding areas where manure build up may occur in excess of crop requirements and where mechanical removal and spreading of the manure may be required.

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**Kennel** shall mean a building or structure where dogs are kept, bred, boarded, groomed or trained, given medical treatment or housed for similar purposes for which compensation may be paid and shall include a Humane Society shelter or pound. This definition shall include any premise whereby four or more dogs are kept as domestic pets.

**Landscaped Open Space** shall mean the open unobstructed space from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway, sidewalk, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a front yard or exterior side yard. This may also include a fence.

**Lane** shall mean:

- i) a subsidiary thoroughfare providing access from within a lot, principally from parking or loading spaces or from a lot to a public street; or
- ii) a subsidiary public thoroughfare for the sole use of pedestrians and connecting public streets, open spaces or buildings.

**Laundromat** shall mean a building or structure or part thereof containing two (2) or more washing machines and/or self service dry cleaning machines and/or dryers for use by the public which is operated for a profit or gain.

**Livestock** shall mean dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation Formula Implementation Guidelines, Publication 707 Ministry of Agriculture, Food and Rural Affairs.

**Livestock Sales Outlet** shall mean a building or structure where cattle, goats, sheep, horses, swine or the young thereof other livestock are bought and sold.

**Loading Space** shall mean a space or bay located on a lot or within a building which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in, a straight line to a street.

**Lot** shall mean a parcel of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*.

**Lot, Corner** shall mean a lot situated at the intersection of two or more streets having an angle of intersection not exceeding 135 degrees. In the case of a curved street, such angles shall be formed by their tangents drawn from the points where the side lot lines meet the street line but does not include a lot abutting the bulb of a cul-de-sac or a turning circle.

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**Lot, Flag** shall mean any lot which gains frontage on to a public street through the use of a narrow strip of land which is an integral part of the lot and includes a panhandle, key or flag lot.

**Lot, Interior** shall mean a lot situated between adjacent lots and having frontage on only one street or private right-of-way.

**Lot, Through** shall mean a lot bounded on two opposite sides by streets; provided, however, that if any lot qualifies as being a corner lot and a through lot, as hereinbefore defined, such lot shall be deemed a corner lot for the purpose of this By-law.

**Lot, Through Waterfront** shall mean a lot which abuts more than one water body.

**Lot, Waterfront** shall mean a lot which abuts a water body regardless of whether it has access to a street or private right-of-way.

**Lot Area** shall mean the total horizontal area measured within the limits of the lot lines of the lot.

**Lot Coverage** shall mean the percentage of lot area at grade of all buildings and roofed structures on a lot. For the purposes of this definition, decks, patios, swimming pools, and all accessory buildings, excluding detached garages, are not to be included within the lot coverage calculation.

**Lot Frontage** shall mean the horizontal distance between the side lot lines. Where such side lot lines are not parallel it shall be the width of a lot measured between the intersections of the side lot lines with a line six (6) metres back from and parallel or concentric to the front lot line. Arc distances shall apply to curved lines.

**Lot Line** shall mean a boundary line of a lot or a vertical projection thereof.

**Lot Line, Exterior Side** shall mean a lot line located between the front and rear lot lines and dividing the lot from a street.

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**Lot Line, Front** shall mean in the case of an interior lot, the line that divides the lot from the public street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed to be the exterior side lot line except in cases where the principle access to the lot is deemed to be the front lot line as shown on a site plan which is approved as part of a Site Plan Control Approval. In the case of a through lot and waterfront lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

**Lot Line, Rear** shall mean the lot line or intersection of the side lot lines, opposite to, and most distant from, the front lot line.

**Lot Line, Interior Side** shall mean a lot line other than a front, rear or side exterior lot line.

**Lots of Record** shall mean legally created parcels of land, including those which exist on the date of passing of this By-law, that can be conveyed and are deemed to include lots in a registered plan of subdivision, parcels created by consent in accordance with

the Planning Act and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office.

**Lumber Yard** shall mean a lot and building(s) where the primary use is the storage of construction grade wood for sale at retail or wholesale.

**Main Building** shall mean a building or buildings designed or used for the principal use on the lot.

**Marina** shall mean a commercial establishment where boathouse, boat storage, pier, dock or jetty facilities are available for any type of marine pleasure crafts and may include fuel pumps and facilities for the sale, rental, servicing, repair and maintenance or marine craft and buildings or structures for the supply of marine craft accessories or refreshments and may include an eating establishment.

**Micro-Brewery** shall mean a building used for the making of beer on a small scale and may include tasting and dining facilities and the retail sale of related items which occupy no more than 25% of the total floor area to a maximum of 400 m<sup>2</sup>. This definition shall also include a small batch brewery.

**Mini Warehouse and Storage** shall mean a commercial building or part of a building wherein general merchandise, vehicles, furniture and household goods are all stored in separate, secured storage areas or lockers which are generally accessible by means of individual loading doors.

**Mobile Home Park** shall mean land which has been provided and designed for the location thereon of two or more occupied mobile homes for non-transient use.

**Mobile Home Site** shall mean a parcel of land for the placement of one mobile home and the exclusive use of its occupants. Where a park has been developed by plan of subdivision, a mobile home site may be a lot as herein defined.

**Monument Sales and Manufacturing** shall mean a place where cemetery monuments and related articles are manufactured and/or displayed for sale

**Motor Speedway** shall mean an establishment where motor vehicle racing, competitions and training occur on a track or course (i.e. motocross, go-cart, ATV, stock car racing or other similar type of facility or course). Accessory uses to the motor speedway include, concession stands for the sale of food and souvenirs, grand stands, buildings for vehicle maintenance and storage, and may include overnight camping.

**Municipal Drain** shall mean a drain constructed under Section 4 of the Ontario Drainage Act and dedicated by by-law as a municipal drain, to regulate the water table or water level within or on any lands and maintained by the municipality.

**Municipality** shall mean the Corporation of the Township of South Stormont.

**Museum** shall mean the use of land, buildings or structures for the purposes of assembling, preparing and displaying a collection of articles and artifacts illustrating science, art, ancient life or other subjects and includes accessory uses such as facilities



for repair, renewing and storage and may include retail outlets for souvenirs and refreshments.

**Non-Complying** when applied to a use, building or structure, shall mean a use, building or structure which, on the date of the passing of this By-law, is listed as a permitted use in the zone where it is located but which contravenes one or more of the provisions of the zone in which such use, building or structure is located.

**Non-Conforming** shall mean a use, building or structure which, on the date of the final passing of this By-law, was not a permitted use in the zone where such use, building or structure is located, but which was lawfully used for such purpose as of the date of passing of this By-law.

**Nursing Home** shall mean a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care if required; and shall include a rest home, convalescent home, home for the aged or domiciliary home, but shall not include any other establishment otherwise defined or classified herein.

**Occupy** shall mean to be established in, dwell in, be in residence in, establish yourself in, ensconce yourself in, tenant, reside in, lodge in, take up residence in, make your home, abide in or arranged to be inhabited.

**Office, Business or Professional** shall mean a building or portion thereof, designed, intended or used for the practice of a profession, the carrying on of a business and/or the conduct of public administration, and where one or more individuals and/or professionally qualified persons provide services to clients. This definition includes such uses as travel agency, insurance agency, newspapers office, communications office, laboratory and research facility, lawyer's office, architect's office, planner's office, engineer's office, or similar use, but shall not include a ~~medical/dental office~~ clinic or any other use otherwise defined or classified in this By-law.

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**Official Plan** shall mean the Official Plan of the United Counties of Stormont, Dundas and Glengarry or parts thereof and amendments thereto and any Official Plan which may be adopted by the Corporation under the Planning Act, R.S.O.1990, c. P.13.

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**Open Storage** shall mean the storage of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof which is accessory to a permitted primary use, including such uses as automobile and trailer sales lots, building materials supply yards, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement or soft drink coolers or ice freezers occupying an area not greater than four (4) square metres. This definition shall not include the open storage of goods or equipment which are incidental to the residential occupancy of a lot.

**Organic Soils** shall mean soils containing more than 17% organic carbon by weight, commonly known as peat, muck, bog or fen soils as defined by the Nutrient Management Act, 2002.

**Outdoor Commercial Patio** shall mean an outdoor area adjoining a restaurant, a bar or a tavern, consisting of outdoor tables, chairs and related decorations and fixtures, and

where meals or beverages are served to the public for consumption on the premises. An outdoor café may be located within the public road right-of-way where an encroachment agreement exists between the operator and the Municipality. This definition may also be subject a non-profit club or other similar organization.

**Outdoor Recreational Facility** shall mean an establishment which provides recreational activities primarily located outside of a building such as lawn bowling, tennis court, model airplane flying or similar activities.

**Park** shall mean an area consisting largely of open space which may include a recreational area, playground or playfield or similar use. Such parks may include therein one or more of the following: swimming pool, wading pool, refreshment pavilions, tennis courts, boating facilities, gardens or similar uses, but shall not include a recreational commercial establishment, campground, mobile home park or tourist camp.

**Parking Aisle** shall mean a portion of a parking area or a commercial parking lot which abuts a parking space on one or more sides and which provides access from the parking space to a street, and which is not used for vehicular parking.

**Parking Area** shall mean an area or structure other than a street used or intended to be used for the temporary storage of motor vehicles and includes a private garage or carport, aisles and parking spaces.

**Parking Garage** shall mean an enclosed structure used for the temporary parking for more than four vehicles and available for public use either free, for compensation or as an accommodation to customers.

**Parking Lot, Public** shall mean a lot or portion thereof used for the temporary storage or parking of four (4) or more vehicles and available for public use either free, for compensation or as an accommodation to customers, but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.

**Parking Space** shall mean an area exclusive of driveways or aisles, used for the temporary parking or storage of one motor vehicle.

**Parking Space, Barrier Free** shall mean a parking space that is reserved for the exclusive use of vehicles displaying a valid physically disabled permit.

**Passive Recreational Use** shall mean enjoyment of the natural environment through non-intensive activities that are passive in nature and cause minimal impact on the natural features and functions of an area. Passive recreations uses include access trails, nature appreciation or educational activity, bird watching, outdoor education and associated facilities, but do not include recreational buildings, sports fields and golf courses.

**Permitted Uses** shall mean a use which is listed under the heading “Permitted Uses” in the zone where such use is located or as authorized under the General Provisions of this By-law.

**Person** shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Establishment** shall mean an establishment wherein a personal service is performed. This definition may include a barber shop, beauty salon, registered massage therapy business, shoe repair, photographic store or a dry cleaning distribution station or a similar use.

**Pet Shop** shall mean a shop or place where animals, small reptiles, fish or birds for use as pets are sold, kept for sale or groomed and where pet supplies and pet foods are sold but does not include a shop or place for the breeding or overnight boarding of pets.

**Pit** shall mean any open excavation other than a Quarry made for the removal of unconsolidated aggregate such as soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works and includes accessory uses such as screening, washing and storage of such materials.

**Place of Amusement** shall mean an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a video arcade or penny arcade, billiard or pool room, pinball machines and video games.

BY-LAW  
2015-050

**Place of Assembly** shall mean a place designed and use to accommodate gatherings of people such as clubs, reception halls, conference centres, legion halls, assembly halls and lodges, and for events such as trade shows, banquets, and political or other conventions.

**Place of Worship** shall mean lands or buildings used for worship by an association of persons that is:

- i) charitable under the laws of the Province of Ontario or the Federal Government;
- ii) organized for the advancement of religion and for the conduct of religious worship, service or rites;
- iii) permanently established as to the continuity of its existence, and
- iv) may include accessory uses such as a residence for the caretaker or head of congregation, a nursery school, a church day nursery, a church assembly hall or auditorium, a school of religious education, convent monastery, parish hall or similar use.

**Portable Asphalt Plants** shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; such facility is not of permanent construction, but is designed to be dismantled and moved to another location as required.

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

**Printing and Publishing Establishment** shall mean a building or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

BY-LAW  
2019-095

**Produce Stand** shall mean a covered or uncovered seasonal establishment or premises wherein produce, meat, flowers, fruit and/or other food items are sold.

**Public Authority** shall mean the Township of South Stormont, the United Counties of Stormont, Dundas and Glengarry, a Conservation Authority, and any department of the Governments of Ontario or Canada, including Ontario Power Generation, Hydro One, Cornwall Electric and any Boards or Commissions thereof. It shall also include any telephone corporation, any pipeline facility, natural gas distribution system, any cable company or any other utility.

**Public Street** shall mean a public thoroughfare under the jurisdiction of the Corporation, the County or the Province of Ontario. This definition shall not include a private road.

- i) Road Allowance shall have a corresponding meaning to that of a Public Street.
- ii) Improved Street shall mean a Provincial Highway, County Road or a Municipal Road which has been assumed by the respective authority and is maintained on a year-round basis.
- iii) Unimproved Street shall mean a road allowance under the jurisdiction of the Province, County or Municipality which has not been brought up to standard and is not maintained on a year-round basis.
- iv) Private road shall mean a street which is privately owned that serves two or more lots.

**Public Use** shall mean a building, structure or lot used by a public authority.

**Quarry** shall mean land or land under water other than a Pit from which consolidated aggregate (such as shale, stone, limestone, dolestone, sandstone, marble, granite, rock or other prescribed material) is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site and includes accessory uses.

**Recreational Commercial Establishment** shall mean an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, open or covered skating or curling rinks, pools, open or covered badminton or tennis courts, squash courts, bowling alleys, gymnasium, marinas, bandshell or open theatre, and other similar uses but does

not include a casino or bingo hall, go-kart, motorcycle, all terrain vehicle riding facilities or similar uses.

**Recreational Vehicle** shall mean any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, campers, snowmobiles, ATVs, seadoos and boats, but shall not include a mobile home.

**Recreational Vehicle Sales, Rental and Storage Establishment** shall mean a covered or uncovered area which is used for the rental, display, storage and/or sale of recreational vehicles.

**Recycling Depot** shall mean any building, portion of building or area in which solid non-hazardous recyclable material such as glass, paper, cardboard, plastic, metal and other similar products is collected, sorted, treated and/or processed, and which will be transferred to another location for reuse and includes a transfer station. This definition does not include any other type of waste management facility.

**Recycling Yard** shall mean a fenced yard area in which solid recyclable material is collected, sorted, and/or processed and may include materials from construction and demolition projects such as wood, drywall, brick, concrete, asphalt shingles and glass.

**Research and Development Centre** shall mean a place used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.

BY-LAW  
2017-005

**Residence Surplus to a Farm Operation** shall mean an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

**Restaurant** shall mean a building or structure or portion thereof where food is prepared and offered for sale to the public for consumption within the premises and may include a take-out facility clearly secondary to the principal use. This definition includes uses such as taverns, sports bars, and similar establishments.

**Restaurant, Take-out** shall mean a restaurant that does not have seating capacity for diners and instead sells food and beverages over the counter for pick-up by the consumer for outdoor consumption and/or off the premises, or delivers food and beverages directly to the consumer for consumption off the premises, whether located in a building, a motor vehicle or a trailer.

**Retail Store** shall mean a building wherein goods, wares, merchandise, substances or articles are offered for sale or lease to the general public, and may include the limited storage of goods, wares, merchandise, substances or articles, and shall not include any other use defined herein.

**Retail Tourist Gift/Craft Shop** shall mean a building wherein gifts and crafts are offered for sale and may include the limited storage of gifts and crafts and shall not include any other use defined herein.

**Riding Stable** shall mean lands and buildings or structures used for the housing of horses and may include a riding school, riding arena, boarding stables, tack shop and other related uses.

**Salvage Yard** shall mean an establishment where goods, wares, merchandise, articles or things are kept, repaired or processed wholly or partly in the open, for further use and offered for sale. This definition may include a scrap metal yard, an automobile wrecking yard and/or towing service.

**Sawmill** shall mean a building, structure or area where timber from elsewhere is cut or sawed, either to finished lumber or as an intermediary step.

**Sawmill, Portable** shall mean a small, often gasoline powered, sawmill used for personal or semi professional use, suitable for producing limited volumes of boards or specialty milling such as oversized timber.

**Screening** shall mean a continuous fence, wall, compact evergreen hedge or combination thereof supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

**School** shall mean a public educational establishment operated by a Board of Education, or as provided for in the Education Act

**School, Commercial** shall mean an educational establishment other than a School wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, golf, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts.

**School, Private** shall mean an educational establishment other than a School, wherein academic subjects are taught generally at the private expense of those enrolled in the establishment.

**Seasonal Camp** shall mean a commercial or non-commercial establishment which provides eating, sleeping, recreational and related facilities for use by groups and includes children's camps, church camp, Boy Scout camps; Girls Guide camps, YM/YMWCA camps and similar uses.

**Secondhand Shop** shall mean a building or part of a building in which used goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and may include such uses as a flea market, a pawnshop, an antique store, an opportunity shop or similar use.

BY-LAW  
2018-079

**Sensitive Land Use** shall mean any building, structure, use or associated amenity area (indoor or outdoor) where humans may be adversely affected by adjacent industrial-type land uses including, but not limited to residential uses, day care facilities, places of worship, schools, or playgrounds.

**Service or Repair Shop** shall mean a building or portion thereof where, whether in conjunction with a retail store or not, articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

**Setback** shall mean:

- i) With reference to a road or street, the least horizontal distance between the centre line of a street allowance specified in Section 3.29 and the nearest building line.
- ii) With reference to a water body, the distance between the high water mark, flood plain or any other approved water level and the nearest building line.

**Shipping Container** shall mean an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box, with or without wheels, but does not include a motor vehicle.

**Shopping Centre** shall mean a group of commercial and service uses designed, developed and managed as a unit or individual ownership, having the required loading spaces and off-street parking provided on site and which may include free standing or attached buildings.

**Showroom** shall mean a part of a building used for the display of samples, patterns or other goods and wherein orders are taken for merchandise for future delivery to its consumers.

**Sight Triangle** shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6 m from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**Sign** shall mean any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- i) is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
- ii) is used to advertise, inform, announce, claim, give publicity or attract attention.

**Small Batch Brewery** shall mean a place that offers an individual member of the general public the location, the material and the equipment with which to make beer or wine for that individual's own personal use.

**Sod Farm** shall mean a use of land for the purpose of eventual removal of such grasses and the soil that supports them for any retail or wholesale commercial purposes.

### **Solar Power Installations**

- a) Accessory shall mean systems designed to capture the sun's energy and convert it to electricity. Such systems may be tied to the electrical grid, however they are clearly secondary and subordinate in nature to the main use on the property.
- b) Commercial shall mean systems designed to capture the sun's energy for the sole purpose of selling power back to the electrical grid. This definition does not include those installations which have received a Renewable Energy Approval.

**Storey** shall mean that portion of a building other than an attic, basement or cellar, between the surface of any floor and the surface of the floor, ceiling or roof next above it.

BY-LAW  
2015-050

**Structure** shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a trailer and a mobile home, but does not include fences or retaining walls.

**Swimming Pool** shall mean an artificially enclosed body of water, built either above or in the ground, intended for swimming or water-based recreation and shall include inflatable pools and hot tubs with a depth in excess of 0.61 metres.

**Taxi Dispatch Establishment** shall mean a building or part of a building used to dispatch taxi-cabs or limousines for service to the public and may include an ancillary office and vehicle storage yard.

**Theatre** shall mean a place where movies are screened and live theatrical performances or concerts are given on a stage before an audience, but shall not include a drive-in theatre.

**Tourist Establishment** shall mean a building designed for the accommodation of the traveling or vacationing public.

- i) **Cabin** shall mean an establishment designed to accommodate person(s) in a detached building.
- ii) **Hotel** shall mean an establishment containing five (5) or more guest rooms served by a common entrance. Accessory uses may include beverage rooms, dining rooms, meeting rooms and similar uses.
- iii) **Motel** shall mean a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein five (5) or more guest rooms, each guest room having a separate entrance directly from outside and may include an accessory eating establishment, meeting rooms, ancillary retail or service commercial or recreational facilities provided for the conveniences of motel patrons, a pool, banquet rooms, public dining rooms and any premises licensed under the Liquor License Act, R.S.O. 1990, but shall not include hotels as herein defined.

**Transfer Station** shall mean a building, structure or enclosed or screened area where trucks or transports containing waste are temporarily stored, loaded or unloaded.



**Transportation Depot** shall mean an establishment where commercial vehicles are stored, repaired, washed, or maintained, including all administrative functions relating thereto, and may also mean an establishment for the distribution of goods or people in transit.

**Transportation Terminal** shall mean land, or a structure or a building where commercial vehicles are kept for hire, rental and/or lease, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise, but shall not include the storage and/or distribution of waste materials.

**Use** shall mean the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained.

**Vehicle** shall mean an automobile, boat, commercial vehicle, farm implement, motorcycle, recreational vehicle, snowmobile or trailer.

**Veterinary Establishment** shall mean a building or portion thereof used for a veterinary practice where domestic animals, or other livestock are kept for treatment, including surgery and where veterinary drugs and other related products including pet food and supplies may be dispensed or sold and where all functions take place within the building but shall not include a kennel or research facility.

**Video Rental Outlet** shall mean a building or part of a building wherein the primary use is the rental of movies and may include the rental of video games.

**Warehouse** shall mean a building or structure or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or material.

**Waste Disposal Site** shall mean a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed of or dumped.

**Water Access** shall mean that any lot having a lot line or portion thereof which is also a shoreline, shall be deemed to have water access.

**Water Body** shall mean any bay, lake, river, natural watercourse and/or canal or channel but shall not include an irrigation or drainage channel.

**Wayside Pit or Quarry** shall mean a temporary open excavation, not located on a road right-of-way, made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public road authority or their agent, solely for the purpose of a particular project or contract of road construction. This definition may include a portable asphalt plant, and associated washing or screening operations but shall not include:

- i) any excavation incidental to the erection of a building or structure for which a building permit has been issued; or
- ii) any excavation incidental to the construction of any public works.

**Winery** shall mean the use of lands, buildings or structures for the production of wine and wine related products. The winery may also include an accessory retail outlet, a warehouse outlet and warehouse.

**Wind Turbine/Generating System**

- a) Accessory shall mean a structure or structures which harness wind energy for the primary purpose of on-site consumption. Such structures can be tied into the electrical grid; however their primary purpose is to provide power to the buildings and uses located on-site.
- b) Commercial shall mean a structure or structures which harness wind energy for the sole purpose of selling it back to the electrical grid for off-site consumption. This definition does not include those installations which have received a Renewable Energy Approval.

**Workshop** shall mean land and/or a building or portion thereof used by a contractor, builder or tradesman to perform manufacturing, repair or assembly work or for the storage of equipment and materials used for off-site work and includes those operated by a carpenter, well driller, tile drainage installer, a locksmith, blacksmith, tinsmith, gunsmith, welder or persons involved in similar occupations.

**Yard** shall mean the area between the building and a lot line that, except for landscaping or accessory buildings and projections specifically permitted elsewhere in this By-law, is unobstructed above grade.

**Yard, Exterior Side** shall mean a side yard adjacent to a public street and future road allowance.

**Yard, Front** shall mean a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the a wall of a main building closest to the front lot line.

**Yard, Interior Side** shall mean a yard extending from the front yard to the rear yard between the side lot line and a line drawn parallel or concentric thereto and through the point of the a wall of a building closest to the side lot line.

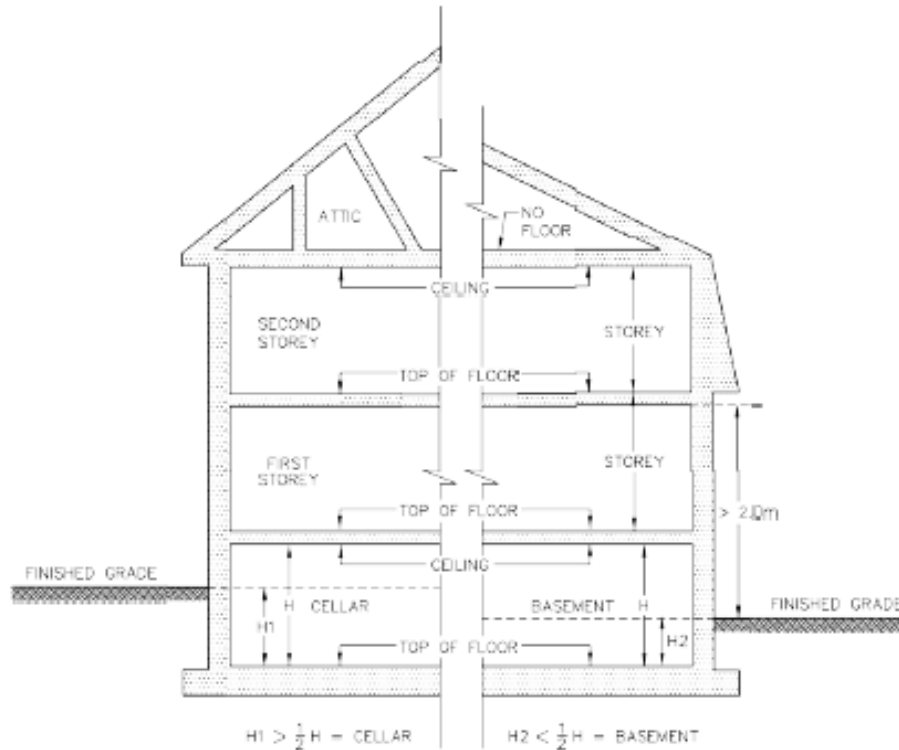
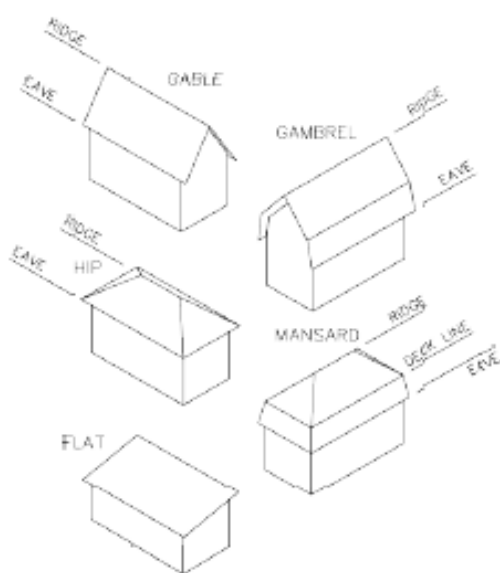
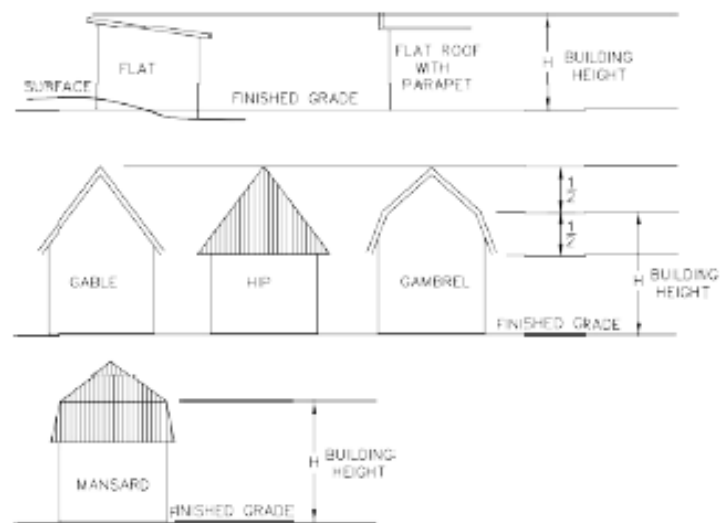
**Yard, Rear** shall mean a yard extending across the full width of the lot between the rear lot line and a line drawn parallel or concentric thereto and through the point of the a wall of a main building closest to the rear lot line.

**Zone** shall mean a designated area of land use demarcated on the Schedules attached hereto.

**Zoning Administrator** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

## SECTION 2

## DEFINITIONS

ILLUSTRATION OF  
BUILDING DEFINITIONSILLUSTRATION OF  
DEFINITION OF ATTIC, CELLAR AND BASEMENTILLUSTRATION OF  
COMMON ROOF TYPESILLUSTRATION OF  
HOW THE BUILDING HEIGHT IS ESTABLISHED  
FOR COMMON ROOF TYPES

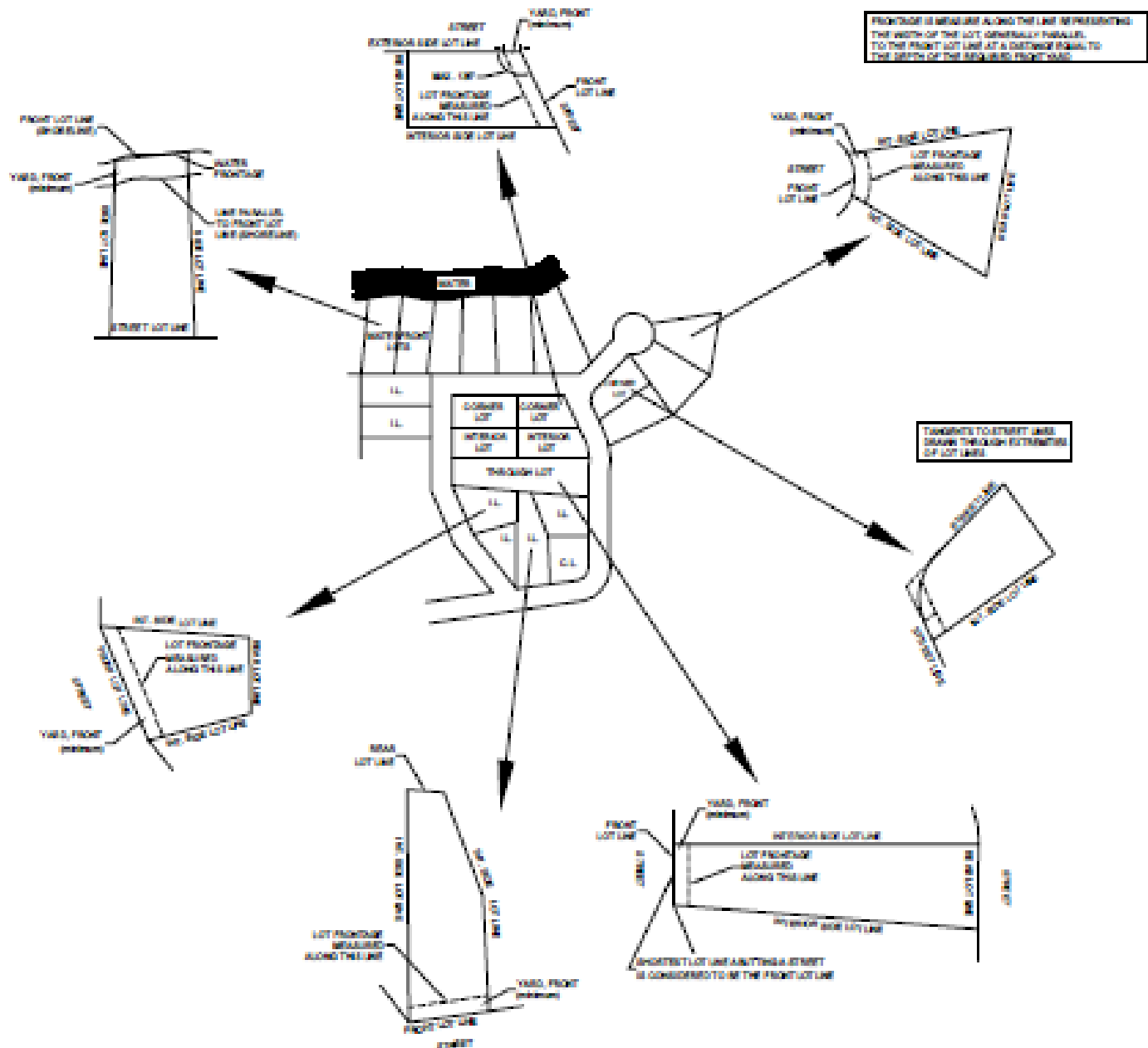
## NOTE :

THESE ILLUSTRATIONS DO NOT FORM PART OF THIS BY-LAW. THEY ARE PROVIDED FOR CONVENIENCE ONLY. REFERENCE TO THE PROVISIONS OF THE BY-LAW IS REQUIRED FOR LEGAL INTERPRETATION.

## SECTION 2

## DEFINITIONS

### ILLUSTRATION OF DIFFERENT LOT SHAPES AND FRONTAGES

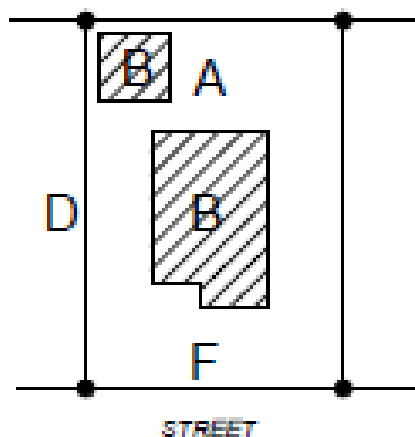
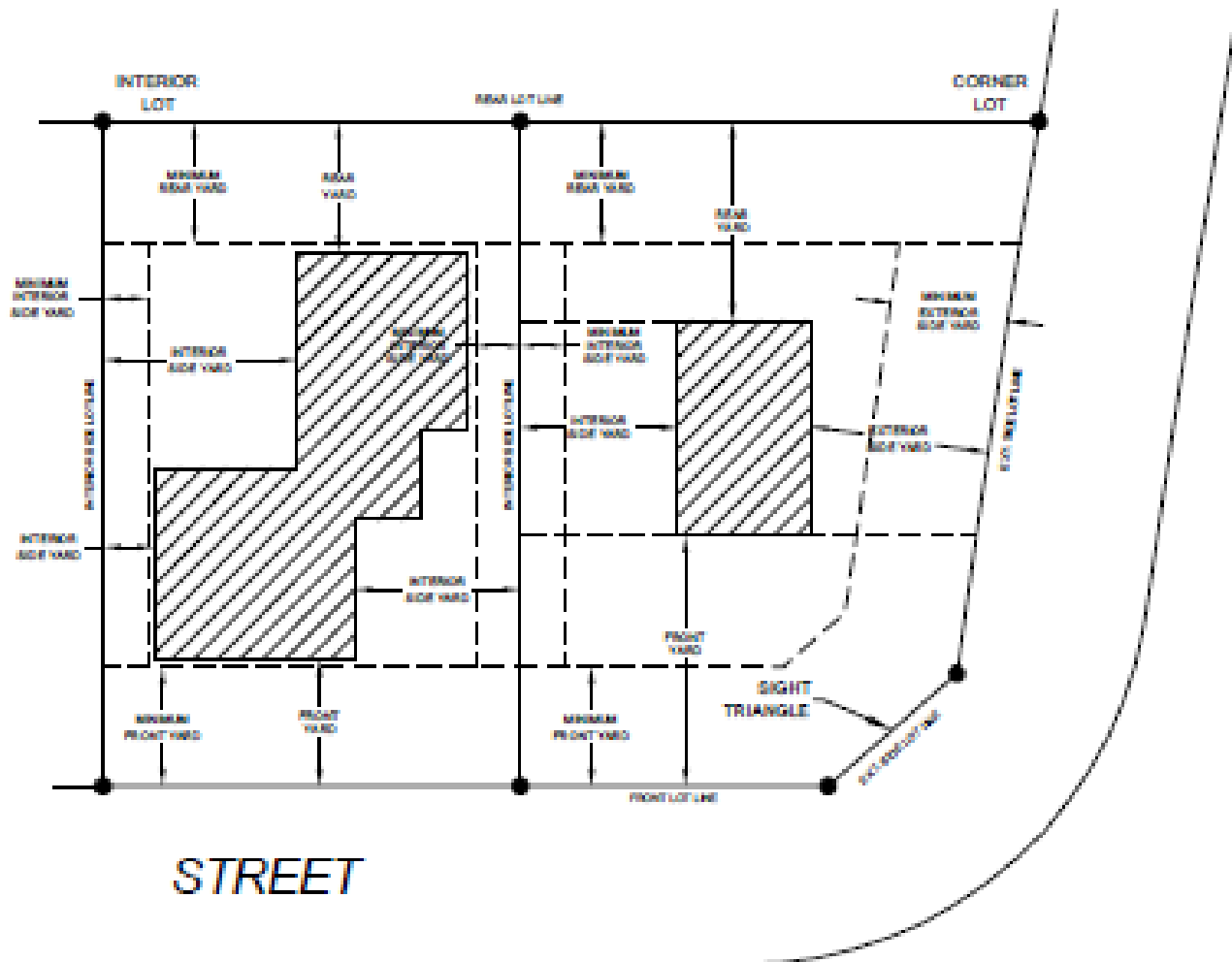


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TO THE PROVISIONS OF THE BY-LAW IS REQUIRED FOR  
LEGAL INTERPRETATION

## SECTION 2

## DEFINITIONS

### ILLUSTRATION OF LOT YARDS, SETBACKS AND LOT COVERAGE



A

TOTAL AREA OF LOT = F x D



FOOTPRINT AREA OF BUILDING(S) (1 + 2 = B)

$$\text{LOT COVERAGE (\%)} = \frac{A}{B} \times 100$$

Legend:

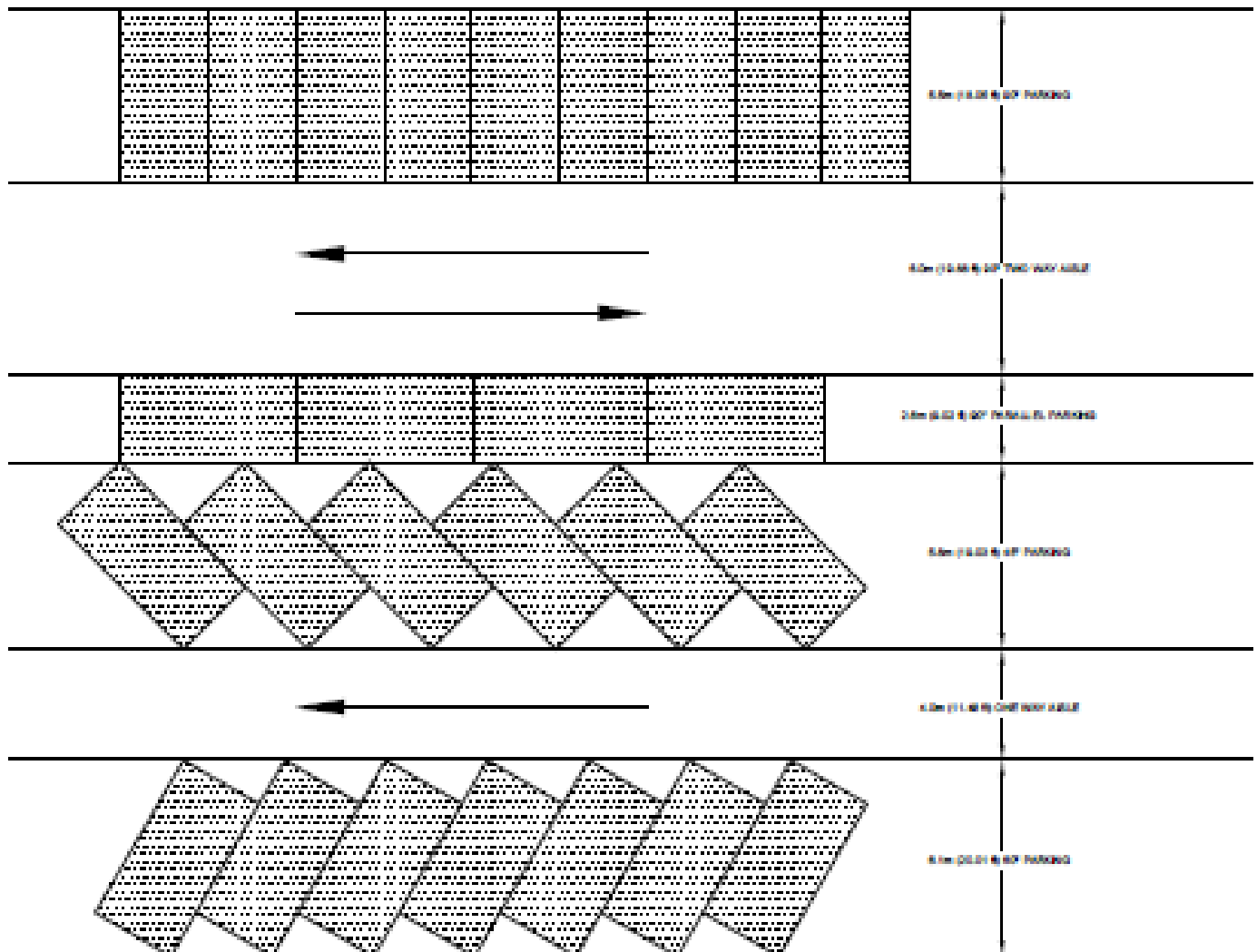
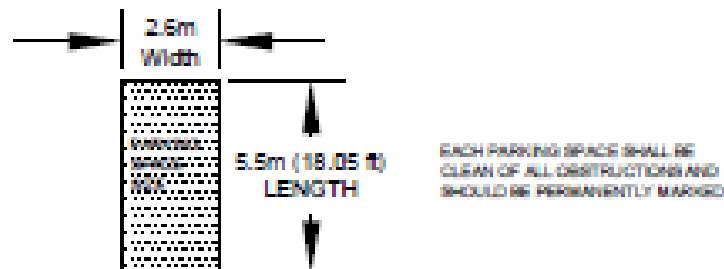
- Yellow square
- Purple square

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## SECTION 2

## DEFINITIONS

## ILLUSTRATION OF PARKING LAYOUT OPTIONS



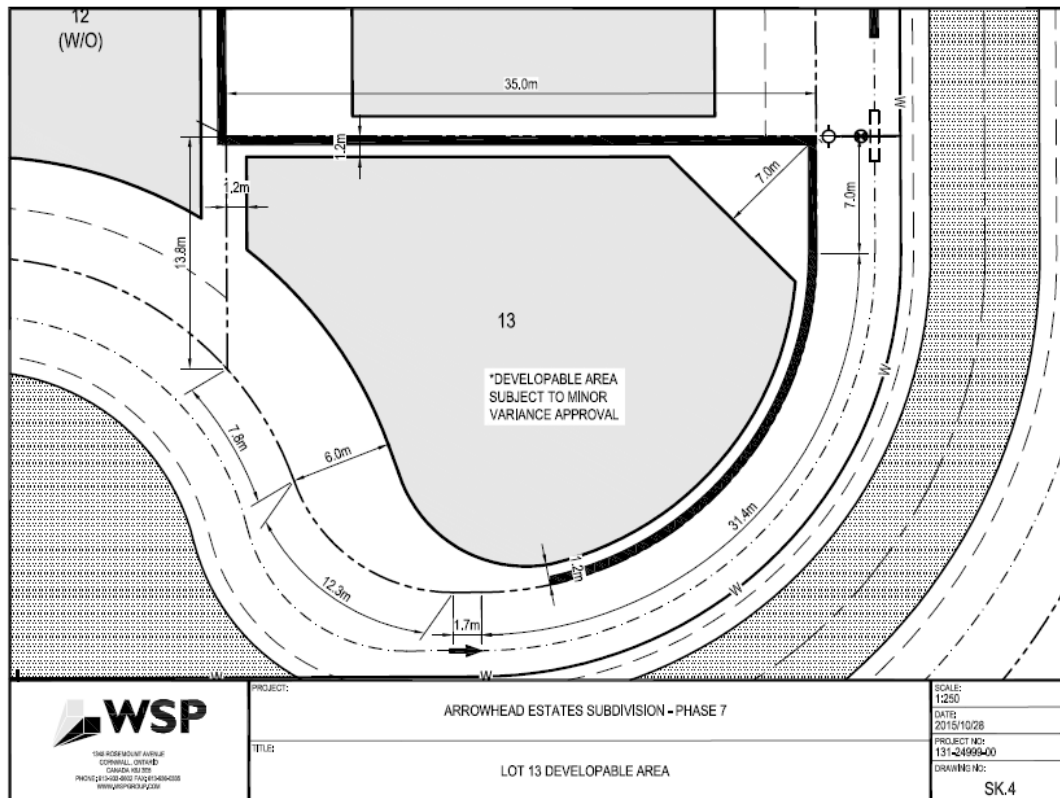
FOR ANGLE PARKING IT IS RECOMMENDED THAT REVERSE PARKING WITH REAR BUMPER TO THE CURB BE ENCOURAGED. THIS AVOIDS VEHICLES REVERSING INTO THE FLOW OF TRAFFIC WHEN LEAVING PARKING SPACES.

BARRIER FREE PARKING WILL HAVE A MINIMUM WIDTH OF 3.0m AND A MINIMUM WIDTH OF 2.5m

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## SECTION 3: GENERAL PROVISIONS

### 3.1 Accessory Buildings, Structures and Uses

3.1.1 Where a lot is devoted to a permitted use, customary accessory uses and structures are authorized except:

- (a) All accessory uses, buildings and structures to a permitted principle use shall be located on the same lot and in the same zone as the principle use;
- (b) The use of any accessory building for human habitation is not permitted except where specifically listed as a permitted use;
- (c) No accessory use shall be erected closer to a ~~front lot line or the exterior side lot line, or a rear lot line~~ adjacent to a street than the minimum ~~front yard~~ setback required for the main building. Notwithstanding the provisions of this By-Law to the contrary, an accessory building or structure to be used for security purposes for Cannabis Production and Processing may be located within a required front yard setback for the main building, subject to approval from the Township;
- (d) No accessory building shall be erected closer than 1.2 metres to any interior side lot line or rear lot line;
- (e) No accessory building or structure shall be erected prior to the erection of the main building;
- (f) In any Residential Zone accessory uses, excluding open swimming pools, shall not cover more than 10% of the lot area. For the purposes of this By-Law, a *Dwelling, Secondary Unit (Detached)* and *Garden Suite* shall be included in the calculation of accessory lot coverage, and;
- (g) Notwithstanding the provisions of this by-law to the contrary, where an accessory building is located within a required yard for the main use and it is adjacent to the St. Lawrence River or Hoople Bay, the maximum building height shall be 3 metres.

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BY-LAW  
2018-079

3.1.2 Private swimming pools, both above ground and in-ground both open and covered, shall be permitted subject to the By-laws of the Corporation regarding swimming pools and the following requirements:

- (a) Open Pools
  - (i) Open Pools shall not be constructed closer than 2.0 metres (6.56 ft.) to any lot line measured to the edge of water. Associated aprons, platforms shall be permitted in accordance with subsection 3.25.



- (ii) No part of an Open Pool including an associated apron or platform shall be constructed closer to a street line than the requirements for a main building in the zone within which it is located.

(b) Covered Pools

- (i) Covered pools not attached to main building shall conform with the accessory building requirements contained in subsection 3.1.1.

3.1.3 An outdoor furnace shall be permitted as an accessory use provided:

- (a) It is located in a Rural Zone or Agricultural Zone;
- (b) The outdoor furnace shall comply with the zoning standards for the main building from any property line and be a minimum of one hundred meters (100 m) from any dwelling on an adjacent lot or 15 m from any building on the same property; and
- (c) Not more than one outdoor furnace shall be permitted on a lot, except where it serves a permitted accessory dwelling or an agricultural building on lands used primarily for agricultural purposes.

3.1.4 Accessory solar power installations may be installed in any zone, subject to the following provisions:

- (a) Freestanding accessory structures shall not be located in the front yard.

3.1.5 Wind Turbines structures which harness wind energy for the primary purpose of on-site consumption may only be erected in Rural Zones, subject to the following provisions:

- (a) Such structures are restricted to a maximum height of 17 m; and
- (b) Such structures are setback from the lot line by the maximum height of the structure (i.e. to the tip of the blade).

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3.1.6 Docks

Notwithstanding any other provisions contained in this By-law, docks shall be permitted on lands adjacent to a water body or adjacent to a waterbody and Ontario Power Generation lands, subject to the following provisions:

- (a) Docks may be located in the front yard, side yard or rear yard where a lot abuts a navigable waterway, provided that the approval of any governmental authority having jurisdiction has been obtained;
- (b) A minimum of 4.5 metres setback is maintained from the nearest adjacent lot line;
- (c) Docks shall not encroach on adjacent frontage when lot boundaries are extended into the water.

### **3.2 Automobile Service Station, Automobile Repair Garage, Gasoline Bar, Car Washing Establishment**

Notwithstanding any other provisions contained in this By-law, for all zones within which an automobile service station, automobile repair garage, gasoline bar, and/or car washing establishment is permitted the following shall apply:

- (a) the minimum distance of any building or structure (other than a sign or a pump) from any street line shall be 9 metres and 3 metres from any other lot line;
- (b) the minimum distance between the pump island, pumps and their related overhead canopies and any lot line shall be 8 metres from the rear or side (exterior or interior) lot line and 6 metres from any front lot line with the exception of front lot lines adjacent to a Provincial highway where the minimum distance shall be 8 metres;
- (c) the minimum distance of any advertising sign from any street line shall be 5 metres and 3 metres from any other lot line;
- (d) the width of any entrance or exit or combined entrance or exit measured at the front lot line or exterior side lot line shall not be greater than 10 metres and there shall not be more than two accesses from any one street which adjoins the lot;
- (e) the minimum distance between any entrance, or exit, and street intersection shall be 12 metres and the minimum distance between accesses shall be 9 metres;
- (f) where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 6 metres to a corner lot sight triangle;
- (g) a strip of landscaped open space, a minimum of 2 metres wide shall be provided along any lot line abutting a street, and such landscaped open space shall be continuous, except for accesses, to the lot; and
- (h) where a car washing establishment abuts a residential zone, the following requirements will apply:
  - (i) notwithstanding any other requirement of this By-law for a lot abutting lands zoned for residential use, a car washing establishment shall not be permitted on any lot having a lot area of less than 3000 m<sup>2</sup> and shall be located on such lot no closer than 20 metres to any lot line abutting such residential zone;
  - (ii) no washing or drying operations will be permitted except within the building designed for the purpose of the car washing establishment;

- (iii) the building shall be so designed that vehicles will egress from the building after washing and drying operations by means of a door located in the wall of the building which is furthest removed from any lot line(s) of abutting lands zoned for a residential use; and
- (iv) any portion of the lot which is situated 6 metres or less from the lot line(s) which abut lands zoned for residential use shall be used for no other purpose than landscaping, including the planting of trees and shrubs and the erection and maintenance of screening, walls and fences.

### 3.3 Bed and Breakfast Establishments

The following provisions shall apply to bed and breakfast establishments:

- (a) A bed and breakfast establishment shall only be permitted in an owner occupied single detached dwelling and shall be limited to a maximum of four (4) guest rooms per establishment;
- (b) A bed and breakfast establishment shall not be established or operated in an accessory building;
- (c) One (1) parking space shall be provided per guest room in addition to a minimum of one (1) space for the existing dwelling;
- (d) A bed and breakfast establishment shall not be a nuisance with regards to noise, traffic, parking and visual character. The Bed and Breakfast Establishment shall not change the residential character of the dwelling and no exterior alterations shall be made to the dwelling which are not customarily found on a dwelling. Expansions of the dwelling shall not exceed twenty percent (20%) of the original dwelling size; and
- (e) A bed and breakfast establishment may have a sign no more than 0.5 m<sup>2</sup> in area and shall be located no closer than 5 m to any lot line.

### 3.4 Buildings to be Moved

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No building or structure not including trailers intended for use on a highway, shall be moved within the limits of the Corporation or shall be moved from outside the Corporation into the Corporation unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located and then only after a ~~permit~~ all applicable permits has been obtained from the Chief Building Official and any other approval authority (i.e., Ministry of Transportation, United Counties of Stormont, Dundas and Glengarry, etc).

### 3.5 Cumulative Standards

Where a building, structure or lot accommodates more than one use, the requirements of this By-law with respect to lot area, loading spaces and parking spaces shall be the sum of the requirements of the separate uses thereof.

### 3.6 Established Building Line

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building is to be erected on a lot where there is an established building line, such permitted building may be erected closer to the street line or the centreline of the street than required by this By-law, provided such permitted building is not erected closer to the street line or centreline of the street, as the case may be, than the established building line on the date of passing of this By-law.

### 3.7 Frontage on a Public Street

No building or structure shall be erected in any zone unless the lot on which such building or structure is located has frontage on and direct access to an improved street, unless the lot on which such building or structure is to be located was in existence on the date of passing of this By-law and has access to an improved street by a private right-of-way. This provision shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which includes provisions for the construction and maintenance of the streets is registered in the Registry Office or Land

Titles Offices, or a lot subject to a Condominium Agreement or a Common Elements Agreement, approved by Council

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### 3.8 Garden Suites and Secondary Units

Notwithstanding the provisions of this By-Law to the contrary, all *Garden Suites* and *Dwelling, Secondary Units* shall comply with the following provisions:

- a) No *Garden Suite* or *Dwelling, Secondary Unit* shall be established on a lot until the eligible principle dwelling has been established. For the purpose of this Section, eligible principle dwellings include:
  - i. *Dwelling, Single Detached;*
  - ii. *Dwelling, Duplex;*
  - iii. *Dwelling, Semi-Detached;*
  - iv. *Dwelling, Townhouse;*
  - v. *Dwelling, Street Townhouse.*
- b) For a lot containing a *Dwelling, Single Detached, Dwelling, Semi-Detached* or *Dwelling, Townhouse* or *Street Townhouse*, a maximum of one (1) *Garden Suite* or *Dwelling, Secondary Unit* is permitted per eligible principal dwelling/dwelling

unit. For a *Dwelling, Duplex*, a maximum of one (1) *Garden Suite* or *Dwelling, Secondary Unit* is permitted per lot.

- c) A *Garden Suite* or *Dwelling, Secondary Unit* shall not be severed from a lot containing the eligible principle dwelling.
- d) A *Garden Suite* or *Dwelling, Secondary Unit* must contain adequate kitchen, washroom and sleeping accommodation/facilities independent from the eligible principal dwelling.
- e) A *Garden Suite* or *Dwelling, Secondary Unit* shall only be permitted where adequate servicing exists or can be made available to accommodate the use, to the satisfaction of the Township. Furthermore, the *Garden Suite* or *Dwelling, Secondary Unit* must be serviced via accessory connection to at least one (1) of the existing services in place for the eligible principal dwelling.
- f) A *Dwelling, Secondary Unit (Detached)* shall not be permitted on an undersized lot.
- g) The minimum gross floor area for a *Garden Suite* or *Dwelling, Secondary Unit (Detached)* shall be 45 m<sup>2</sup> (484.38 ft<sup>2</sup>).
- h) The maximum gross floor area for a *Garden Suite* or *Dwelling, Secondary Unit (Detached)* shall be limited in accordance with the accessory lot coverage calculation outlined in Section 3.1.1(f). Notwithstanding this, no *Garden Suite* or *Dwelling, Secondary Unit (Detached)* shall have a gross floor area larger than 95 m<sup>2</sup> (1,022.57 ft<sup>2</sup>).
- i) Parking to accommodate a *Garden Suite* or *Dwelling, Secondary Unit* shall be provided in accordance with Section 3.23, and must share the same entrance and parking area provided for the eligible principal dwelling unit. Notwithstanding this, for a *Garden Suite* or *Dwelling, Secondary Unit* located on a corner lot, a separate entrance and parking area may only be permitted where it would not result in more than one (1) entrance to the respective yard and would not adversely impact local infrastructure or adjacent properties, as determined by the Township in its sole discretion.
- j) A secondary Unit (Attached) shall be accessed via a private entrance from outside the building or from a common vestibule inside the building. The creation of a *Dwelling, Secondary Unit (Attached)* must not result in any new exterior doorway entrance added to the front wall of the eligible principle dwelling, whether before, during or after the creation of the *Dwelling, Secondary Unit (Attached)*.
- k) A *Garden Suite* or *Dwelling, Secondary Unit (Detached)* shall not be permitted on a lot where it would be ancillary to an interior (middle) dwelling unit that is part of a *Dwelling, Townhouse* or *Dwelling, Street Townhouse*.

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BY-LAW  
2019-095

BY-LAW  
2012-074

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~~l) A Garden Suite or Dwelling, Secondary Unit (Detached) shall be limited to one (1) storey and be no more than 4.5 metres (14.76 feet) in height.~~

In all residential zones, a Garden Suite or Dwelling, Secondary Unit (detached) shall be limited to one (1) story and be no more than 4.5 metres (14.76 feet) in height. In the Agricultural (A) and Rural (RU) zones, a Garden Suite or Dwelling, Secondary Unit (detached) shall be limited to two (2) stories, and may be constructed to a height of 6.1 metres (20 feet), subject to compliance with the siting provisions of Section 3.8(m) and the respective zone.

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m) Siting for a *Garden Suite or Dwelling, Secondary Unit (Detached)* shall be in accordance with the standards applicable for accessory buildings in the respective zone. ~~Notwithstanding this,~~ Where the wall of a *Garden Suite or Dwelling, Secondary Unit (Detached)* constructed within the minimum rear yard setback for a main use contains one (1) or more windows and/or entrance(s), the minimum setback from the lot line adjacent to the window(s) and/or entrance(s) shall be 4 metres (13.12 feet).

n) A *Garden Suite or Dwelling, Secondary Unit (Detached)* shall be located no closer than 3 metres (9.84 feet) to the principal dwelling unit.

o) All *Garden Suites* shall be established as a temporary use pursuant to Section 39 of the Planning Act.

### 3.9 Home-Based Business

Home-Based Businesses shall be permitted accessory to any residential use in accordance with the following provisions:

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- (a) The business is conducted by the permanent residents of the dwelling;
- (b) The total amount of floor area used and devoted for the home-based business shall not exceed 25% or 40m<sup>2</sup> of the floor area of the dwelling, whichever is lesser;
- (c) There shall be no external display or advertising of the ~~home occupation~~ *home based-business*, with the exception of a small unlit facial sign, not to exceed 0.5 m<sup>2</sup>;
- (d) Where instruction is carried on, no more than six (6) pupils are in attendance at one time;
- (e) The activity shall not create or become a nuisance, in regard to noise, odour, vibration, traffic or parking;
- (f) No mechanical or electrical equipment shall be used except that reasonably consistent with the use of a dwelling;
- (g) No open storage of materials shall be permitted;

- (h) No storage of hazardous materials such as paints or other flammable corrosive or explosive substance shall be permitted except that reasonably consistent with the use of a dwelling;
- (i) Not more than two (2) motor vehicles used for commercial purposes are kept on the premises but no such vehicle, in whole or in part, shall be located on any public road allowance;
- (j) The only retail sales permitted shall be for those products substantially made on site or which are accessory and essential to the business. Retail sales shall not occupy more than 10m<sup>2</sup> of the maximum 40m<sup>2</sup>;
- (k) No more than two (2) people, other than the permanent residents of the dwelling, shall be ~~engaged~~ employed in the business; and
- (l) Off-street parking shall be located on the same lot and shall conform to the minimum standards required for uses in the zone. An additional parking space shall be provided for each non-resident employee.

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### 3.10 Home Industry

A Home Industry shall be in accordance with the following provisions:

- (a) No more than 25% of the ~~gross~~ floor area of the residential dwelling unit, or 40 m<sup>2</sup> whichever is the lesser, shall be used for the purpose of a Home Industry;
- (b) No more than 75 m<sup>2</sup> when located in an accessory building;
- (c) Open storage may be permitted provided that it be for the materials required for the purposes of the Home Industry and that such storage is a minimum of 15 metres from any lot line and a minimum of 45 metres from a dwelling located on another lot and that no more than 40 m<sup>2</sup> of lot area is used for the open storage;
- (d) The activity shall not create or become a nuisance in regard to noise, odour, vibration, traffic or parking;
- (e) The only retail sales allowed shall be for those products substantially produced or made on site or which are accessory and essential to the business. Retail sales and related storage areas shall not occupy more than 10 m<sup>2</sup> of the maximum 40 m<sup>2</sup> of a residential dwelling unit or 75 m<sup>2</sup> of an accessory building;
- (f) There shall be no more than two (2) commercial vehicles parked at any one time on the property;
- (g) There shall be no external display or advertising of the home industry, with the exception of a small unlit facial sign, not to exceed 1 m<sup>2</sup>;

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- (h) No more than two (2) people, other than the permanent residents of the dwelling, shall be engaged ~~employed~~ in the business; and
- (i) Off street parking shall be located on the same lot and shall conform to the minimum standards required for the uses in the zone. An additional parking space shall be provided for each non-resident employee.

### **3.11 Illumination**

Illumination of buildings and grounds shall be permitted provided that:

- (a) Illumination shall be directed downwards, not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety;
- (b) Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signal; and
- (c) Illumination shall not cause direct or indirect glare on land or buildings in a residential zone.

### **3.12 Intensive Livestock Operations**

#### **(a) General**

Notwithstanding any provisions of this By-law to the contrary, the establishment of a new Intensive Livestock Operation or the expansion of an existing Intensive Livestock Operation in an Agricultural (A) Zone may be permitted subject to the following:

- (i) that the operation, including the manure storage and livestock facilities, shall conform with the Minimum Distance Separation II (MDS II); and
- (ii) that the said facilities are constructed in accordance with an approved Nutrient Management Plan.

#### **(b) Nutrient Management Plan**

No intensive livestock operation or associated manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed to the satisfaction of the appropriate Provincial ministry and the Corporation.

### **3.13 Landscaping, Screening and Fencing Requirements**

As per Municipal Property Standards and Fencing By-laws, as amended.



### 3.14 Loading Requirements

For every building or structure hereafter erected for a commercial or industrial use, involving the shipping, loading or unloading of persons, animals, wares, merchandise, goods or raw materials, there shall be provided and maintained on the lot occupied by the building or structure loading facilities or spaces in accordance with the following requirements:

- (a) Each loading space shall have a minimum vertical clearance of 4.5 metres and shall be at least 3.5 metres wide by 14 metres long;
- (b) The required loading spaces shall be provided on the lot occupied by the building or structure for which the spaces are required and such spaces shall not form part of any street or required parking area, and shall not be located within a required front yard or exterior side yard;
- (c) Access to loading spaces shall be by means of a lane at least 3.5 metres wide for one way traffic and 6 metres wide for two way traffic and located on the same lot. Access to loading spaces shall not pass through a Residential Zone;
- (d) The number of required loading spaces shall be based on net floor area of the building or structure as follows:

(i) Commercial

**Net Floor Area**

Less than 200 m<sup>2</sup>

Over 200 m<sup>2</sup>

**Spaces Required**

None

1 per 2000 m<sup>2</sup> or part thereof

(ii) Industrial

**Net Floor Area**

less than 200 m<sup>2</sup>

200 - 500 m<sup>2</sup>

500 -2000 m<sup>2</sup>

Over 2000 m<sup>2</sup>

**Spaces Required**

0

1

2

3

- (e) The loading space requirements stated in (d) shall not apply to buildings or structures in existence as of the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading spaces shall be provided as required above for such addition.

### 3.15 Lots Containing More Than One Use

Where a lot contains or is proposed to contain more than one use, each use shall conform to the provisions of this By-law for the Zone where such use is located.

### **3.16 Lots Divided Into More Than One Zone**

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the Zone where such portion of the lot is located. Each such portion of the lot shall be considered a separate lot for the purpose of determining zone requirements. This provision shall not be used to allow more than one dwelling on a lot.

Notwithstanding the foregoing, for lots which are partially in a holding zone, or Provincially Significant Wetland Zone, ANSI Zone or Flood Plain Zone, the entire lot shall be used to determine zone requirements such as area, frontage, coverage and setbacks.

### **3.17 Minimum Distance Separation Formulas**

- (a) Notwithstanding any other provisions contained in this By-law to the contrary, no new residential, commercial, institutional or industrial use, located on a separate lot and permitted by its zoning, shall be erected or altered unless it complies with the Minimum Distance Separation I (MDS I) Formula, as amended from time to time. However, in the event of a conflict between the calculated MDS I setback distance and any other established setback contained herein, the most restrictive setback shall apply. The above provision shall not apply to those lots legally existing as of the date of passing of this By-law; and
- (b) Notwithstanding any other yard or setback provision of this By-law to the contrary, no livestock facility nor associated manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation II (MDS II) Formula, as amended from time to time. However, in the event of a conflict between the calculated MDS II setback distance and any other established setback contained herein, the most restrictive setback shall apply; and
- (c) Where an existing building does not conform to the Minimum Distance Separation requirements, the above provisions shall not apply in cases of rebuilding after a fire or damage through causes beyond human control, provided that the rebuilding does not further diminish the existing separation.

### **3.18 Non-Conforming and Non-Complying Uses**

- (a) Continuance of Existing Uses

Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used

for such purpose on the day of the passing of the By-law so long as it continues to be used for that purpose.

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(b) ~~Less than Minimum Yard Requirements~~ Alterations to Non-Conforming Use, Building or Structure

Where a building or structure is non-conforming, the building or structure may not be enlarged except by permission granted by the Committee of Adjustment or by amendment to this By-law.

(c) Prior Building Permits

Nothing in this By-law shall prevent the erection or use of any building or structure for which a building permit has been issued under the Building Code Act prior to the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act.

(d) Road Widenings

Nothing in this By-law shall prevent the use of any land, building or structure or the erection of any building or structure on a lot which does not conform to the minimum lot frontage and/or lot area and/or front yard setback and/or setback from road allowance and in the case of a corner lot, the exterior side yard setback, as a result of a road widening taken by the Corporation, the Counties of Stormont, Dundas and Glengarry, or the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

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(e) ~~Repair~~ Strengthening of Existing Buildings or Structures

Nothing in this By-law shall prevent the strengthening to a safe condition of any legal non-conforming building or structure or portion thereof, provided that the alteration or repair does not increase the height, areas or volume and the use of such building or structure is not changed, unless changed to a permitted use.

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(f) Rebuilding or Repair of Existing Buildings or Structures

Nothing in this By-law shall prevent the rebuilding or repair of a legal non-conforming building or structure that is damaged by involuntary means subsequent to the date of passing of this By-law, provided that:

- (i) the external dimensions of the original building or structure are not increased and that the use of such building or structure is not altered;
- (ii) its relationship to site boundaries or high water mark is not altered;
- (iii) reconstruction or restoration is commenced within twelve (12) months of the date on which the damage took place; and
- (iv) a non-conforming building located in a flood plain area may be reconstructed in accordance with the floodproofing or other requirements of the South

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Nation Conservation, Raisin Region Conservation Authority or the Ministry of Natural Resources.

(g) Alterations to Non-Complying Buildings and Structures

Nothing in this By-law shall prevent the renovation, addition or repair of an existing legal non-complying building or structure provided that the lot can be adequately serviced.

Such renovation, addition or repair shall not:

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- (i) increase the portion of lot coverage if such lot coverage exceeds the applicable maximum permitted herein;
- (ii) further reduce the size (i.e., distance) of any part of any yard adjoining that portion of such building or structure which is less than the applicable minimum required yard required herein;
- (iii) further reduce the setbacks from a water body;
- (iv) further reduce the distance between any two (2) buildings if such distance is less than the applicable minimum setback required herein;
- (v) increase the height of such building or structure if such dimension exceeds the applicable maximum building height permitted herein;
- (vi) further reduce the dwelling unit area of any dwelling unit if it is less than the applicable minimum dwelling unit area required herein;
- (vii) further reduce the portion of the lot used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein;  
or
- (viii) contravene any other zone provisions.

(h) Existing Undersized Lots

Notwithstanding anything else contained in this By-law, where a lot having a lesser frontage and/or area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the registrar for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the said lot is located, provided that it can be adequately serviced and all other applicable provisions in this By-law are complied with. In the zones where there are more than one set of zone requirements (i.e. Agricultural and Rural) these provisions shall apply only to the applicable set of zone requirements.

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(i) Accessory Buildings

Nothing in this By-law shall prevent the erection of a building accessory to a non-conforming use provided that such accessory building conforms with all relevant provisions of this By-law.

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(j) ~~Less than Required Floor Area~~

~~Nothing in this By-law shall prevent the enlargement of a permitted non-complying dwelling which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.~~

(j) Change of Use

The use of any lot, building or structure which is not permitted in the zone in which it is located, shall not be changed except to a use which is listed as a permitted use in such zone or to a use which is authorized by the Committee of Adjustment pursuant to its powers under the Planning Act

### 3.19 Occupancy Restrictions

- (a) Human habitation shall not be permitted in any of the following buildings, structures or parts thereof:
  - (i) accessory use, or marine facility, except a permitted sleeping cabin;
  - (ii) any truck, bus or similar vehicle, recreational vehicle if located outside of a Tent and Trailer Park or Camping Area, coach, trailer, streetcar body or railway car whether or not the same is mounted on wheels; or
  - (iii) any mobile home located outside of a Mobile Home Park unless it has been approved under Section 3.18 or Section 3.19(b) of this By-law.
- (b) A mobile home shall be permitted as a temporary residence for a period not exceeding twelve (12) months during the reconstruction of a conventional dwelling lost or damaged through causes beyond human control. Temporary accommodation will only be permitted in the case when an existing dwelling is damaged to the extent that it becomes uninhabitable and for the time period while reconstruction or new construction is in progress provided that reconstruction is commenced within 1 year of when the damage took place. Temporary construction facilities and/or accommodations shall comply with the provisions of the zone and be removed within thirty (30) days of occupancy of the reconstructed dwelling

### 3.20 Open Storage, Sales and Display

No person shall use any lot or part thereof for open storage, sales or display except as permitted by this By-law and as an area which has been specifically designed and set for such purpose, is fully integrated with the main use of the lot and is in accordance with the following:

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- (a) open storage shall be permitted in the CH, CT, CR, MM, MH, MR, MXP, MXQ, SY, and WM zones;
- (b) open storage shall not be permitted within any required front yard and no closer than 3 metres to any side or rear lot line;

- (c) where open storage areas abut a Residential Zone, the required setback of the open storage area shall be increased by 6 metres and must also be visually screened from any residential zone;
- (d) any areas used for open storage shall be in addition to any minimum off-street parking or loading areas required by this By-law; and
- (e) open storage shall not exceed a maximum height of 3 metres.

### **3.21 Organics Soils**

Lands identified in the United Counties of Stormont, Dundas and Glengarry Official Plan on the Constraints Plan (B4) as Environmental Protection Lands (Constraints Overlay) - Organic Soils are subject to the following:

Development may be permitted in exceptional circumstances only where the Corporation receives a study that demonstrates that the hazard can be overcome using acceptable engineering techniques and where safe access can be provided.

### **3.22 Outdoor Commercial Patios**

- (a) No outdoor commercial patio shall be located closer than 1.5 metres to any portion of a travelled street unless under an encroachment agreement;
- (b) No outdoor commercial patio shall be permitted to encroach upon any required parking space, loading zone or driving aisle, unless under an encroachment agreement;
- (c) No outdoor commercial patio shall be established in a yard which abuts lands zoned other than commercial or industrial; and
- (d) No part of a outdoor commercial patio shall be permitted on a sight triangle as defined in this By-law.

### **3.23 Parking and Storage of Vehicles**

All parking spaces shall be usable in all seasons. The driveway and parking spaces shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the Corporation.

#### **(a) Residential Zones**

- (i) Except as provided herein, no vehicles shall be parked or stored in a Residential Zone unless the vehicle is located within a garage, carport,

driveway, designed parking area or on a street as permitted by Municipal By-law;

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- (ii) No Residential Zone shall be used for the outdoor parking or storage of a ~~motor~~ vehicle unless such vehicle is used in operations incidental to the residential use of the lot on which it is parked or stored and bears a ~~motor~~ vehicle license plate or sticker which is currently within a year of latest validation date; and

- (iii) Parking spaces for Single Detached, Semi-Detached, Duplex and in Residential Zones; Supplementary regulations:

- No more than fifty (50%) percent of the area of any required front yard shall be used or constructed as a driveway or parking space;
- No more than fifty (50%) percent of the lot frontage as defined by this By-law shall be used or constructed as a driveway or parking space;

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- (iv) Each required parking space shall be accessible at all times for parking a vehicle without the necessity of moving any other vehicle, except in any part of a driveway accessory to a Single Detached, Semi-Detached, Duplex, or Townhouse Dwelling, or private detached garage.

(b) Parking Space Dimensions

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Each parking space, except for barrier free parking spaces, shall have a minimum width of ~~2.6~~ 2.75 metres and a minimum length of 5.5 metres. ~~Where parking spaces having access to a street that provide for the exclusive use of single detached, semi-detached or townhouse dwellings, every parking space shall be provided with unobstructed access to a street by a driveway, or aisle.~~

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(c) Barrier Free Parking

Each barrier free parking space shall have a minimum width of 3.66 metres and a minimum length of 5.5 metres with a ~~6-6.7~~ metre aisle.

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Every owner and/or operator of a public or private parking area on lands zoned Commercial, Industrial and Institutional shall provide not less than 2% of the total number of parking spaces for barrier free parking with a minimum of one space. Where the minimum barrier free parking requirements conflict with the Integrated Accessibility Standards under Accessibility for Ontarians with Disabilities Act, 2005, the higher requirement shall apply.

(d) Cumulative Standards

Unless permitted elsewhere in this By-law, where two or more uses are permitted in any one building or on any one lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided, except in the case of a shopping centre.

(e) Addition to Existing Use

The parking space requirements shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased and no change in use occurs. If an addition is made to the building or structure which increases the gross floor area, or a change in use occurs then parking spaces for the addition or area changed in use shall be provided.

(f) Access to Parking Spaces and Parking Areas

Parking Area for more than four vehicles; Supplementary regulations:

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- (i) Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or aisle having a width of at least 6.7 metres for two-way traffic.
- (ii) A driveway or lane which does not provide ingress and egress directly to a parking space, shall have a minimum width of 4 metres where designed for one-way vehicular circulation or 6 metres where designed for two-way vehicular circulation.

(g) Location

Except where permitted elsewhere in this By-law the required parking in a Residential Zone shall be provided on the same lot as the dwelling unit. In all other zones, parking shall be provided within 90 metres of the building it is intended to serve and no part of any parking area required for use other than Residential shall be permitted in a Residential Zone. Where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a long term renewable agreement and the parking spaces shall be retained for the duration of the use.

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(h) Accessory Buildings

~~A structure, not more than 5 metres in height and not more than 5 square metres in area may be erected in the parking area for the use of attendants in the area.~~

(h) Buffering

- (i) Where, in a yard in any zone, a required parking area providing more than four (4) parking spaces abuts a lot in a Residential Zone, then a continuous strip of landscaped open space a minimum width of 3 metres shall be provided along the abutting lot line;
- (ii) Where, in any yard in any zone, a required parking area providing more than four (4) parking spaces abuts a street, then a strip of landscaped open space a minimum width of 3 metres shall be provided along the lot line abutting the street and the landscaped strip shall be continuous except for aisles and driveways required for access to the parking area.

(i) Vehicle Parking Requirements



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In any zone, the owner or occupant of any building or structure erected, enlarged or changed in use after the date of passing of this By-law shall provide and maintain for the sole use of the owner, occupants, or other persons entering upon or making use of the said premises from time to time, one or more off-street parking spaces in accordance with the following provisions:

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### Schedule for Parking Requirements

Use	Minimum Number of Required Parking Spaces
Apartment dwellings or townhouse	1.5 units per dwelling unit, 15% of which shall be reserved as visitor parking
Boarding House	0.5 spaces per guest room with a minimum of 2
Group Home	0.5 spaces per guest room with a minimum of 2
Single detached, semi-detached, duplex or street townhouse	Two (2) spaces per dwelling unit
Other Residential Uses	One (1) space per dwelling unit
Agricultural Use, Forestry Use	None
Automobile Body Shop, Automotive Repair Garage, Automobile Service Station, Automotive Store, Gasoline Bar	Three (3) spaces per service bay plus one (1) space per employee
Auditorium, Community Centre, Club, Non-Profit, Theatre	One (1) space for every four (4) seats, fixed or otherwise and where there are no seats one (1) space for every 10 square metres of assembly space
Building Supply Store, Farm Supply Establishment, Farm Equipment Sales and Service Facility, Lumber Yard, Equipment Rental Establishment – Domestic, Equipment Rental Establishment – Industrial, Equipment Sales Establishment, Equipment Service and Repair Establishment – Industrial	One (1) space for each 20 square metres of gross floor area

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Cannabis Production and Processing

One (1) space per every 100 square metres of ~~gross~~ floor area

Clinic

Six (6) spaces per practitioner

Convenience Store

One (1) space per 18 square metres of ~~gross~~ floor area

Day Nursery – Licensed

One (1) space per employee and one (1) space per five (5) children

Farmer's Market, Farm Produce Outlet, Garden Centre, Greenhouse (Commercial), Nursery

One (1) space per 20 square metres of ~~gross~~ floor area

General Business (other than those listed separately herein), Business or Professional Office, Bank or Financial Office, Personal Service Establishment, Retail Store or Funeral Home

One (1) space per 20 square metres of ~~gross~~ floor area

Home-based Business, Home-based Industry

One (1) parking space per employee, in addition to the parking requirements of the dwelling

Hospital

One (1) space per bed

Industrial Establishment

One (1) parking space per 80 square meters of manufacturing floor area and associated office area or portion thereof plus one (1) parking space per 100 square metres of warehousing or storage floor area or portion thereof.

Library

	One (1) space per 95 square metres of <del>gross</del> floor area
Mini-warehouse and Storage, Transportation Terminal, Warehouse	One (1) space per 95 square metres of <del>gross</del> floor area plus one (1) space for every three (3) employees per shift
Nursing home	One (1) space for every six (6) patient beds plus one (1) space for every four (4) employees
Place of amusement	One (1) space for every four (4) persons that can be accommodated
Place of worship	One (1) space for every five (5) seats, fixed or otherwise
Restaurant, Restaurant – Drive-In, Bar	One (1) space for every four (4) seats of designated seating capacity and where no seats are provided one (1) space per 6 square metres of <del>gross</del> floor area
Restaurant – Take Out	One (1) space per 10 square metres of <del>gross</del> floor area
School – Elementary	Two (2) spaces per classroom
School – Secondary or Commercial	Four (4) spaces per classroom
Shopping Centre	One (1) space per 160 square metres of net floor area
Tourist Lodging Establishment	One (1) space per guest room or suite plus one (1) space for each four (4) persons that can be accommodated at any one time in a beverage room, dining room or meeting room
Veterinary Establishment, Kennel	One (1) parking space per 20 square metres of floor area

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The greater of:

- Other non-residential uses permitted by this By-law
- (a) One (1) space per 25 square metres of floor area or portion thereof, or
  - (b) One (1) space for four (4) persons design capacity, or
  - (c) One (1) space per two (2) persons employed on the lot

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k) Requirements for Bicycle Parking

- i) Bicycle Parking shall be provided in the RS3, CG, CH, CT, I, ML, MM, and MH zones at the following rates:

One bicycle rack for principle uses over 1,000 sq m floor area, plus one additional rack for every 30 standard parking spaces provided.

- ii) A bicycle parking space may be located in any yard.

### 3.24 Parts of Buildings or Structures Permitted Above Height Level

Where height limitations are set forth in this By-law, such limitations shall not apply to air conditioning systems, bridges, chimneys, communication towers, electrical supply facilities, elevator or stairway enclosure, enclosed mechanical and electrical equipment, flag poles, grain elevators, hydroelectric transition tower, lightening rods or lightening standards, ornamental dome or clocktower, place of worship spire or belfry or steeples, receiving and transmitting antenna and satellite dish, receiving station, silo, solar panel, ventilating fan or skylight, water tanks or water towers and windmill or wind turbine. Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transport or practices recommended by the Ministry with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.

### 3.25 Permitted Projections

For the purpose of this Section, a rear yard adjacent to a street, and/or an exterior side yard shall have the same requirements as a front yard.

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Structure	Maximum Projection Into Required Yard
Belt courses, sills, cornices, eaves, gutters, chimneys, bay windows, pilasters, fireplaces, chimney boxes, or other ornamental structures structures	0.6 metres into any required front, rear or any side yard

Canopies which are at least 2.13 metres in vertical clearance above the established grade, with or without supporting posts	2 metres into any required front, exterior side yard or rear yard
Window awnings	1.2 metres into any required front, exterior side yard or rear yard  0.6 interior side yard
Steps, walkways and ramps	No maximum into any required yard provided it does not exceed 1.3 metres in height above established grade
Uncovered patios, patio platform, sundeck	No maximum into a required front, rear or side yard provided it is constructed no closer to any lot line than a horizontal distance equal to the maximum height of any part thereof above finished grade at the lot line(s); and provided it does not exceed a height above the established grade of 1.3 metres in a required side yard and 0.51 metre in a required front yard.
Swimming pool heaters and filtering equipment, Air conditioning equipment, home back-up generator	A maximum of one (1) metre into any yard
Canopies for Entrances to Apartment Buildings and Commercial Buildings	Notwithstanding any other provisions in the By-law, a Canopy or portico over a major entrance to an apartment building or commercial building may project into the required yard a distance equal to one-half (1/2) the setback of the building from the street line.

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### 3.26 Prohibited Uses

Except as specifically permitted in this By-law, the following uses are prohibited: the keeping or raising of livestock including any horse, bull, ox, sheep, goat, pig or other cattle, or any poultry, or any reptile, or any wild animal including any tamed or domesticated wild animal, in any residential zone or in any building or structure in any zone unless otherwise stated.

### 3.27 Proposed By-pass Road

Proposed By-pass West of the Village of St. Andrews West and Eamer's Corners around Highway 138.

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As the corridor has been ~~designated~~ identified by the Ministry of Transportation (MTO) for the proposed by-pass around Highway 138, the corridor has been appropriately designated on the Zoning Schedules 4, 7 and 8 herein through the addition of ~~the suffix~~ "M" a grey coloured overlay.

The portion of the corridor south of Headline Road has been acquired by the MTO, while the portion north of Headline Road has not been acquired to date. Regardless of ownership, a designated highway is considered part of the highway system and, therefore, MTO permits are required for any development within 45 metres of any limit of the corridor, or within 395 metres of the centre point of the intersection.

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In order to provide further protection for the designated corridor, any parcel of land or area of land in any zone may be further classified with the addition of the suffix "- M".

The ~~"-M" classification~~ grey coloured overlay added to a given zone shall prohibit development of the land until such a time as approval from MTO has been obtained. ~~While a suffix "-M" classification~~ Where a grey coloured overlay is in effect, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law and for the uses specifically permitted in the particular zone.

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Proposed buildings and/or structures for lands within the MTO proposed corridor (on the ~~Official Plan~~ Schedules 4, 7 and 8) will require approval from the MTO prior to the issuance of a building permit.

### 3.28 Regulation for Consolidated Lot Development

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with, provided that the notice of consolidation is registered on Title.

### 3.29 Setbacks From Roads and Water

The following minimum setbacks to above or below ground structures shall be required:

#### (a) From Provincial Highways

All development adjacent to Provincial Highways is subject to the approval of the Ministry of Transportation of Ontario (MTO) with regard to minimum setbacks. Where applicable a valid land use permit issued by MTO shall be required prior to the start of construction.

(b) From County Roads

30.5 metres from the centerline of right-of-way to any structure, or as approved by the County Engineer. Where applicable a valid land use permit issued by the Counties shall be required prior to the start of construction.

(c) From All Other Improved Streets and/or Streets in Approved Plans of Subdivision

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10 metres from the centreline of the Road plus the applicable minimum required front yard setback for the appropriate zone.

(d) From the St. Lawrence River

- i) Moulinette Island and Robin Road: 30 metres from the normal water level of 73.56 GSC (Geodetic Survey Control) or as approved by the Raisin Region Conservation Authority.
- ii) Ault Island and all other Islands: no development below the elevation 74.62 metre GSC or as approved by the Raisin Region Conservation Authority.

(e) From Other Waterbodies

Where any lot is adjacent to a waterbody, including municipal drains, any building or structure to be erected thereon shall be set back a minimum of 15 metres from the high water mark and any septic tank or tile field shall be set back a minimum of 30 metres.

(f) Railway Crossing

Where any road or street crosses a railway at the same grade, no building or structure shall be erected closer to the point of intersection of the centreline of railway and the roadway than 30 metres at signalized crossings and 45 metres at uncontrolled crossings

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(g) TransCanada or Trans-Northern Pipeline

Where the TransCanada or Trans-Northern Pipeline easement runs adjacent to or through any lot, any main building or structure to be erected thereon shall be set back a minimum of 7 metres or as approved by the applicable utility, and any accessory structure shall be set back a minimum of 3 metres or as approved by the applicable utility from the easement boundary.

### 3.30 Separation Distances – Group Homes

- (a) Notwithstanding any other provisions of this By-law to the contrary, no Type 1 Group Home shall be permitted within a 500 metre circular separation area of another Type 1 Group Home.
- (b) Notwithstanding any other provision of this By-law to the contrary, no Type 2 Group Home shall be permitted within a 1000 metre circular separation area of another Group Home.

- (c) Notwithstanding any other provisions of this By-law, a Type 2 Group Home shall be permitted on the following classification of streets: Provincial Highways and County Roads, and shall have access to community facilities.

### 3.31 Separation Distances

Notwithstanding the provisions of this by-law to the contrary, development is restricted in accordance with the following:

Item	Development Near the Following Zone	Influence Area
A	MXR - Pit, Sand & Gravel Reserves	For licenses for extraction above the water table: 150m  For licenses for extraction below the water table: 300m
B	SY – Salvage Yard	150m
C	WM – Waste Management	500m
D	ANSI – Areas of Natural and Scientific Interest	50m
E	PSW – Provincially Significant Wetlands	120m
F	FP – Flood Plain	15m
G	MXP – Mineral Extraction Pit	120m
H	MXQ – Mineral Extraction Quarry	500m
I	Grain Drying Facility	150 metres of a dwelling located on another lot;
		100 metres of a vacant lot having an area of 2 ha or less;



			30 metres of a lot line.
	J	No kennel shall be permitted within:	150 metres of a dwelling located on another lot;
			100 metres of a vacant lot having an area of 2 ha or less;
			30 metres of a lot line.
BY-LAW 2018-079	K	Cannabis Production and Processing	<p>With Air Treatment Control</p> <ul style="list-style-type: none"> <li>• 70 metres from any residential or institutional zones</li> <li>• 150 metres from any sensitive land use, excluding an accessory dwelling</li> </ul> <p>Without Air Treatment Control</p> <ul style="list-style-type: none"> <li>• 300 metres from any residential or institutional zones, and any sensitive land use, excluding an accessory dwelling</li> </ul>

- (a) Development of existing Lots of Record within the influence area of Items A, G and H will be permitted, provided that the applicant can demonstrate through the appropriate studies/reports, if required by the Corporation, that the proposed development will not preclude or hinder any of the following:
- access to the resource and/or operation;
  - the expansion or continued use of the resource and/or operation, or
  - any other incompatibility issues due to reasons of public health or safety and/or environmental impact, at the discretion of the Corporation.
- (b) Development of existing Lots of Record within the adjacent lands of Items D, E and F will be permitted, provided that the applicant can demonstrate through the appropriate studies/reports, if required by the Corporation, such as an Environmental Impact Study, that the proposed development would have no negative impacts on the natural features or on the ecological functions for which the area is defined.

### 3.32 Sight Triangle

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- (a) a building, structure, or use which would obstruct the vision of drivers of motor vehicles, including a chain link or wire fence;
- (b) a tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 0.75 metres in height above the elevation of the centerline of abutting streets;
- (c) any portion of a delivery space, loading space, driveway or parking space; and
- (d) a berm or other finished grade which exceeds the elevation of the centerline of abutting streets by more than 0.75 metres.

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- (e) Notwithstanding any provisions of this By-law to the contrary, in the case of a corner lot where the lot lines do not intersect at one point, or there is a sight triangle or daylighting triangle dedicated as part of the public road, the street lines shall be deemed to include their projections to their intersection, and for the purposes of determining the required front and exterior side yards, the sight triangle or daylighting triangle is to be considered as being part of the lot.

### 3.33 Signs

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Unless otherwise stated in this By-law, signs shall be permitted only in accordance with the Signs By-law(s) of the Corporation, the County, and the Ministry of Transportation.

### 3.34 Shipping Containers and Storage Containers

Except as otherwise provided, shipping containers and storage containers shall not be permitted in any zone, save and except Industrial Zones (ML, MM, MH, MR) and the Highway Commercial Zone (CH) and shall be in accordance with Site Plan Control and the following provisions:

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- (a) A maximum of two shipping containers are permitted in the rear yards of the ~~SC, M1, M2, and M3~~ CH, ML, MM, MH, MR zones, subject to the following conditions;
- (b) The shipping container is only used for storage purposes and not used to accommodate work areas, shops, office uses, retail sales, or living areas;
- (c) There is a 10 m setback from any lot line abutting a residential zone and in accordance with the requirements of accessory building setbacks for all other yards;
- (d) The shipping container is maintained to the Corporation's satisfaction (i.e. painted and not rusted) and is not visible from the road; and,

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- (e) ~~The shipping container is anchored to the ground in accordance with the Ontario Building Code;~~
- (f) ~~An Engineer's report is required in accordance with the Ontario Building Code;~~  
~~and~~
- (g) Shipping containers shall be stacked no more than 2 high.

### **3.35 Temporary Buildings or Structures**

Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure or a scaffold or other equipment essential to the construction in progress for which a valid building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.

For the purpose of this By-law, temporary Storage Containers shall be considered to be a temporary building or structure.

In addition, temporary construction facilities for a business, or other non-residential use which is intended to occupy a building which is under construction with the work in progress on such building, may be temporarily permitted on the same lot in the form of relocatable portable or transportable building provided:

- (a) Approval is obtained pursuant to the matters contained herein; and
- (b) Such temporary accommodation is removed from the lot immediately upon completion of construction, abandonment of construction or at such time as in the opinion of the Corporation it is no longer required.

### **3.36 Temporary Garage Structures**

Notwithstanding anything else in this By-law, a Temporary garage structure, commonly known as a 'tempo garage', or similar structure shall be permitted. Such temporary garage structures shall be in compliance with setbacks for accessory structures.

### **3.37 Through Lots**

Where a lot is a through lot, the requirements for front yards contained in this By-law shall apply to each yard abutting the street.

### **3.38 Unstable Slopes**

Lands identified in the United Counties of Stormont, Dundas and Glengarry Official Plan on the Constraints Plan (B4) as Environmental Protection Lands (Constraints Overlay) – Unstable Slopes are subject to the following:

Prior to the Corporation approving a Building Permit for any development or site alteration, on land identified as having an unstable slope, a geotechnical inspection and report by a qualified engineer shall be required to assess the potential impact of the proposed development and to determine the required setbacks for development, and shall provide recommendations for any other mitigation measures and other stabilization measures that may be required.

### **3.39 Use by Public Authority or Public Utility**

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any utility installation for the purpose of public service by the Corporation, the United Counties of Stormont, Dundas and Glengarry and/or any Public Authority any department of the Government of Ontario or Canada, pursuant to the Planning Act, provided that where such land, building or structure is located in a Residential Zone:

- (a) No Goods, materials or equipment shall be stored in the open; and
- (b) The lot coverage and setback regulations of the zone in which such land, building or above ground structures, with the exception of electric power facilities, are located, shall be complied with.

### **3.40 Wayside Pits and Quarries**

Wayside pits and quarries may be established in the Rural, Agricultural and the Mineral Extractive (MXR, MXP, MXQ) Zones provided that:

- (a) the wayside pit or quarry is opened and operated by the Ministry of Transportation, the County or their agents or the Corporation, for the purposes of a specific public road project;
- (b) any portable crusher or asphalt plant is approved and governed by applicable regulations of the Ministry of Environment and Energy, the Ministry of Natural Resources and a certificate of approval for a portable hot mix asphalt plant has been obtained; and
- (c) an agreement is signed between the landowner and the Ministry of Transportation, the County or their agents or the Corporation that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

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## SECTION 4: ZONE CLASSIFICATIONS

For the purposes of this By-law, all land within the Township of South Stormont is divided into the following zones and described in the following sections, the boundaries of which are shown on the attached Schedules which are attached to and form part of this By-law.

### Residential Zones

Residential Serviced – First	RS1
Residential Serviced – Second	RS2
Residential Serviced – Multiples	RS3
Residential Single Service – First	RSS1
Residential Single Service – Second	RSS2
Hamlet Private Services – First	RH1
Hamlet Private Services – Second	RH2
Rural Residential Private Services – First	RR1
Rural Residential Private Services – Second	RR2
Residential Mobile Home Park	RMP

### Commercial Zones

General Commercial	CG
Highway Commercial	CH
Tourist Commercial	CT
Recreation Commercial	CR

### Industrial Zones

Light Industrial	ML
General Industrial	MM
Heavy Industrial	MH
Rural Industrial	MR

**Institutional Zone** I

**Open Space Zone** OS

**Agricultural Zone** A

**Rural Zone** RU

### Mineral Resource Zones

Mineral Extractive Pit	MXP
Mineral Extractive Quarry	MXQ
Mineral Extractive Reserve	MXR

**Salvage Yard Zone** SY

<b>Waste Management Zone</b>	WM
<b>Flood Plain Zone</b>	FP
<b>Provincially Significant Wetland Zone</b>	PSW
<b>Areas of Natural and Scientific Interest Zone</b>	ANSI
<b>Development Reserve</b>	DR

#### **4.1 Schedules**

The attached Schedules 1, 2, 3, 4, 5, 6, 7 and 8 form part of this By-law.

#### **4.2 Boundaries of Zones**

Where the boundary of any zone, as shown on the attached Schedules, is uncertain the following provisions shall apply:

- (a) where the boundary is indicated as following a street, lane, railway right-of-way or other right-of-way, then the boundary shall be the centreline of such street, lane, railway right-of-way or other right-of-way;
- (b) where any street, lane, railway right-of-way or other right-of-way, as shown on the Schedules is hereby closed, the land formerly included in such street, lane, railway right-of-way or other right-of-way shall be included within the zone of the consolidated adjoining property.
- (c) where the boundary is shown as approximately following a concession line or a lot line or an extension of a lot line on a registered plan of subdivision or registered reference plan, the lot line or extension thereof shall be the boundary;
- (d) where a zone boundary is indicated as following a natural feature such as a height of land, ridge or contour line, the boundary shall be the natural feature. Where a zone boundary is shown to follow a shoreline, the high water mark and any changes thereto shall be taken to be the boundary. Where the boundary of a Floodplain Zone, ANSI zone or Provincially Significant Wetland Zone, a watercourse, a top of bank, a high water mark or similar environmental feature as interpreted in the field to the satisfaction of the Conservation Authority or the Ministry of Natural Resources varies from the limit shown on the Schedules to this By-law, the refined limit as interpreted in the field, shall be deemed to be the zone boundary, without an amendment to the By-law.
- (e) where a zone boundary is indicated as approximately following Township or Settlement Area limits, the limits shall be the boundaries;

- (f) where the boundary of a zone is represented on Schedules showing varied levels of detail, and such boundary is contested due to conflict, the boundary shall be deemed to be that as shown on the more detailed or smaller scale schedule.
- (g) where none of the foregoing provisions apply and where appropriate, the boundaries shall be scaled from the attached schedules;

#### **4.3 Holding Zones “- h”**

Any parcel or area of land in any Zone may be further classified as a holding zone with the addition of the suffix "-H." The holding classification added to a given zone shall prohibit development of land until such time as the policies of the Official Plan related to holding zones are compiled with, at which time, the H may be removed by an amendment under Section 36 of the Planning Act. While a holding zone is in effect, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law and for the uses specifically permitted in the particular holding zone.

#### **4.4 Special Exception Zones “-X”**

Where a zone symbol is followed by the suffix "-X" this shall mean that a specific exception is being made to one or more of the standards of that zone for a specific area governed by the By-law. All other provisions of the By-law shall continue to apply.

A number after the "-X" (i.e., RS1-8) indicates the order of the various exception zones.

#### **4.5 Temporary Zones “- t”**

Other temporary uses, including garden suites, may be authorized from time to time by Zoning By-law amendment pursuant to Section 39 of the Planning Act. These are listed separately at the end of the appropriate zone category and are identified with the symbol "- t" because of their temporary nature.

#### **4.6 Development Reserve (DR) Zones**

The purpose of the Development Reserve (DR) Zone is to recognize lands intended for future development. The intent is to signify Council's approval in principle to future development of the land and to restrict development of the land until such time as this By-law is amended. The DR designation is meant to limit the range of permitted uses to those which will not preclude future development options. As a result, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land,

building or structure on the date of passing of this By-law. Any change from this status shall require an amendment to this By-law.



## SECTION 5: RESIDENTIAL ZONES

No person shall hereafter use any lands, nor erect, alter, enlarge or use any building or structure in a Residential Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.1 Residential Serviced – First (RS1) Zone

(a) Permitted Uses:

BY-LAW  
2018-087

- a) ~~dwelling, accessory apartment;~~
- b) dwelling, single detached;
- c) dwelling, secondary unit;
- d) group home, type 1;
- e) group home, type 2,
- f) home-based business.

(b) Zone Requirements:

BY-LAW  
2018-087

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8

- (ii) All other permitted uses:

Lot Area (minimum)	460 m <sup>2</sup>	(4,951.39 sq.ft.)
Lot Frontage (minimum)	15 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	1.2 m	(3.94 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	40%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Floor Area per Accessory Apartment Dwelling (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Dwelling(s) per lot (maximum)	1	

BY-LAW  
2015-050

BY-LAW  
2018-087

(c) Municipal Piped Services:

No dwelling shall be erected in this zone unless it is connected to piped municipal sanitary sewer and water services.

(d) Special Exceptions:

**RS1-1**

Notwithstanding the provisions of Section 5.1 (b) to the contrary, for the lands zoned RS1-1, the existing setback from the future street shall be permitted.

**RS1-2**

Notwithstanding the provisions of Section 5.1 (a) to the contrary, for the lands zoned RS1-2, no buildings or structures shall be permitted.

**RS1-3**

Notwithstanding the provisions of Section 5.2 (b) to the contrary, for the lands zoned RS1-3, the minimum rear yard shall be 25 metres.

BY-LAW  
2015-038

**RS1-4**

Notwithstanding the provisions of Section 5.1 (b) to the contrary, for the lands zoned RS1-4, the setbacks of the existing building(s) shall be deemed to comply with this by-law; however, any new buildings or structures erected on the subject parcel shall be subject to the applicable "Residential Serviced – First (RS1)" zone requirements.

BY-LAW  
2015-122

**RS1-5**

Notwithstanding the provisions of Section 5.1 (b) to the contrary, for the lands zoned RS1-5, being Lot 13 on Registered Plan 52M-36, the minimum setbacks shall be in accordance with Drawing 2-34 of this By-law. Within the portion of the front and exterior side yard with a setback of 1.2 metres from the property line, Section 3.25 (Permitted Projections) shall not apply.

BY-LAW  
2017-068

**RS1-6**

Notwithstanding the provisions of Section 5.1 (b) to the contrary, for the lands zoned RS1-6, the maximum number of accessory apartment dwelling units permitted is two (2).

- (e) Holding Zones:

**RS1-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RS1-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

- (f) Temporary Uses:

## 5.2 Residential Serviced - Second (RS2) Zone

### (a) Permitted Uses:

BY-LAW  
2015-050

- boarding house;
- ~~dwelling, accessory apartment;~~
- dwelling, duplex;
- dwelling, semi-detached;
- dwelling, single detached;
- ~~dwelling, secondary unit;~~
- group home, type 1;
- home-based business.

BY-LAW  
2018-087

### (b) Zone Requirements:

BY-LAW  
2015-050

- (i) For single detached dwellings ~~and accessory apartment dwellings~~ in accordance with the provisions of Section 5.1. Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

BY-LAW  
2018-087

#### (ii) Semi-detached, Duplex:

Lot Area (minimum)	600 m <sup>2</sup>	(6458.35 sq.ft.)
Lot Frontage (minimum)	20 m	(65.6 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 7.5 m	<del>(29.53 ft.)</del> (24.61 ft.)
Exterior Sid	6 m	(19.69 ft.)
Interior Side	1.2 m	(3.94 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	40%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

- (c) If a semi-detached dwelling, or a duplex dwelling, is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

### (d) Municipal Piped Services:

No dwelling shall be erected in this zone unless it is connected to piped municipal sanitary sewer and water services.

(e) Special Exceptions:

**RS2-1**

Notwithstanding the provisions of Section 5.2 (b) to the contrary, for the lands zoned RS2-1, the minimum lot frontage shall be 16 metres and the minimum lot area shall be 589 square metres.

**RS2-2**

Notwithstanding the provisions of Section 5.2 (b) to the contrary, for the lands zoned RS2-2, the minimum lot frontage shall be 18 metres.

**RS2-3**

Notwithstanding the provisions of Section 5.2 (a) to the contrary, for the lands zoned RS2-3, the following use shall not be permitted:

Boarding House.

(f) Holding Zones:

**RS2-h**

Notwithstanding the provisions of Section 5.2 to the contrary, for the lands zoned RS2-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

**RS2-2-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RS2-2-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

**RS2-3-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RS2-3-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

(g) Temporary Uses:

BY-LAW  
2013-036

### 5.3 Residential Serviced – Multiples (RS3) Zone

(a) Permitted Uses:

BY-LAW  
2018-087

BY-LAW  
2017-068

- dwelling, apartment building;
- dwelling, duplex;
- dwelling, townhouse;
- dwelling, secondary unit;
- dwelling, street townhouse;
- dwelling, semi-detached;
- group home, type 1;
- home-based business.

(b) Zone Requirements:

BY-LAW  
2018-087

- (i) For semi-detached dwellings and duplex dwellings in accordance with the provisions of Section 5.2. Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

(ii) Townhouse:

BY-LAW  
2012-074

Lot Area (minimum)	180 m <sup>2</sup>	(1937.50 sq.ft.)
Lot Frontage (minimum)	9 8.5 m	per unit (29.53 ft.) for each end unit plus 6 m (19.69 ft.) for each additional unit
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	0 m except for one side of an end unit which shall be a minimum of 2.5 m (8.2 ft.)	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	45%	
Floor Area per Dwelling Unit (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Dwelling Units per Lot (maximum)		
Townhouse	6	
Density (maximum)	40 units/ha	(16.0 units/ac)
Dwelling per lot (maximum)	1	

(iii) Apartment Dwelling:

Lot Area (minimum)	2000 m <sup>2</sup>	(0.49 ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	15 m	(49.21 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage	40%	
Floor Area per Dwelling Unit (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Density (maximum)	75 units per hectare (30 u/ac.)	
Landscaped Open Space (minimum)	35%	
Dwelling per lot (maximum)	1	

BY-LAW  
2017-068

- (c) If a semi-detached dwelling, a duplex dwelling, street townhouse dwelling or a townhouse dwelling, is severed or separated through consent, plan of subdivision, plan of condominium or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

- (d) Municipal Piped Services:

No dwelling shall be erected in this zone unless it is connected to piped municipal sanitary sewer and water services.

- (e) Special Exceptions:

**RS3-1**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-1, the minimum front yard shall be 4.7 metres, the minimum rear yard shall be 1.56 metres and the minimum exterior side yard shall be 4.7 metres.

### **RS3-2**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-2, the minimum rear yard shall be 7.5 metres.

### **RS3-3**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-3, the minimum lot frontage shall be 29.2 metres and a minimum lot area of 1,000 square metres.

BY-LAW  
2012-074

### **RS3-4**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-4, the minimum rear yard shall be 6.09 metres and a minimum lot area of 1,200 square metres.

BY-LAW  
2012-074

### **RS3-5**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-5, the maximum number of apartment dwelling buildings permitted is 2.

### **RS3-6**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-6, a minimum 3 metre landscaped strip to be used only for such purpose shall be located along the properties eastern property line. This landscaped strip shall include all trees existing on the date of passing of this By-law, measuring a minimum of 5 centimetres in calliper.

### **RS3-7**

Notwithstanding the provisions of Section 3.23 to the contrary, for the lands zoned RS3-7, the minimum number of parking spaces for a 41 unit residential development shall be ~~30~~ 56.

BY-LAW  
2014-022

### **RS3-8**

Notwithstanding the provisions of Section 5.3 (b) to the contrary, for the lands zoned RS3-8, the minimum lot frontage shall be 20 metres and a maximum number or combination of three (3) apartment dwellings and/or townhouse dwellings shall be permitted.

BY-LAW  
2015-039



(b) Holding Zones:

**RS3-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RS3-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

**RS3-8-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RS3-8-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

(c) Temporary Uses:

## 5.4 Residential Single Services – First (RSS1) Zone

### (a) Permitted Uses:

BY-LAW  
2018-087

- ~~— dwelling, accessory apartment;~~
- dwelling, single detached;
- dwelling, secondary unit;
- group home, type 1;
- home-based business.

### (b) Zone Requirements:

BY-LAW  
2018-087

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

- (ii) All other permitted uses:

Lot Area (minimum)	925 m <sup>2</sup>	(9956.62 sq.ft.)
Lot Frontage (minimum)	25 m	(82.02 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	2 m	(6.56 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Floor Area per Accessory Apartment Dwelling (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

BY-LAW  
2018-087

- (c) No dwelling shall be erected in this zone unless it is connected to a municipal sanitary sewer or water service.

(d) Special Exceptions:

**RSS1-1**

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-1, the minimum lot area shall be 120 square metres.

**RSS1-2**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-2, the following uses shall also be permitted:

Contractor's Shop or Yard;  
Office, Business or Professional.

**RSS1-3**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-3, the following use shall also be permitted:

Agricultural use.

**RSS1-4**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-4, the following use shall also be permitted:

Golf, Miniature.

**RSS1-5**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-5, the following use shall also be permitted:

Dwelling, Duplex;  
Dwelling, Apartment Building.

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-5, the maximum number of dwelling units permitted per lot shall be 3 5.

**RSS1-6**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-6, only the following use shall be permitted:

The accessory storage building existing on the date of passing of this By-law used for personal storage by owner of a residential lot located elsewhere within the municipality. Storage shall be limited to items that

BY-LAW  
2017-015

BY-LAW  
2017-015

area commonly stored on a residential property and shall be contained wholly with the subject building.

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-6, the minimum lot frontage shall be 19.2 metres, the minimum lot area shall be 723 square metres and the maximum lot coverage shall be 32%.

#### **RSS1-7**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-7, the following use shall also be permitted:

Retail Store;  
Office, Business or Professional.

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-7, the minimum lot frontage shall be 22.2 metres.

#### **RSS1-8**

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-8, the minimum lot frontage shall be 20.35 metres.

#### **RSS1-9**

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-9, the minimum lot frontage shall be 10 metres.

#### **RSS1-10**

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-10, the minimum lot frontage shall be 23.9 metres.

#### **RSS1-11**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned RSS1-11, not setback from a Floodplain (FP) zone shall be required.

#### **RSS1-12**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-12, the following use shall also be permitted:

Retail sales of wood pellets.

BY-LAW  
2016-032

### **RSS1-13**

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-13, the minimum dwelling unit area shall be 60 square metres.

### **RSS1-14**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned RSS1-14, the setback from a Floodplain (FP) zone shall be 0 metres.

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-14, the following use shall also be permitted:

Agricultural use;  
Riding Stable.

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-14, the minimum rear yard setback shall be 10 metres.

### **RSS1-15**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-15, the following use shall also be permitted:

Automotive Repair Garage.

### **RSS1-16**

Notwithstanding the provisions of Section 5.4 to the contrary, for the lands along Bruce Street in Eamers Corners zoned RSS1-16, no development shall occur on the lands until the property owner has entered into a Site Plan Control Agreement with the Municipality which includes the following provisions:

- The minimum elevation of top of grade shall be 61 metres.
- The minimum basement floor elevation shall be 60 metres.
- The Agreement shall be registered on title.

### **RSS1-17**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-17, the following uses shall also be permitted:

Agricultural Use, Small;  
Greenhouse, Commercial.

BY-LAW  
2013-035

BY-LAW  
2017-068

Notwithstanding the provisions of Section 5.4 (b) to the contrary, for the lands zoned RSS1-17, the minimum setback for all yards shall be 10 metres.

### **RSS1-18**

Notwithstanding the provisions of Section 5.4 (a) to the contrary, for the lands zoned RSS1-18, the following use shall also be permitted:

Agricultural use (excluding building or structures).

(e) Holding Zones:

### **RSS1-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RSS1-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

### **RSS1-h(1)**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RSS1-h(1), the holding (h) symbol will not be lifted until the Township is satisfied that the septic encroachment has been addressed.

BY-LAW  
2015-113

### **RSS1-h(2)**

For the lands zoned RSS1-h(2), the holding (h) symbol applies to the location of the garage that existed as of November 25, 2015. The garage and any portion above may not be converted to residential use until the Township is satisfied that the requirements under the Environmental Protection Act and Ontario Regulation 153/04, as amended, have been addressed with respect to the former automotive garage use. The holding zone does not apply to the remainder of the lands.

(f) Temporary Uses:

## 5.5 Residential Single Services - Second (RSS2) Zone

### (a) Permitted Uses:

BY-LAW  
2015-050

- boarding house;
- ~~dwelling, accessory apartment;~~
- dwelling, duplex;
- dwelling, semi-detached;
- dwelling, single detached;
- ~~dwelling, secondary unit;~~
- group home, type 1;
- home-based business.

BY-LAW  
2018-087

### (b) Zone Requirements:

BY-LAW  
2015-050

- (i) For single detached dwellings ~~and accessory apartment dwellings~~ in accordance with the provisions of Section 5.4. Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

BY-LAW  
2018-087

- (ii) Semi-detached dwelling, Duplex dwelling:

Lot Area (minimum)	1400 m <sup>2</sup>	(15069.47 sq.ft.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 7.5 m	(29.53 ft.) (24.61 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	1.2 m	(3.9 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

- (c) If a semi-detached dwelling is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

- (d) Special Exceptions:

**RSS2-1**

Notwithstanding the provisions of Section 5.5 (a) to the contrary, for the lands zoned RSS2-1, the following use shall also be permitted:

Two mobile homes existing on the date of passing of this By-law.

- (e) Holding Zones:

- (f) Temporary Uses:



**5.6 Hamlet Private Services Residential - First (RH1) Zone**

## (a) Permitted Uses:

BY-LAW  
2018-087

- dwelling, accessory apartment;
- group home, type 1;
- home-based business;
- dwelling, single detached;
- dwelling, secondary unit.

## (b) Zone Requirements:

BY-LAW  
2018-087

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

- (ii) All other permitted uses:

BY-LAW  
2015-050

- (i) ~~Single detached dwelling:~~

Lot Area (minimum)	2800 m <sup>2</sup>	(0.69 ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 m	(29.53 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	2 m	(6.56 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
<del>Floor Area per Accessory Apartment Dwelling (minimum)</del>		
<del>Bachelor Unit</del>	<del>45 m<sup>2</sup></del>	<del>(484.37 sq.ft.)</del>
<del>One Bedroom Unit</del>	<del>55 m<sup>2</sup></del>	<del>(592.01 sq.ft.)</del>
<del>Two Bedroom Unit</del>	<del>60 m<sup>2</sup></del>	<del>(645.83 sq.ft.)</del>
<del>More than 2 Bedroom Unit</del>	<del>65 m<sup>2</sup></del>	<del>(699.65 sq.ft.)</del>

Dwelling per lot (maximum) 1

BY-LAW  
2015-050BY-LAW  
2018-087

(c) Special Exceptions:

**RH1-1**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-1, the following use shall also be permitted:

Home Industry.

**RH1-2**

Notwithstanding the provisions of Section 5.6 (b) to the contrary, for the lands zoned RH1-2, the minimum lot frontage shall be 29 metres and the minimum lot area shall be 2,750 square metres.

**RH1-3**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-3, the following use shall also be permitted:

Upholstery shop.

**RH1-4**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-4, the following use shall also be permitted:

Automotive Repair Garage.

**RH1-5**

Notwithstanding the provisions of Section 5.6 (b) to the contrary, for the lands zoned RH1-5, the maximum height of an accessory building located in a yard adjacent to a water body or adjacent to a water body and Ontario Power Generation lands shall be 3 metres.

**RH1-6**

Notwithstanding the provisions of Section 3.1.1 to the contrary, for the lands zoned RH1-6, the storage building existing on the date of passing of this By-law shall be permitted to continue prior to the construction of a dwelling.

**RH1-7**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-7, the following use shall also be permitted:

Costume rental business.

### **RH1-8**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-8, the following use shall also be permitted:

Agricultural use, small.

BY-LAW  
2016-069

### **RH1-9**

Notwithstanding the provision of Section 5.6 (b) (i) to the contrary, for the lands zoned RH1-9, the minimum lot area shall be 2,400 square metres.

BY-LAW  
2018-036

### **RH1-10**

Notwithstanding the provisions of Section 5.6 (a) to the contrary, for the lands zoned RH1-10, the minimum lot frontage shall be 8.6 metres.

(d) Holding Zones:

### **RH1-5-h(1)**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RH1-5-h, the holding (h) symbol will not be lifted until development has been approved by plan of subdivision or consent.

(e) Temporary Uses:

**5.7 Hamlet Private Services Residential - Second (RH2) Zone**

## (a) Permitted Uses:

BY-LAW  
2015-050

- boarding house;
- ~~dwelling, accessory apartment;~~
- dwelling, duplex;
- dwelling, semi-detached;
- dwelling, single detached;
- ~~dwelling, secondary unit;~~
- group home, type 1;
- home-based business.

BY-LAW  
2018-087

## (b) Zone Requirements:

BY-LAW  
2015-050

- (i) For single detached dwelling ~~and accessory apartment dwellings~~ in accordance with the provisions of Section 5.6. Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

BY-LAW  
2018-087(ii) Semi-detached dwelling, Duplex dwelling:

Lot Area (minimum)	4000 m <sup>2</sup>	(0.98 ac.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 7.5 m	(29.53 ft.) (24.61 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	2 m	(6.56 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

- (c) If a semi-detached dwelling, or duplex dwelling, is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

## (d) Special Exceptions:

## (e) Holding Zones:

(f) Temporary Uses:

## 5.8 Rural Residential Private Services - First (RR1) Zone

### (a) Permitted Uses:

BY-LAW  
2018-087

- ~~— dwelling, accessory apartment;~~
- dwelling, single detached;
- dwelling, secondary unit;
- group home, type 1;
- home-based business;
- home industry.

### (b) Zone Requirements:

BY-LAW  
2018-087

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

- (ii) All other permitted uses:

Lot Area (minimum)	2800 m <sup>2</sup>	(0.69ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 m	(29.53 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	2 m	(6.56 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)
Floor Area per Accessory Apartment Dwelling (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

BY-LAW  
2018-087

### (c) Special Exceptions:

#### RR1-1

Notwithstanding the provisions of Section 5.8 (a) to the contrary, for the lands zoned RR1-1, only the following use shall be permitted:

Dwelling, Single-Detached.

BY-LAW  
2015-050

**RR1-2**

Notwithstanding the provisions of Section 5.8 (b) to the contrary, for the lands zoned RR1-2, the maximum height of an accessory building located in a yard adjacent to a water body or adjacent to a water body and Ontario Power Generation lands shall be 3 metres.

- (d) Holding Zones:
- (e) Temporary Uses:

## 5.9 Rural Residential Private Services - Second (RR2) Zone

### (a) Permitted Uses:

BY-LAW  
2015-050

~~dwelling, accessory apartment;~~

- dwelling, duplex;
- dwelling, semi-detached;
- dwelling, single detached;
- dwelling, secondary unit;
- group home, type 1;
- home-based business;
- home industry.

BY-LAW  
2018-087

### (b) Zone Requirements:

BY-LAW  
2015-050

- (i) For single detached dwellings ~~and accessory apartment dwellings~~ in accordance with the provisions of Section 5.8. Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

BY-LAW  
2018-087

- (ii) Semi-detached dwelling, Duplex dwelling:

Lot Area (minimum)	4000 m <sup>2</sup>	(0.98 ac.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	6 m	(19.69 ft.)
Rear	9 7.5 m	(29.53 ft.) (24.61 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	2 m	(6.56 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Lot Coverage (maximum)	25%	
Floor Area (minimum)	70 m <sup>2</sup>	(753.47 sq. ft.)
Dwelling per lot (maximum)	1	

BY-LAW  
2015-050

- (c) If a semi-detached dwelling, or duplex dwelling, is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

### (d) Special Exceptions:

### (e) Holding Zones:



(f) Temporary Uses:

**5.10 Residential Mobile Home Park (RMP) Zone****(a) Permitted Uses:**

- dwelling, accessory;
- mobile home park.

**(b) Zone Requirements:****(i) Mobile Home Park:**

Lot Area (minimum)	4 ha	(9.88 ac.)
Lot Frontage (minimum)	100 m	(328.08 ft.)
Yard Requirements (minimum)		
Front	20 m	(65.62 ft.)
Rear	25 m	(82.02 ft.)
Exterior Side	10 m	(32.81 ft.)
Interior Side	10 m	(32.81 ft.)
Landscaped Open Space	5%	

**(ii) Mobile Home Site:**

Site Area (minimum)	460 m <sup>2</sup>	(4951.40 ft.)
Site Frontage (minimum)	23 m	(75.46 ft.)
Yard Requirements (minimum)		
Front	3.5 m	(11.48 ft.)
Rear	1.5 m	(4.92 ft.)
Exterior Side	3 m	(9.84 ft.)
Interior Side	3 m	(9.84 ft.)
Building Height (maximum)	5 m	(16.4 ft.)
Site Coverage (maximum)	50%	
Floor Area per Mobile Home (minimum)	55.0 m <sup>2</sup>	(592.01 sq.ft)
Mobile Homes per Site	1	

**(iii) Accessory Dwelling:**

Site Area (minimum)	2100 m <sup>2</sup>	(22604.21 sq.ft)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	4.5 m	(14.76 ft.)
Interior Side	4.5 m	(14.76 ft.)
Building Height (maximum)	5 m	
Lot Coverage (maximum)	30%	
Dwelling Unit Area (minimum)	60 m <sup>2</sup>	(645.83 sq.ft)

- (iv) Accessory Building Height (maximum) 4.5 m (14.75 ft.)

- (c) Special Exceptions:

**RMP-1**

Notwithstanding the provisions of Section 5.10 (b) to the contrary, for the lands zoned RMP-1, the minimum lot area shall be 18,200 square metres (1.84 hectares) and the maximum number of mobile homes permitted per site shall be 12.

- (d) Holding Zones:

- (e) Temporary Uses:

## **5.11 Additional Provisions for Residential Zones**

(a) Commercial Vehicle Parking:

A parking space or parking lot shall not be used for the parking or storage of commercial vehicles within any Residential Zone. A commercial vehicle may be parked temporarily for the delivery of goods, wares and merchandise.

Notwithstanding the above, Commercial Vehicle Parking will be permitted in association with a home-based business or a home industry.

(b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## **SECTION 6: COMMERCIAL ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Commercial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.1 General Commercial (CG) Zone**

(a) Permitted Uses:

- animal hospital;
- art gallery;
- artist's studio;
- automotive store;
- bake shop;
- bar;
- business training centre;
- catering establishment;
- clinic;
- club, non-profit;
- convenience store;
- day nursery, licensed;
- dressmaker/tailor shop;
- dry cleaning or laundry outlet;
- dwelling unit, accessory;
- farmer's market;
- financial institution;
- funeral home;
- gasoline bar;
- laundromat;
- office, business or professional;
- outdoor commercial patio;
- parking lot, public;
- personal service establishment;
- pet shop;
- place of amusement;
- recreational commercial establishment;
- restaurant;
- restaurant, take-out;
- retail store;
- school, commercial;
- secondhand shop;
- service or repair shop;
- shopping centre;
- taxi dispatch establishment;
- theatre;
- video rental outlet.

## (b) Zone Requirements:

## (i) Development on private or partial services (municipal water or sanitary sewers)

Lot Area (minimum)	2000 m <sup>2</sup>	(21,527.82 sq.ft.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	6 m	(19.69 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	25%	
Dwelling Units Accessory per Lot (maximum)	1	
Dwelling Unit Area (minimum)	60 m <sup>2</sup> plus 12 m <sup>2</sup>	(645.83 sq.ft.)  (129.17 sq.ft.) for each bedroom beyond one (1)

## (ii) Development on full services (municipal water and sanitary sewers)

Lot Area (minimum)	1000 m <sup>2</sup>	(10763.91 sq.ft.)
Lot Frontage (minimum)	20 m	(65.62 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	6 m	(19.69 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	75%	
Dwelling Units Accessory per Lot (maximum)	1	
Dwelling Unit Area (minimum)	60 m <sup>2</sup> plus 12 m <sup>2</sup>	(645.83 sq.ft.)  (129.17 sq.ft.) for each bedroom beyond one (1)

- (c) If a commercial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

- (d) Special Exceptions:

**CG-1**

Notwithstanding the provisions of Section 6.1 (a) to the contrary, for the lands zoned CG-1, the following use shall also be permitted:

Dwelling, Single-detached.

**CG-2**

Notwithstanding the provisions of Section 6.1 (a) to the contrary, for the lands zoned CG-2, only the following uses shall be permitted:

Automotive Store,  
Restaurant, Take-out.

**CG-3**

Notwithstanding the provisions of Section 6.1 (b) to the contrary, for the lands zoned CG-3, the minimum required front yard shall be 0 metres.

**CG-4**

Notwithstanding the provisions of Section 6.1 (b) to the contrary, for the lands zoned CG-4, the minimum required lot area is 1,150 square metres and the minimum required front yard is 7.5 metres.

**CG-5**

Reserve for future use.

**CG-6**

Notwithstanding the provisions of Section 6.1 (a) to the contrary, for the lands zoned CG-6, the two existing rental dwelling units shall also be permitted.

Notwithstanding the provisions of Section 6.1 (b) to the contrary, for the lands zoned CG-6, the maximum number of dwelling units per lot shall be 3.

### **CG-7**

Notwithstanding the provisions of Section 3.23 to the contrary, for the lands zoned CG-7, the maximum number of required parking spaces for a clinic shall be 7.

BY-LAW  
2015-103

### **CG-8**

Notwithstanding the provisions of Section 6.1 (a) to the contrary, for the lands zoned CG-8, the following uses shall also be permitted:

Building Supply Store;  
Furniture and Home Improvement Centre;  
Garden Centre;  
Lumber Yard with accessory open storage.

For the yards immediately abutting Maple Street and SDG County Road 14, a minimum of 3 metres (9.84 ft.) shall be landscaped open space, combined with screening 2 metres (6.56 ft.) in height, or as otherwise approved in the site plan control agreement.

BY-LAW  
2016-031

### **CG-9**

Notwithstanding the provisions of Section 6.1 (a) to the contrary, for the lands zoned CG-9, the following use shall also be permitted:

Micro-Brewery.

Notwithstanding the provisions of Section 6.1 (b) to the contrary, for the lands zoned CG-9, the minimum required front yard shall be 0 metres.

- (e) Holding Zones:
- (f) Temporary Zones:



## 6.2 Highway Commercial (CH) Zone

(a) Permitted uses:

- agricultural machinery sales and service;
- animal hospital;
- art gallery;
- artist's studio;
- auction sales establishment;
- automobile body shop accessory to automobile sales and rental establishment;
- automobile rental establishment;
- automobile repair garage;
- automobile sales or rental establishment;
- automobile service station;
- automotive store;
- bar;
- bingo hall;
- box retail;
- building supply store;
- business training centre;
- cardlock establishment
- car washing establishment;
- catering establishment;
- ~~clinic;~~
- convenience store;
- dwelling, accessory;
- dwelling unit, accessory;
- equipment rental establishment - domestic
- farm equipment sales and service
- farm supply establishment;
- farmer's market;
- financial institution;
- flea market;
- funeral home;
- furniture and home improvement centre;
- garden centre;
- garden nursery;
- gasoline bar;
- greenhouse, commercial;
- laundromat;
- lumber yard;
- micro-brewery;
- mini warehouse and storage;
- office, business or professional;
- ~~open storage;~~
- outdoor commercial patio;
- parking lot, public;
- personal service establishment;
- printing and publishing establishment;

BY-LAW  
2018-079

BY-LAW  
2015-050

BY-LAW  
2019-095

- produce stand;
- recreational vehicle sales, rental and storage establishment;
- restaurant;
- restaurant take-out;
- retail store;
- school, commercial;
- secondhand shop;
- service or repair shop;
- shopping centre;
- taxi dispatch establishment;
- tourist establishment;
- ~~transportation depot;~~
- veterinary establishment;
- video rental outlet.

BY-LAW  
2019-095

(b) Zone Requirements:

- (i) Development on private or partial services (municipal water or sanitary sewers)

Lot Area (minimum)	2000 m <sup>2</sup>	(21,527.82 sq.ft.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	6 m	(19.69 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	20%	
Accessory Dwelling or Accessory Dwelling Units Per Lot (maximum)	1	

- (ii) Development on full services (municipal water and sanitary sewers)

Lot Area (minimum)	1000 m <sup>2</sup>	(10,763.91 sq.ft.)
Lot Frontage (minimum)	20 m	(65.62 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	6 m	(19.69 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	40%	
Accessory Dwelling or Accessory		

Dwelling Units Per Lot (maximum) 1

- (c) If a commercial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.
- (d) Special Exceptions:

**CH-1**

Notwithstanding the provisions of Section 3.29 to the contrary, for the lands zoned CH-1, the minimum geodetic grade elevation shall be 61 metres and the minimum geodetic basement floor elevation shall be 60 metres.”

**CH-2**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-2, the following uses shall also be permitted:

Equipment and Vehicle Storage Yard – Industrial;  
Equipment Sales Establishment – Industrial;  
Equipment Service and Repair Establishment – Industrial;

Notwithstanding the provisions of Section 6.2 (b) to the contrary, for the lands zoned CH-2, the minimum lot frontage shall be 27 metres.

Notwithstanding the provisions of Section 3.29 to the contrary, for the lands zoned CH-2, the minimum geodetic grade elevation shall be 61 metres and the minimum geodetic basement floor elevation shall be 60 metres.

**CH-3**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-3, the following uses shall also be permitted:

Equipment and Vehicle Storage Yard – Industrial;  
Equipment Sales Establishment – Industrial;  
Equipment Service and Repair Establishment – Industrial;

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-3, the following uses shall not be permitted:

Gasoline Bar;  
Automobile Service Station;  
Tourist Lodging Establishment;  
Bar.

Notwithstanding the provisions of Section 6.2 (b) to the contrary, for the lands zoned CH-3, the minimum lot frontage shall be 27 metres. Notwithstanding the provisions of Section 3.29 to the contrary, for the lands zoned CH-2, the minimum geodetic grade elevation shall be 61 metres and the minimum geodetic basement floor elevation shall be 60 metres.

#### **CH-4**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-4, no buildings shall be permitted.

#### **CH-5**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-5, the following use shall also be permitted:

Contractor's Shop or Yard.

#### **CH-6**

Notwithstanding the provisions of Section 6.2 (b) to the contrary, for the lands zoned CH-6, minimum lot frontage shall be 22.8 metres and the buildings existing on the date of passing of this By-law are deemed to conform to the required setbacks.

#### **CH-7**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-7, the following uses shall not be permitted:

Automotive Repair Garage;  
Automobile Service Station;  
Gasoline Bar.  
Warehouse.

BY-LAW  
2012-074

#### **CH-8**

Notwithstanding the definition of flea market and the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-8, the following use shall also be permitted:

Flea Market within a building.

#### **CH-9**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-9, the following use shall also be permitted:

Dwelling, Single-detached;

Dwelling, Semi-detached.

#### **CH-10**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-10, only the following uses shall be permitted:

Furniture and Home Improvement Centre;  
Dwelling, Accessory;  
Dwelling unit, Accessory.

Notwithstanding the provisions of Section 6.2 (b) to the contrary, for the lands zoned CH-10, the maximum gross floor area for a Furniture and Home Improvement Centre shall not exceed 771 square metres.

#### **CH-11**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-11, the following uses shall also be permitted:

Dune Buggy Trail Operation;  
Recreation Commercial Establishment.

#### **CH-12**

Notwithstanding the provisions of Section 3.20 (a) to the contrary, for the lands zoned CH-12, open storage of recreational vehicles shall be allow in the minimum front and minimum exterior side yard.

#### **CH-13**

Notwithstanding the provisions of Section 6.2 (b) to the contrary, for the lands zoned CH-13, the minimum lot area shall be 1,600 square metres.

#### **CH-14**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-14, the following use shall also be permitted:

School, Commercial;  
Equipment Rental Establishment – Industrial;  
Clinic.

#### **CH-15**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-15, the following use shall also be permitted:

Recreational Commercial Establishment.

BY-LAW  
2017-016

BY-LAW  
2018-046

BY-LAW  
2012-047

BY-LAW  
2014-092

**CH-16**

Notwithstanding the provisions of Section 2 to the contrary, for the lands zoned CH-16, the sales office is located at 15579 SDG County Road 18.

BY-LAW  
2017-082

**CH-17**

Notwithstanding the provisions of Section 6.2 (a) to the contrary, for the lands zoned CH-17, the following use shall not be permitted:

Automobile Service Station;  
Gasoline Bar;  
Warehouse;  
Clinic;  
Workshop.

BY-LAW  
2019-095

The use of any land, buildings or structures for an automotive repair garage (including accessory uses) or other uses involving the repair of vehicles is prohibited south of the Township sewer easement located at 52R-7087, Parts 1 to 3;

No land, buildings or structures may be used for automotive repair garages (including accessory uses) or other uses involving the repair of vehicles unless the Township of South Stormont has approved a site plan application for the proposed use.

(e) Holding Zones:

**CH-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned CH-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

(f) Temporary Zones:

### 6.3 Tourist Commercial (CT) Zone

(a) Permitted Uses:

- art gallery;
- artist's studio;
- assembly hall;
- campground, tourist;
- drive-in theatre;
- dwelling, accessory;
- dwelling unit, accessory;
- dwelling, park model trailer in association with campground, tourist;
- gasoline bar;
- golf course;
- golf, mini;
- marina;
- museum;
- ~~open storage;~~
- outdoor commercial patio;
- personal service establishment;
- place of amusement;
- recreational commercial establishment;
- restaurant;
- restaurant, take-out;
- retail tourist gift/craft shop;
- seasonal camp;
- theatre;
- tourist establishment.

BY-LAW  
2015-050

(b) Zone Requirements:

(i) Campground, Tourist

Lot Area (minimum)	4 ha	(9.88 acres)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	10 m	(32.81 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	10 m	(32.81 ft.)
Interior Side	5 m	(16.4 ft.)
Building Height (maximum)	11 m	(36.09 ft.)
Accessory Building Height	6 m	(19.96 ft.)
Accessory Dwelling or Accessory Dwelling Units Per Lot (maximum)	1	
Density (maximum)	25 campsites per ha	

(ii) Other Uses:

Lot Area (minimum)	4000 m <sup>2</sup>	(43,055.64 sq. ft.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements		
Front	10 m	(32.81 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	10 m	(32.81 ft.)
Interior Side	5 m	(16.4 ft.)
Building Height (maximum)	11 m	(36.09 ft.)
Accessory Building Height	6 m	(19.69 ft.)
Lot Coverage (maximum)	20%	
Accessory dwelling or Accessory Dwelling Units Per Lot (maximum)	1	

- (c) If a commercial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

- (d) Special Exceptions:

**CT-1**

Notwithstanding the provisions of Section 6.3 (a) to the contrary, for the lands zoned CT-1, the following uses shall not be permitted:

Dwelling, Accessory;  
Dwelling Unit, Accessory;  
Dwelling, park model trailer in association with campground, tourist  
Tourist Lodging Establishment;  
Seasonal Camp;  
Campground, Touristing Area.

**CT-2**

Notwithstanding the provisions of Section 6.3 (a) to the contrary, for the lands zoned CT-2, the following use shall also be permitted:

Motor Speedway.

**CT-3**

Notwithstanding the provisions of Section 6.3 (a) to the contrary, for the lands zoned CT-3, the following uses shall also be permitted:

Adventure games;  
Mini-warehouse and storage.

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2016-068



(e) Holding Zones:

(f) Temporary Zones:

**6.4 Recreation Commercial (CR) Zone****(a) Permitted Uses:**

- art gallery;
- artist's studio;
- assembly hall;
- campground, recreational;
- club, non-profit;
- drive-in theatre;
- dwelling, accessory;
- dwelling unit, accessory;
- golf course;
- golf, mini;
- marina;
- ~~open storage;~~
- outdoor recreational facility;
- restaurant, take-out;
- recreational commercial establishment;
- seasonal camp;
- theatre.

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2015-050

**(b) Zone Requirements:****(i) Campground, Recreational:**

Lot Area (minimum)	4 ha	(9.88 acres)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
All	10 m	(32.81 ft.)
Building Height (maximum)	12 m	(39.37 ft.)
Accessory Building Height	6 m	(19.69 ft.)
Density (maximum)	25 campsites per ha	
Accessory Dwelling or Accessory Dwelling Units per Lot (maximum)	1	

**(ii) Other Uses:**

Lot Area (minimum)	4000 m <sup>2</sup>	(1 acres)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)	10 m	(32.81 ft.)
Building Height (maximum)		
Main Building	12 m	(39.37 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	25%	
Accessory Dwelling or Accessory Dwelling Units per Lot (maximum)	1	

- (c) If a commercial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.
- (d) Special Exceptions:
- (e) Holding Zones:
- (f) Temporary Zones:

## **6.5 Additional Provisions for Commercial Zones**

(a) Increased Yard Requirements:

- (i) Where a General Commercial zoned property abuts a Residential or Institutional zoned property, the minimum side yard requirement on the abutting side shall be increased to 7.5 metres (24.61 ft.) and the minimum rear yard requirement shall be increased to 10.5 metres (34.45 ft.) of which 3 metres (9.84 ft.) shall be landscaped open space.
- (ii) Where a Highway Commercial, Tourist Commercial or Recreational Commercial zoned property abuts a Residential or Institutional zoned property, the minimum side yard requirements on the abutting side shall be increased to 12 metres (39.37 ft.) and minimum rear yard shall be increased to 15 metres (49.21 ft.) of which 3 metres (9.84 ft.) shall be landscaped open space. In the case of a tent and trailer park, the landscaped open space shall be either 30 metres (98.43 ft.) in depth or 6 metres (19.69 ft.) in depth combined with screening 2 metres (6.56 ft.) in height in accordance with site plan control.

(b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## SECTION 7: INDUSTRIAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Industrial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 7.1 Light Industrial (ML) Zone

(a) Permitted Uses:

- automobile sales and rental establishment;
- automobile rental establishment;
- automotive store;
- bakery;
- box retail;
- broadcasting studio;
- cannabis production and processing;
- car washing establishment;
- clinic;
- convenience store;
- dry cleaning or laundry outlet;
- equipment rental establishment – domestic;
- financial institution;
- furniture and home improvement centre;
- industrial use, Class 1 Industry;
- micro-brewery;
- mini warehouse and storage;
- office, professional or business;
- personal service establishment;
- place of assembly;
- printing and publishing establishment;
- recreational commercial establishment;
- research and development centre;
- restaurant;
- restaurant, take-out;
- school, commercial;
- service or repair shop;
- training centre;
- veterinary establishment;
- warehouse;
- workshop;
- accessory uses such as a cafeteria, an office, a factory outlet and a retail store.

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2018-079

(b) Zone Requirements:

(i) Development on private or partial services (municipal water or sanitary sewers):

Lot Area (minimum)	2000 m <sup>2</sup>	(0.5 acres)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	10 m	(32.81 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	10 m	(32.81 ft.)
Interior Side	5 m	(16.4 ft.)
Building Height (maximum)	15 m	(49.21 ft.)
Accessory Building	6.0 m	(19.69 ft.)
Lot Coverage (maximum)	30%	

(ii) Development on full services (municipal water and sanitary sewers)

Lot Area (minimum)	1000 m <sup>2</sup>	(10,763.91 sq.ft.)
Lot Frontage (minimum)	20 m	(65.62 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3 m	(9.84 ft.)
Building Height (maximum)	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	40%	

(c) If an industrial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

(d) Special Exceptions:

(e) Holding Zones:

(f) Temporary Zones:

## 7.2 General Industrial (MM) Zone

### (a) Permitted Uses:

- automobile body shop;
- automobile repair garage;
- automobile service station;
- bakery;
- building supply store;
- cannabis production and processing;
- cardlock establishment;
- contractor's shop or yard or shop;
- concrete batching plant;
- dry cleaning or laundry plant;
- equipment rental establishment – industrial;
- equipment sales establishment – industrial;
- equipment service and repair establishment – industrial;
- equipment vehicle storage yard – industrial;
- fuel depot, bulk;
- gasoline bar;
- industrial use, class 1 industry and class 2 industry;
- impound yard;
- lumber yard;
- mini warehouse and storage;
- monument sales and manufacturing;
- ~~open storage~~;
- transportation terminal;
- warehouse;
- workshop;
- accessory uses such as a cafeteria, an office, a factory outlet and a retail store.

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2018-079

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2015-050

### (b) Zone Requirements:

- (i) Development on private or partial services (municipal water or sanitary sewers)

Lot Area (minimum)	2000 m <sup>2</sup>	(0.5 acres)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	10 m	(32.81 ft.)
Rear	10 m	(32.81 ft.)
Exterior Side	10 m	(32.81 ft.)
Interior Side	5 m	(16.4 ft.)
Building Height (maximum)		
Main Building	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	30%	

- (ii) Development on full services (municipal water and sanitary sewers)

Lot Area (minimum)	1000 m <sup>2</sup>	(5005.2 sq.ft.)
Lot Frontage (minimum)	20 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3 m	(9.84 ft.)
Building Height (maximum)	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	40%	

- (c) If an industrial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.

- (d) Special Exceptions:

#### **MM-1**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-1, the following uses shall not be permitted:

Automobile Body Shop;  
Contractor's Shop or Yard;  
Fuel Depot, Bulk.

#### **MM-2**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-2, only the following uses shall be permitted:

~~Vehicle and cable equipment storage facility;~~  
~~Dwelling Unit, Accessory.~~  
Workshop;  
Dwelling, Accessory.

#### **MM-3**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-3, the following use shall also be permitted:

Office, Business or Professional.



#### **MM-4**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-4, only the following uses shall be permitted:

Contractor's Shop or Yard;  
Transportation Terminal.

Notwithstanding the provisions of Section 7.2 (b) to the contrary, for the lands zoned MM-4, the buildings existing on the date of passing of this By-law are deemed to conform to the required setbacks.

#### **MM-5**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-5, the following use shall also be permitted:

Retail Steel Sales.

#### **MM-6**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-6, the following use shall also be permitted:

Winery.

#### **MM-7**

Notwithstanding the provisions of Section 7.2 (a) to the contrary, for the lands zoned MM-7, the following use shall also be permitted:

Automobile Sales and Rental Establishment.

- (e) Holding Zones:

#### **MM-1-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned MM-h-1, the holding (h) symbol will not be lifted until Municipal services are available to the site.

- (f) Temporary Zones:

BY-LAW  
2012-097

**7.3 Heavy Industrial (MH) Zone****(a) Permitted Uses:**

BY-LAW 2018-079
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- bakery;
- cannabis production and processing;
- industrial use, class 2 industry and class 3 industry;
- transportation terminal;
- warehouse;
- accessory uses such as a cafeteria, an office.

**(b) Zone Requirements:****(i) Development on private or partial services (municipal water or sanitary sewers):**

Lot Area (minimum)	1 ha	(2.5 acres)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	12 m	(39.37 ft.)
Rear	12 m	(39.37 ft.)
Exterior Side	12 m	(39.37 ft.)
Interior Side	7.5 m	(24.61 ft.)
Building Height (maximum)	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	20%	

**(ii) Development on full services (municipal water and sanitary sewers)**

Lot Area (minimum)	1000 m <sup>2</sup>	(5005.22 sq.ft.)
Lot Frontage (minimum)	20 m	(49.21 ft.)
Yard Requirements (minimum)		
Front	7.5 m	(24.61 ft.)
Rear	7.5 m	(24.61 ft.)
Exterior Side	7.5 m	(24.61 ft.)
Interior Side	3 m	(9.84 ft.)
Building Height (maximum)	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	40%	

**(c) If an industrial use is severed or separated through consent, plan of subdivision or through the lifting of part lot control, the zone requirements continue to apply to the original lot except that no minimum side yard requirement shall apply along the common lot line.**

- (d) Special Exceptions:

**MH-1**

Notwithstanding the provisions of Section 7.3 (a) to the contrary, for the lands zoned MH-1, the following uses shall not be permitted:

Automobile Body Shop;  
Contractor's Shop or Yard;  
Fuel Depot, Bulk.

- (e) Holding Zones:

**MH-1-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned MH-1-h, the holding (h) symbol will not be lifted until Municipal services are available to the site.

- (f) Temporary Zones:

## 7.4 Rural Industrial (MR) Zone

### (a) Permitted uses:

BY-LAW  
2018-079

BY-LAW  
2015-050

BY-LAW  
2015-050

- abattoir;
- automotive body shop;
- automobile repair garage;
- building supply store;
- cannabis production and processing;
- cardlock establishment;
- contractor's shop or yard or shop;
- dwelling, accessory;
- dwelling unit, accessory;
- equipment rental establishment – industrial;
- equipment sales establishment – industrial;
- equipment service and repair establishment – industrial;
- equipment vehicle storage yard – industrial;
- farm equipment sales and service;
- farm supply establishment;
- fuel depot, bulk;
- garden centre;
- garden nursery;
- industrial uses, Class 1 Industry and Class 2 Industry;
- impound yard;
- livestock sales outlet;
- lumber yard;
- mini warehouse and storage;
- monument sales and manufacturing;
- open storage;
- printing and publishing establishment;
- sawmill;
- sawmill, portable;
- transportation depot;
- transportation terminal;
- warehouse;
- workshop;
- accessory uses such as a cafeteria, an office, a factory outlet and a retail store.

(b) Zone Requirements:

Lot Area (minimum)	4000 m <sup>2</sup>	(0.98 acres)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
Front	15 m	(49.21 ft.)
Side	9 m	(29.53 ft.)
Rear	12 m	(39.37 ft.)
Lot Coverage (maximum)	30%	
Building Height (maximum)		
Main Building	15 m	(49.21 ft.)
Accessory Building	6 m	(19.69 ft.)
Accessory Dwelling or Accessory Dwelling Units Per Lot (maximum)	1	

(c) Special Exceptions:

**MR-1**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-1, only the following uses shall be permitted:

Automobile Sales or Rental Establishment;  
 Automotive Repair Garage;  
 Equipment Service and Repair Establishment – Industrial;  
 Equipment and Vehicle Storage Yard – Industrial;  
 Open Storage;  
 Transportation Depot;  
 Warehouse;  
 Workshop;  
~~Dwelling, Accessory Apartment;~~  
 Contractor's Shop or Yard;  
 Office, Business or Professional;  
 Mini Warehouse and Storage  
 Home-Based Business  
 Existing Dwelling Unit (2)  
 Accessory uses to the foregoing.

BY-LAW  
2014-007

Notwithstanding the provisions of Section 7.4 (b) to the contrary, for the lands zoned MR-1, the maximum number of ~~accessory dwelling~~  
~~apartments~~ ~~dwelling units~~ is 2.

BY-LAW  
2014-007

**MR-2**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-2, the following uses shall not be permitted:

Abattoir;  
 Fuel Depot, Bulk.

### **MR-3**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-3, only the following uses shall be permitted:

Dwelling, Accessory;  
Workshop;  
Accessory uses to the foregoing.

### **MR-4**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-4, only the following uses shall be permitted:

Equipment and Vehicle Storage Yard – Industrial;  
Garden Centre;  
Lumber Yard.

### **MR-5**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-5, the following uses shall also be permitted:

Transfer Station,  
Household Hazardous Waste Depot.

BY-LAW  
2013-073

### **MR-6**

Notwithstanding the provisions of Section 7.4 (c) to the contrary, for the lands zoned MR-6, the following uses shall also be permitted:

Storage of Recreational Vehicles.

BY-LAW  
2015-123

### **MR-7**

Notwithstanding the provisions of Section 7.4 (a) to the contrary, for the lands zoned MR-7, only the following uses shall be permitted:

Workshop;  
Automotive body shop;  
Contractor's shop or yard;  
Dwelling, accessory;  
Equipment service and repair establishment – industrial.

(d) Holding Zones:

(e) Temporary Zones:

## **7.5 Additional Provisions for Industrial Zones**

(a) Accessory Dwellings:

- (i) Accessory dwellings which are not connected to piped municipal sewer and water services shall conform to the requirements of the RH1 Zone for single dwellings. Those which are connected by a single service shall conform to RSS1 requirements and those which are connected with full municipal services shall conform to the RS1 requirements.
- (ii) Accessory dwelling units shall have a minimum floor area of 60 m<sup>2</sup> (645.83 sq.ft.).

(b) Increased Yard Requirements:

- (i) Where any General Industrial or Heavy Industrial Zoned property abuts a Residential Zoned property, the abutting yard shall be 15 m (49.21 ft.) or 1.5 times the height of the building whichever is greater
- (ii) Where a Light Industrial or Rural Industrial Zoned property abuts a Residential or Institutional Zoned property, the minimum yard requirement of the abutting yard shall be increased to 10 metres (32.81 ft.) of which 3 metres (9.84 ft.) shall be landscaped open space.

(c) Fencing:

All lots shall be fenced to a depth of 45 metres (147.64 ft.) from the street line along the side lot line with a maximum height of 2.4 metres (7.87 ft.). Notwithstanding the foregoing, fencing requirements may be omitted if approved by Site Plan Control. .

(d) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

## SECTION 8: INSTITUTIONAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Institutional Zone except in accordance with the provisions of this Section or of any other relevant Sections of this By-law.

### 8.1 Institutional (I) Zone

#### (a) Permitted Uses:

- assembly hall;
- cemetery;
- clinic;
- club, non-profit;
- day nursery, licensed;
- dwelling, accessory;
- dwelling unit, accessory;
- fairground;
- hospice;
- hospital;
- institution;
- museum;
- nursing home;
- outdoor recreational facility
- park
- parking lot, public;
- place of worship;
- school.

BY-LAW  
2017-068

BY-LAW  
2015-050

#### (b) Zone Requirements:

##### (i) Development on private or partial services (municipal water or sanitary sewers)

Lot Area (minimum)	2000 m <sup>2</sup>	(0.5 acres)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	8 m	(26.25 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	20 m	(65.69 ft.)
Accessory Building	5 m	(16.4 ft.)
Lot Coverage (maximum)	30%	
Dwelling Units per Lot (maximum)	1	



- (ii) Development on full services (municipal water and sanitary sewers)

Lot Area (minimum)	1000 m <sup>2</sup>	(10,764.2 sq.ft.)
Lot Frontage (minimum)	20 m	(65.62 ft.)
Yard Requirements (minimum)		
Front	8 m	(26.25 ft.)
Rear	8 m	(19.69 ft.)
Exterior Side	6 m	(19.69 ft.)
Interior Side	6 m	(19.69 ft.)
Building Height (maximum)		
Main Building	20 m	(39.37 ft.)
Accessory Building	6 m	(19.69 ft.)
Lot Coverage (maximum)	75%	
Dwelling Units per Lot (maximum)	1	

- (c) Special Exceptions:

**I-1**

Notwithstanding the provisions of Section 8.1 (b) to the contrary, for the lands zoned I-1, the minimum interior side yard on the south side of the lot shall be 1.5 metres.

**I-2**

Notwithstanding the provisions of Section 8.1 (b) to the contrary, for the lands zoned I-2, the required minimum yard adjacent to a residential use shall be 8 metres and any new buildings will be limited in height to the highest roofline of the existing building on the property.

**I-3**

Notwithstanding the provisions of Section 8.1 (a) to the contrary, for the lands zoned I-3, the following use shall also be permitted:

Crematorium.

**I-4**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned I-4, no setback is required from a Floodplain (FP) zone.

- (d) Holding Zones:

- (e) Temporary Zones:

## **8.2 Additional Provisions for Institutional Zones**

(a) Accessory Dwellings:

Accessory dwellings which are not connected to piped municipal sewer and water services shall conform to the requirements of the RH1 Zone for single dwellings. Those which are connected by a single service shall conform to RSS1 requirements and those which are connected with full municipal services shall conform to the RS1 requirements.

(b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## SECTION 9: OPEN SPACE ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Open Space Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 9.1 Open Space (OS) Zone

(a) Permitted Uses:

- agricultural use, excluding buildings;
- cemetery;
- club, non-profit;
- conservation use;
- fairground;
- farm produce outlet;
- forestry use;
- golf, course;
- outdoor recreational facility;
- park;
- sawmill, portable;
- seasonal camp.

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2015-050

(b) Zone Requirements:

- (i) No minimum area or frontage shall be required for any lot provided that no buildings or recreational facilities are located thereon.
- (ii) All yards have a minimum yard requirement of 10 metres (32.81 ft.).
- (iii) No building, structure or recreational facility except a marine facility shall be located closer than 6 metres (19.69 ft.) to any lot line and the lot coverage shall not exceed 10%.
- (iv) Maximum coverage including main and accessory buildings shall not exceed 35%.

(c) Special Exceptions:

#### OS-1

Notwithstanding the provisions of Section 9.1 (a) to the contrary, for the lands zoned OS-1, the following use shall also be permitted:

Parking Lot, Public.

(f) Holding Zones:

(g) Temporary Zones:

## **9.2 Additional Provisions for Open Space Zones**

(a) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

## SECTION 10: AGRICULTURAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Agricultural Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### 10.1 Agricultural (A) Zone:

#### (a) Permitted Uses:

- agricultural uses;
- agricultural-related uses;
- agricultural uses, small;
- conservation use;
- dwelling, accessory;
- ~~dwelling, accessory apartment;~~
- dwelling, single detached;
- ~~dwelling, secondary unit;~~
- existing cemetery;
- farm produce outlet;
- forestry use;
- garden nursery;
- greenhouse, commercial;
- group home, type 1;
- home-based business;
- home industry;
- kennel;
- riding stable;
- sawmill, portable;
- sod farm.

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2017-005

BY-LAW  
2018-087

#### (b) Zone Requirements:

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

#### (ii) Agricultural Uses (new lots):

Lot Area (minimum)	19 ha	(46.95 ac.)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
All Yards	10 m	32.81 ft.)
Lot Coverage (maximum)	20%	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)

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2018-087

BY-LAW  
2017-005

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2017-005

(iii) ~~Agricultural Uses~~, Agricultural Uses (existing lots of record),  
Conservation Uses and Forestry Uses:

Lot Area (minimum)	4 ha	(9.8 ac.)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
All Yards	10 m	32.81 ft.)
Lot Coverage (maximum)	20%	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)

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2017-005

(iv) Single detached dwellings:

Lot Area (minimum)	4000 m <sup>2</sup>	(0.98 ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front Yard	10 m	(32.81 ft.)
Rear Yard	10 m	(32.81 ft.)
Side Yards	5 m	(16.4 ft.)
Lot Coverage (maximum)	25%	
Building Height (maximum)		
Main Building	12 m	(39.37 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Dwelling Unit Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft)
Floor Area per Accessory Apartment Dwelling (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Dwellings per lot (maximum)	1	

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2018-087

(i) Other Uses:

Lot Area (minimum)	8000 m <sup>2</sup>	(1.98 ac.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
All Yards	10 m	(32.81 ft.)
Lot Coverage (maximum)	25%	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)

(c) Special Exceptions:

**A-1**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-1, the following uses are not permitted:

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Dwelling, accessory;  
Dwelling, accessory apartment;  
Dwelling, single-detached;  
Group Home, Type 1;  
Home industry;  
Home-based business.

## **A-2**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-2, the two single detached dwellings on the property existing on the date of passing of this By-law shall also be permitted.

## **A-3**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-3, the following use shall also be permitted:

Mobile Home exclusively used as an Art Studio.

## **A-4**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-4, the following uses shall also be permitted:

Winery;  
Workshop.

## **A-5**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-5, the following use shall also be permitted:

Automotive Repair Garage.

## **A-6**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-6, only the following uses shall be permitted:

Automobile Body Shop;  
Detailing/ Customizing Shop;  
Welding Shop.

## **A-7**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-7, the following use shall also be permitted:

Contractor's Shop or Yard.



**A-8**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-8, the following use shall also be permitted:

Retail Store.

**A-9**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-9, the following use shall also be permitted:

Boarding House.

**A-10**

Notwithstanding the provisions of Section 10.1 (b) to the contrary, for the lands zoned A-10, the following use shall also be permitted:

Agricultural use, small.

**A-11**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-11, the following use shall also be permitted:

Dwelling, Semi-detached.

**A-12**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-12, the following uses shall also be permitted:

Equipment Service and Repair Establishment – Industrial;  
Equipment and Vehicle Storage Yard - Industrial;  
and accessory uses to the foregoing.

**A-13**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-13, the following uses shall also be permitted:

Pet Cemetery;  
Pet Crematorium.

**A-14**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-14, the following use shall also be permitted:

Recreational Vehicle Sales, Rental and Storage Establishment.

**A-15**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-15, the following uses shall also be permitted:

Kennel;  
Pet Crematorium.

BY-LAW  
2015-050

**A-16**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-16, the following use shall also be permitted:

Auction Sales Establishment.

BY-LAW  
2015-050

**A-17**

Notwithstanding the provisions of Section 10.1 (b) (ii) to the contrary, for the lands zoned A-17, the required minimum lot frontage shall be 27 m (90 ft.).

BY-LAW  
2016-017

**A-18**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-18, only the following uses are permitted:

Dwelling, accessory apartment  
Dwelling, single-detached;  
Group home, type 1;  
Home industry;  
Home-based business.

BY-LAW  
2017-005

Notwithstanding the provisions of Section 10.1 (b) to the contrary, the minimum lot area is 4,046m<sup>2</sup>.

BY-LAW  
2016-046

**A-19**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-19, only the following uses are permitted:

Dwelling, single-detached;  
Group home, type 1;  
Home-based business;  
Home industry;  
Agricultural-related uses;  
Agricultural uses, small;  
Farm produce outlet;  
Garden nursery.

BY-LAW  
2016-094

**A-20**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-20, only the following uses are permitted:

Dwelling, Accessory Apartment;  
Dwelling, Single-detached;  
Group Home, Type 1;  
Home-based business;  
Home Industry.

Notwithstanding the provisions of Section 10.1 (b) to the contrary, for the lands zoned A-20, minimum lot area shall be 3800m<sup>2</sup>, the minimum lot frontage shall be 37 metres, the minimum interior side yard shall be 7 metres, and the maximum height for an accessory building shall be 11 metres.

BY-LAW  
2017-066

**A-21**

Notwithstanding the provisions of Section 10.1 (b) (iii) to the contrary, for the lands zoned A-21, the minimum front yard setback shall be 3.5 metres (11.48 ft.).

BY-LAW  
2017-097

**A-22**

Notwithstanding the provisions of Section 10.1 (b) to the contrary, for the lands zoned A-22, the minimum lot area is 41.5 acres.

BY-LAW  
2017-099

**A-23**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-23, the minimum lot frontage is 7.5 metres, and the maximum number of dwelling units is 2.

BY-LAW  
2019-065

**A-24**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-24, the minimum lot frontage shall be 9 metres.

BY-LAW  
2019-074

**A-25**

Notwithstanding the provisions of Section 10.1 (a) to the contrary, for the lands zoned A-25, the minimum lot frontage shall be 15 metres.

(d) Holding Zones:

(e) Temporary Zones:

## 10.2 Additional Provisions for Agricultural Zones:

BY-LAW  
2017-005

~~(a) Dwellings:~~

~~Single Detached Dwellings per lot (maximum): 1~~

~~Accessory Dwellings per lot (maximum): 1~~

~~An accessory dwelling may be permitted in the Agricultural Zone provided that such accessory dwellings conforms with the provisions of Section 5.8 (b) and, notwithstanding the provisions of Section 3.18 (g) such unit may only be on a lot that conforms to the minimum lot area for a agricultural use.~~

~~The accessory dwelling shall be permitted on an operating farm for a full time employee on the farm or for a family member actively engaged in the farming operation provided that such dwelling is a minimum of 6 metres (19.69 ft.) from the other dwelling and has a minimum floor area of 60 m<sup>2</sup> (485.83 sq. ft.).~~

BY-LAW  
2017-005

(a) Accessory Dwellings:

(i) Notwithstanding the limitation of one (1) dwelling per lot in the Agricultural Zone, an accessory dwelling may also be permitted in the Agricultural Zone. The maximum number of single detached accessory dwellings per lot is 1. Accessory dwellings shall not be permitted on a lot with an accessory apartment dwelling a dwelling, secondary unit.

(ii) Accessory dwellings are permitted provided that such accessory dwelling conforms with the provisions of Section 5.8 (b).

(iii) The accessory dwelling shall be permitted only on an operating farm for a full time employee on the farm or for a family member actively engaged in the farming operation provided that such dwelling is a minimum of 6 metres (19.69 ft.) from the other dwelling and has a minimum floor area of 60 m<sup>2</sup> (445.83 sq. ft.) 45 m<sup>2</sup> (484.38 ft<sup>2</sup>).

(iv) Notwithstanding the provisions of Section 3.18 (g) such unit may only be on a lot that conforms to the minimum lot area for an agricultural use.

BY-LAW  
2018-087

BY-LAW  
2018-087

(b) Intensive Livestock Operations:

New and/or expansions to existing intensive livestock operations shall be in accordance with the provisions of Section 3 of this By-law.

(c) Farm Building and Manure Storage Location (MDS):

- (i) The minimum distance between any barn, silo, manure storage or other building or structure used or intended to be used for the keeping of any type of livestock and a residential building on another lot shall be determined according to the Minimum Distance Separation Two (MDS II).
- (ii) The minimum distance between any residential dwelling and a barn, silo, manure storage area or other building or structure used or intended to be used for the keeping of any type of livestock located on another lot shall be determined according to Minimum Distance Separation One (MDS I). Notwithstanding this provision, the MDS I requirements shall not apply to non-agricultural uses on Lots of Record.

BY-LAW  
2017-005

(d) Residence Surplus to a Farm Operation:

- (i) Notwithstanding any other provision or standard contained in this by-law to the contrary, a residential lot (Flag lot) created as a result of a Consent Application to dispose of a Residence Surplus to a Farm Operation may have a minimum frontage of 12 m (39.3 feet).
- (ii) The retained lot for a Residence Surplus to a Farm Operation shall be considered an existing lot of record for the purposes of Section 10.1 b) ii)

(e) Wayside Pit or Wayside Quarry:

The requirements of the Aggregate Resources Act shall apply to any wayside pit or wayside quarry.

(f) Open Storage:

Open Storage shall be permitted in accordance with the provisions of Section 3 of this By-law.

BY-LAW  
2019-095

(g) Accessory Building Height:

Notwithstanding the height restrictions of Section 10.1(b) to the contrary, an accessory building may be constructed to a maximum height of 6.1 metres (20 feet), provided that it can meet the minimum yard requirements applicable to the main use and all other applicable provisions in this By-law are complied with.

BY-LAW  
2019-095

(h) Keeping of Livestock:

The keeping or raising of livestock in the Agricultural (A) zone shall be prohibited on lots having an area less than 8000 m<sup>2</sup> (1.98 acres).

(i) Other General Provisions:

Other general provisions shall be in accordance with the provisions of Section 3 of this By-law.

## SECTION 11: RURAL ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Rural Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### 11.1 Rural (RU) Zone

#### (a) Permitted Uses:

- agriculture-related uses;
- agriculture uses;
- agricultural uses, small;
- cemetery;
- club, non-profit;
- conservation use;
- dwelling, accessory;
- ~~dwelling, accessory apartment;~~
- dwelling, single detached;
- dwelling, secondary unit;
- farm produce outlet;
- forestry use;
- garden nursery;
- greenhouse, commercial;
- group home, type 1;
- home industry;
- home based-business;
- kennel;
- riding stable;
- sawmill, portable;
- sod farm;
- veterinary establishment.

BY-LAW  
2018-087

#### (b) Zone Requirements:

- (i) Notwithstanding the provisions of this By-Law to the contrary, all *Dwelling, Secondary Units* are subject to the provisions of Section 3.8.

#### (ii) Agricultural Uses, Conservation Uses and Forestry Uses:

Lot Area (minimum)	4 ha	(9.8 ac.)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
All Yards	10 m	(32.81 ft.)
Lot Coverage (maximum)	20%	
Building Height (maximum)		

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2012-074

Main Building	11 m	(36 ft.)
Accessory Building	4.5 m	(13.12 ft.)

(iii) Agricultural-related Uses, Agricultural Uses Small, Kennel, Riding Stable and Veterinary Establishment:

Lot Area (minimum)	8000 m <sup>2</sup>	(1.98 ac.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
All Yards	10 m	(32.81 ft.)
Lot Coverage (maximum)	25%	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.67 ft.)

(iv) Single detached dwellings:

Lot Area (minimum)	4000 m <sup>2</sup>	(0.98 ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
Front Yard	10 m	(32.81 ft.)
Rear Yard	10 m	(32.81 ft.)
Side Yards	5 m	(16.4 ft.)
Lot Coverage (maximum)	25%	
Building Height (maximum)		
Main Building	12 m	(39.37 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Dwelling Unit Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft)
Floor Area per Accessory Apartment Dwelling (minimum)		
Bachelor Unit	45 m <sup>2</sup>	(484.37 sq.ft.)
One Bedroom Unit	55 m <sup>2</sup>	(592.01 sq.ft.)
Two Bedroom Unit	60 m <sup>2</sup>	(645.83 sq.ft.)
More than 2 Bedroom Unit	65 m <sup>2</sup>	(699.65 sq.ft.)
Dwellings per lot (maximum)	1	

BY-LAW  
2015-050

BY-LAW  
2018-087

(iv) Other Uses:

Lot Area (minimum)	6000 m <sup>2</sup>	(1.48 ac.)
Lot Frontage (minimum)	45 m	(147.64 ft.)
Yard Requirements (minimum)		
Front Yard	10 m	(32.81 ft.)
Rear Yard	10 m	(32.81 ft.)
Interior Side Yard	5 m	(16.4 ft.)
Exterior Side Yard	7 m	(22.97 ft.)
Lot Coverage (maximum)	20%	
Building Height (maximum)		
Main Building	11 m	(36.09 ft.)
Accessory Building	4.5 m	(14.76 ft.)
Dwelling Unit Area (minimum)	70 m <sup>2</sup>	(753.47 sq.ft.)



(c) Special Exceptions:

**RU-1**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-1, the following uses shall also be permitted:

Automotive Repair Garage;  
Contractor's Shop or Yard;  
Retail Store.

**RU-2**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-2, the following use shall also be permitted:

Workshop.

**RU-3**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-3, the following use shall also be permitted:

Open Storage for Commercial Fishing Hut Business.

**RU-4**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-4, the following uses shall also be permitted:

Equipment Sales Establishment – Industrial;  
Equipment Service and Repair Establishment – Industrial;  
Workshop.

**RU-5**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-5, the following use shall also be permitted:

Automotive Repair Shop existing on the date of passing of this By-law.

**RU-6**

Notwithstanding the provisions of 11.1 (a) to the contrary, for the lands zoned RU-6, the following use shall only be permitted:

Single-Detached Dwelling.

Notwithstanding the provisions of Section 11.1 (b) to the contrary, for the lands zoned RU-6, the minimum side yard setback for the

BY-LAW  
2015-050

north yard shall be 10 metres and the minimum side yard setback for the south yard shall be 7.5 metres.

#### **RU-7**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-7, the following uses shall also be permitted:

Storage of Recreational Vehicles;  
Warehouse.

#### **RU-8**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-8, the following use shall also be permitted:

Recreational Commercial Establishment.

#### **RU-9**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-9, the two single detached dwellings on the property existing on the date of passing of this By-law shall also be permitted.

#### **RU-10**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-10, the following uses shall also be permitted:

Open Storage;  
Workshop.

#### **RU-11**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-11, the following use shall also be permitted:

Contractor's Shop or Yard.

#### **RU-12**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-12, the following use shall also be permitted:

Retail Store.

### **RU-13**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-13, the following uses shall also be permitted:

Contractor's Shop or Yard;  
Transportation Depot.

### **RU-14**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-14, the following use shall also be permitted:

Taxi Dispatch Establishment.

### **RU-15**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-15, the following uses shall also be permitted:

Dune Buggy Trail Operation;  
Recreation Commercial Establishment.

### **RU-16**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-16, the following use shall also be permitted:

Automotive Body Shop.

### **RU-17**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-17, the following uses shall also be permitted:

Office, Business or Professional;  
Equipment Service and Repair Establishment – Industrial;  
Equipment Sales Establishment – Industrial;  
Warehouse.

BY-LAW  
2018-090

Notwithstanding the provisions of Section 11.1(b) to the contrary, for the lands zoned RU-17, the minimum lot frontage required for "other uses" shall be 25 metres.

### **RU-18**

Notwithstanding the provisions of Section 3.31 and 11.1 (b) to the contrary, for the lands zoned RU-18, no residential development shall be permitted within 500 metres of a Mineral Extraction Quarry (MXQ) zone or a Mineral Extraction Reserve (MXR) zone.

### **RU-19**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-19, the following use shall also be permitted:

Equipment and Vehicle Storage Yard – Industrial.

### **RU-20**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-20, the following use shall also be permitted:

Transportation Depot.

### **RU-21**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-21, the following uses shall also be permitted:

Automobile Body Shop;  
Automotive Repair Garage;  
Workshop.

### **RU-22**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-22, the following use shall also be permitted:

Warehouse.

### **RU-23**

Notwithstanding the provisions of Section 11.1 (a), the two existing semi-detached dwellings on the property shall also be permitted.

### **RU-24**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-24, the following uses are not permitted:

Dwelling, accessory;  
Dwelling, accessory apartment;

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2012-082

BY-LAW  
2015-114

Dwelling, single-detached;  
Group home, type 1;  
Home industry;  
Home-based business.

BY-LAW  
2015-122

**RU-25**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-25, the following use shall also be permitted:

Dwelling, mobile home.

BY-LAW  
2016-080

**RU-26**

Notwithstanding the provisions of Section 11.1 (a) to the contrary, for the lands zoned RU-26, the following uses are not permitted:

Dwelling, accessory;  
Dwelling, accessory apartment;  
Dwelling, single-detached;  
Home industry;  
Home-based, business.

Notwithstanding the provisions of 11.1 (b) to the contrary, for the lands zoned RU-26, the minimum lot frontage shall be 12 metres.

BY-LAW  
2017-045

**RU-27**

Notwithstanding the provisions of 11.1 (b) to the contrary, for the lands zoned RU-27, the minimum rear and side yard setbacks shall be 5 metres for Agricultural-related Uses, Agricultural Uses Small, and Riding Stables.

BY-LAW  
2017-098

**RU-29**

Notwithstanding the provisions of 11.1 (a) to the contrary, for the lands zoned RU-29, the minimum lot frontage shall be 7.62 metres, the minimum lot area shall be 6,475 m<sup>2</sup>, and the minimum rear yard and side yard setback for the existing barn is 4 metres for Agricultural-related Uses, Agricultural Uses Small, and Riding Stables.

BY-LAW  
2018-047

**RU-30**

Notwithstanding the provisions of Section 11.1 (b) to the contrary, for the lands zoned RU-30, the following uses shall only be permitted:

Agriculture-related uses  
Agriculture uses  
Agriculture uses, small  
Conservation use  
Forestry use

(e) Temporary Zones:

BY-LAW  
2018-047

**RU-t(1)**

Notwithstanding the provisions of Sections 3.8 and 11.1 (a) to the contrary, for the lands zoned RU-t(1), a mobile homes may be used as a garden suite on the lands at 16399-16403 County Road 36 for a temporary time period commencing on October 23, 2019 and expiring on October 23, 2022. The lots will be considered a single property for the purposes of the garden suite use, and may have separate services and parking areas than the main dwelling at 16399 County Road 36. No building permit shall be issued until the owner enters into a temporary use agreement with the Township of South Stormont. The provisions of the Rural (RU) zone shall apply to all other uses.

(f) Holding Zones:

BY-LAW  
2018-047

**RU-30-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned RU-30-h, the holding (h) symbol will not be lifted until an Environmental Impact Study has been carried out and has been determined that there will be no negative impacts on the Provincially Significant Wetland due to future development, to the satisfaction of the Township.

BY-LAW  
2018-060

**RU-31**

Notwithstanding the provisions of Section 11.1(b) to the contrary, for the lands zoned RU-30, the influence areas established under Section 3.31 for "Item A", shall be reduced to 0 metres.

## 11.2 Additional Provisions for Rural Zones

(a) Accessory Dwellings:

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2017-005

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2018-087

- (i) Notwithstanding the limitation of one (1) dwelling per lot in the Rural Zone, an accessory dwelling may also be permitted in the Rural Zone. The maximum number of single detached accessory dwellings per lot is 1. Accessory dwellings shall not be permitted on a lot with an ~~accessory apartment dwelling~~ a dwelling, secondary unit.
- (ii) Accessory dwellings are permitted provided that such accessory dwelling conforms with the provisions of Section 5.8 (b).
- (iii) The accessory dwelling shall be permitted only on an operating farm for a full time employee on the farm or for a family member actively engaged in the farming operation provided that such dwelling is a minimum of 6 metres (19.69 ft.) from the other dwelling and has a minimum floor area of 60 m<sup>2</sup> (445.83 sq. ft.) ~~45 m<sup>2</sup> (484.38 ft<sup>2</sup>).~~
- (iv) Notwithstanding the provisions of Section 3.18 (g) such unit may only be on a lot that conforms to the minimum lot area for an agricultural use.

BY-LAW  
2018-087

(b) Farm Building and Manure Storage location (MDS):

- (i) The minimum distance between any barn, silo, manure storage or other building or structure used or intended to be used for the keeping of any type of livestock and a residential building on another lot shall be determined according to the Minimum Distance Separation Two (MDS II).
- (ii) The minimum distance between any residential dwelling and a barn, silo, manure storage area or other building or structure used or intended to be used for the keeping of any type of livestock located on another lot shall be determined according to Minimum Distance Separation One (MDS I). Notwithstanding this provision, the MDS I requirements shall not apply to non-agricultural uses on Lots of Record.

BY-LAW  
2019-095

(c) Accessory Building Height:

Notwithstanding the height restrictions of Section 10.1(b) to the contrary, an accessory building may be constructed to a maximum height of 6.1 metres (20 feet), provided that it can meet the minimum yard requirements applicable to the main use and all other applicable provisions in this By-law are complied with.

BY-LAW  
2019-095

(d) Keeping of Livestock:

The keeping or raising of livestock in the Rural (RU) zone shall be prohibited on lots having an area less than 8000 m<sup>2</sup> (1.98 acres).

(e) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.



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## SECTION 12: MINERAL RESOURCE ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Mineral Resource Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 12.1 Mineral Extraction, Pit (MXP) Zone

(a) Permitted Uses:

- aggregate recycling facility;
- agricultural uses , excluding buildings or structures;
- asphalt batching plant
- conservation use, excluding buildings or structures;
- concrete batching plant;
- forestry uses, excluding buildings or structures;
- pit;
- portable asphalt plant.

(b) Zone Requirements:

Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
All Yards Adjacent to Public Roads	30 m	(98.43 ft.)
All Other Yards	15 m	(49.21 ft.)
Lot Coverage (maximum)	10%	
Building Height (maximum)		
Main Building	20 m	(65.62 ft)
Accessory Building	5 m	(16.4 ft.)

(c) Any new MRP Zone shall be established with regard to Section 3.31 of this By-law

(d) Special Exceptions:

**MXP-1**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned MXP-1, the influence area shall be 30 metres from any lot line or portion thereof which abuts a residential use.

(e) Holding Zones:

(f) Temporary Zones:

## 12.2 Mineral Extraction, Quarry (MXQ) Zone

(a) Permitted Uses:

- aggregate recycling facility;
- agricultural uses excluding buildings or structures;
- asphalt batching plant
- concrete batching plant;
- conservation use, excluding buildings;
- forestry uses, excluding buildings or structures;
- pit;
- portable asphalt plant;
- quarry;

(b) Zone Requirements:

Lot Area (minimum)	10 ha	(24.7 ac.)
Lot Frontage (minimum)	30 m	(98.43 ft.)
Yard Requirements (minimum)		
All Yards adjacent to public roads	30 m	(98.43 ft.)
All Other Yards	15 m	(49.21 ft.)
Lot Coverage (maximum)	10%	
Building Height (maximum)		
Main Building	20 m	(65.62 ft.)
Accessory Building	5 m	(16.4 ft.)

(c) Any new MXQ Zone shall be established with regard to Section 3.31 of this By-law.

(d) Special Exceptions:

### **MXQ-1**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned MXQ-1, new buildings shall be prohibited within 150 metres of any land zoned Mineral Extraction, Quarry Special Exception One (MXQ-I).

The 150 metre separation distance referred to shall be measured from and to a line located 110 metres south of the Headline road allowance, and from and to a line located 30 metres north of South Branch road allowance in the west half of Lot 4 and in Lot 5, from and to a line corresponding to the boundary of the MXQ-I zone where it abuts the flood plain of the Eastman Drain in the east half of Lot 6 and from and to a line located 15 metres inside the MXQ-I zone boundary on the balance of the property.

This provision shall not apply to an existing lot of record having a maximum area of 2 hectares and including any lot of record in an existing Registered Plan and any lot severed prior to October 5, 1999.

This provision shall also not apply to an infill lot (one only), being a residential lot between two existing residences which are on separate lots and which residences are situated on the same side of the road and are not more than 75 metres (246 feet) apart, provided that the new building is located no closer to the MX zone than the buildings on the adjacent lots.

### **MXQ-2**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned MXQ-2, new buildings shall be prohibited within 200 metres of any land zoned Mineral Extraction, Quarry, Special Exception Two (MXQ-2).

This provision shall not apply to an existing lot of record having a maximum area of 2 hectares and including any lot of record in an existing Registered Plan and any lot severed prior to October 5, 1999.

This provision shall not apply to an infill lot (one only), being a residential lot between two existing residences which are on separate lots and which residences are situated on the same side of the road and are not more than 75 metres (246 feet) apart, provided that the new building is located no closer to the MX zone than the buildings on the adjacent lots.

(e) Holding Zones:

(f) Temporary Zones:

### 12.3 Mineral Extraction, Reserve (MXR) Zone

(a) Permitted Uses:

- agricultural uses, excluding buildings or structures;
- conservation use, excluding buildings or structures;
- forestry use, excluding buildings or structures;

(b) Zone Requirements:

- none.

(c) Special Exceptions:

#### **MXR-1**

Notwithstanding the provisions of Section 12.3 (a) to the contrary, for the lands zoned MXR-1, the following use shall also be permitted:

Cemetery.

#### **MXR-2**

Notwithstanding the provisions of Section 3.31 to the contrary, for the lands zoned MXR-2, new buildings shall be prohibited within 150 metres of any land zoned Mineral Extraction, Quarry - Special Exception - Two (MXQ-2).

The 150 metre separation distance referred to shall be measured from and to a line located 110 metres south of the Headline Road allowance and to a line located 15 metres inside the west lot line.

This provision shall not apply to an existing lot of record having a maximum area of 2 hectares and including any lot of record in an existing Registered Plan and any lot severed prior to October 5, 1999.

This provisions shall also not apply to an infill lot (one only), being a residential lot between two existing residences which are on separate lots and which residences are situated on the same side of the road and are not more than 75 metres (246 feet) apart, provided that the new building is located no closer to the MXR-2 zoned than the building on the adjacent lots.

(d) Holding Zones:

(e) Temporary Zones:

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2012-074

#### **12.4 Additional Provisions for Mineral Resource Zones**

(a) Location of Other Uses:

Notwithstanding any other provisions of this By-law to the contrary, the location of a building, plant or product stockpile shall be in accordance with the ~~Ministry of Environment~~ Ministry of Natural Resources licensing requirements.

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2012-074

(b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## SECTION 13: SALVAGE YARD ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Salvage Yard Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### 13.1 Salvage Yard (SY) Zone

(a) Permitted Uses:

- accessory dwelling
- impound yard
- office accessory to a permitted use;
- ~~open storage;~~
- recycling depot;
- recycling yard;
- salvage yard

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2015-050

(b) Zone Requirements:

Lot Area (minimum)	5 ha	(29.7 ac.)
Lot Frontage (minimum)	60 m	(196.85 ft.)
Yard Requirements (minimum)		
Front	37.5 m	(123.03 ft.)
Rear	45 m	(147.64 ft.)
Side	37.5 m	(123.03 ft.)
Accessory Dwellings Per Lot (maximum)	1	

(c) No part of a Salvage Yard operation shall be located within 100 metres of the main building on any adjoining lot.

(d) Special Exceptions:

#### SY-1

Notwithstanding the provisions of Section 13.1 (c) to the contrary, for the lands zoned SY-1, the salvage yard existing on the date of passing of this By-law may be located within 27 metres of the existing dwelling and 6 metres from the existing garage.

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2019-095

**SY-2**

In addition to the uses permitted under Section 13.1(a), for the lands zoned SY-2, the permitted uses shall also include those uses listed under Section 7.4(a) of the "Rural Industrial (MR)" zone, of which shall be subject to the provisions of Section 7.4(b).

- (e) Holding Zones:

**SY-2-h**

Notwithstanding the provisions of Section 4.3 to the contrary, for the lands zoned SY-h, the holding (h) symbol will not be lifted until the 5 hectare development on the front portion of the property is complete and the Township has received an approved site plan for the lands subject to the holding symbol.

- (f) Temporary Zones:



### **13.2 Additional Provisions for Wrecking Yard Zones**

(a) Buffering:

All Salvage Yards must be adequately screened and buffered from adjoining land uses. This shall be accomplished through the construction of a solid opaque fence of a minimum of 2 metres in height in addition to the use of dense landscaping. A plan showing the fencing and landscaping shall be prepared and submitted to Council for approval under Site Plan Control.

(b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## **SECTION 14: WASTE MANAGEMENT ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Waste Management Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **14.1 Waste Management (WM) Zone**

(a) Permitted Uses:

- forestry use;
- recycling depot;
- recycling yard;
- waste disposal site.

(b) Zone Requirements:

Lot Area (minimum)	4 ha	(9.9 ac.)
Yard Requirements (minimum)		
All Yards	30 m	(98.43 ft.)
Building Height (maximum)	9 m	(29.53 ft.)

(c) Special Exceptions:

(d) Holding Zones:

(e) Temporary Zones:

#### **14.2 Additional Provisions for Waste Management Zones**

- (a) Notwithstanding the zone requirements stated above, no part of a landfill operation may be located within 200 m (656.17 ft.) of a residential building existing on the date of passing of this By-law.

- (b) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## SECTION 15: FLOOD PLAIN ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Flood Plain Zone except in accordance with the provisions of this Section and of any other relevant Section of this By-law.

### 15.1 Flood Plain (FP) Zone

(a) Permitted Uses:

- agricultural use, excluding buildings;
- conservation use, excluding buildings;
- forestry use, excluding buildings;
- marina;
- passive recreational use;
- uses accessory to a residential use located on the same lot, excluding buildings;
- all buildings or structures in existence on a day of passing of this Zoning By-law;
- buildings for flood or erosion control purposes.

(b) Zone Requirements:

- (i) No permitted building or structure including temporary and accessory buildings shall be located or erected closer than 10 metres (32.81 ft.) to any lot line, with the exception of buildings and structures intended for flood or erosion control which are exempt from minimum setbacks.
- (ii) Permitted buildings may cover a maximum of ten percent (10%) of the lot area.
- (iii) Any expansion of or addition to any buildings or structures permitted in the Flood Plain zone after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage. The specific approval of the Conservation Authority or the Ministry of Natural Resources must be obtained prior to the start of construction.

(c) Single Detached Dwellings on Existing Lots:

Notwithstanding the provisions of Section 15.1 and 3.31 to the contrary, a single detached dwelling may be constructed or enlarged on an existing lot of record within a Flood Plain Zone. A Building Permit shall only be issued by the Township following the satisfactory compliance with the following:

- (i) the submission of a Plan of Survey, prepared by a registered surveyor, showing the proposed location of the dwelling and tile bed and demonstrating the method by which the dwelling and tile bed will be flood proofed to an elevation as established by the Conservation Authority.
  - (ii) receipt of the written approval by the Conservation Authority that the proposed flood proofing of the building and tile bed adequately meets the Authority's requirements and that they have no further objections to a Building Permit being issued; and
  - (iii) the proposed dwelling complies with the zone requirements of Section 5.8 (b) and other relevant provisions of Section 3 of the By-law.
- (d) Special Exceptions:
- (g) Holding Zones:
- (h) Temporary Zones:

## **15.2 Additional Provisions for Flood Plain Zones**

(a) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## **SECTION 16**

### **PROVINCIALY SIGNIFICANT WETLAND ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Provincially Significant Wetland Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

#### **16.1 Provincially Significant Wetland (PSW) Zone**

(a) Permitted Uses:

- conservation use, excluding buildings;
- existing agricultural uses, excluding buildings;
- passive outdoor recreational use.

(b) Zone Requirements:

- none.

(c) Special Exceptions:

(d) Holding Zones:

(e) Temporary Zones:

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2015-050

## **16.2 Additional Provisions for Provincially Significant Wetland Zones**

(a) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.



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## **SECTION 17: AREA OF NATURAL AND SCIENTIFIC INTEREST ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Area of Natural and Scientific Interest Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **17.1 Areas of Natural and Scientific Interest (ANSI) Zone**

(a) Permitted Uses:

- conservation use, excluding buildings;
- passive outdoor recreational use.
- dwelling single detached, in accordance with the provisions of Section 5.8 (b) provided that the applicant can demonstrate through the appropriate studies/reports, if required by the Corporation, that the proposed development will not introduce any incompatible issues due to environmental impact of the proposed development.

(b) Zone Requirements:

- none.

(c) Special Exceptions:

(c) Holding Zones:

(d) Temporary Zones:

**17.2 Additional Provisions for Area of Natural and Scientific Interest Zones**

(a) Other General Provisions:

Other general provisions shall be in accordance with Section 3 of this By-law.

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## **SECTION 18: DEVELOPMENT RESERVE ZONES**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Development Reserve Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **18.1 Development Reserve (DR) Zone**

(a) Permitted Uses:

- none.

(b) Zone Requirements:

- none.

## **18.2 Additional Provisions for Development Reserve Zones**

(a) Other General Provisions:

Other general provisions shall be in accordance with Section 3 and 4.6 of this By-law.

READ A FIRST AND SECOND TIME, this 14<sup>th</sup> day of December, 2011

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Mayor

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Clerk

READ A THIRD TIME, and passed in open Council this 14<sup>th</sup> day of December, 2011

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Mayor

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Clerk