

# Village of Westport

## Zoning By-law No. 08-12

September 2008

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**VILLAGE OF WESTPORT  
ZONING BY-LAW No. 08-12**

A Zoning By-law, being a By-law, comprising the following text and Schedule A attached hereto, for prohibiting the use of land for or except for such purposes as may be set out in this By-law and for prohibiting the erection, location or use of buildings or structures for or except for such purposes as may be set out in this By-law within the said lands; and for regulating the character of buildings or structures to be erected on the said lands.

The Council of the Corporation of the Village of Westport enacts as follows:

**SECTION 1: TITLE**

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**1 TITLE**

This By-law may be cited as the "Zoning By-law"

**SECTION 2: DEFINITIONS**

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**2 DEFINITIONS**

In this By-law, the following meanings shall apply unless the context requires otherwise.

**2A**

ACCESSORY APARTMENT (See DWELLING, ACCESSORY APARTMENT) **Accessory Apartment**

ACCESSORY DWELLING (See DWELLING, ACCESSORY) **Accessory Dwelling**

ACCESSORY USE (See USE, ACCESSORY) **Accessory Use**

**ADULT ENTERTAINMENT:** Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business, or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, where: **Adult Entertainment**

1. "to provide" when used in relation to services includes to furnish, perform, solicit, or give such services in pursuance of a trade, calling, business or occupation and "providing", "provided" and "provision" have corresponding meanings, and
2. "to provide" when used in relation to goods includes to sell, offer to sell or display for sale, by retail or otherwise such goods and "providing", "provided" and "provision" have corresponding meanings.

Notwithstanding the foregoing, adult entertainment shall not include a trade, calling, business or occupation where the provision or sale of goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations is clearly subordinate to the principle trade of the enterprise. Such exemption shall include but not be limited to video rental or sales establishments, book stores and convenience stores where the revenue generated from the sale or rental of such goods and services represents less than 30% of the total gross receipts

## **SECTION 2: DEFINITIONS**

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<p><b>AGRICULTURE, GENERAL:</b> Means 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..</p>	<p><b>General Agriculture</b></p>
<p><b>AISLE:</b> Means a portion of a parking lot which abuts one or more off-street parking spaces to which it provides access and which is not used for the parking of vehicles.</p>	<p><b>Aisle</b></p>
<p><b>ALTER:</b> When used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word alter means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking lot; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise. Altered and Alteration shall have corresponding meanings.</p>	<p><b>Alter</b></p>
<p><b>ANIMAL CARE:</b> Means caring and grooming of domestic animals, excluding overnight care or accommodation, and shall not include an animal clinic.</p>	<p><b>Animal Care</b></p>
<p><b>ANIMAL CLINIC:</b> Means a building or part of a building used by veterinarians, their staff and their patients to provide grooming, medical or surgical treatments or similar services and includes overnight care or accommodation.</p>	<p><b>Animal Clinic</b></p>
<p><b>APARTMENT DWELLING HOUSE:</b> (See DWELLING, APARTMENT HOUSE)</p>	<p><b>Apartment Dwelling House</b></p>
<p><b>AREA</b> (See LOT, AREA)</p>	<p><b>Area</b></p>
<p><b>ASSEMBLY HALL:</b> Means a building or part of a building in which facilities are provided for civic, educational, political, religious or social purposes and shall include a banquet hall or private club.</p>	<p><b>Assembly Hall</b></p>
<p><b>ATTACHED:</b> Means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.</p>	<p><b>Attached</b></p>
<p><b>ATTIC:</b> Means the portion of a building situated wholly or in part within the roof and which is not a half storey.</p>	<p><b>Attic</b></p>
<p><b>AUCTION HALL:</b> Means the sale, by highest bid, of new or used goods, wares, merchandise, substances, articles or things to the general public, but does not include the sale of vehicles or livestock.</p>	<p><b>Auction Hall</b></p>
<p><b>AUTOMOBILE BODY SHOP:</b> Means a building or structure used for complete motor vehicle repairs to bodies, frames or motors and/or painting, upholstery and/or complete collision work, but shall not include a wrecking or salvage yard.</p>	<p><b>Automobile Body Shop</b></p>

## **SECTION 2: DEFINITIONS**

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**AUTOMOBILE CARE:** Means a building or a portion of a building where mufflers, glass, tires or other similar minor parts and items are offered for sale and installation on motor vehicles.

**Automobile  
Care**

**AUTOMOBILE GAS BAR:** Means a building and/or structure including fuel pump islands where gasoline and/or oil is kept for sale with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, but where no servicing, repair or equipping of motor vehicles is carried on.

**Automobile  
Gas Bar**

**AUTOMOBILE RENTAL:** Means a parking space or parking lot and/or a building or part thereof where motor vehicles, as defined by the Highway Traffic Act, are rented or kept or used for rental purposes.

**Automobile  
Rental**

**AUTOMOBILE SALES:** Means a building and/or lot where motor vehicles, as defined by the Highway Traffic Act, are kept for display and/or sale. Permitted accessory uses may include those normally required for performing maintenance and repair on motor vehicles, including service centre, service bays, body shop, storage of parts, etc.

**Automobile  
Sales**

**AUTOMOBILE SERVICE STATION:** Means a building and/or structure where retail goods including gasoline, oil, grease, antifreeze, tires, sparkplugs, batteries and other automobile accessories may be sold incidentally and where minor or running repairs essential to the operation of motor vehicles are executed or performed, but shall not include any other use otherwise defined herein.

**Automobile  
Service Station**

**AUTOMOBILE WASHING ESTABLISHMENT:** Means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.

**Automobile Washing  
Establishment**

### **2B**

**BAKE SHOP:** Means a building or portion of a building where baked foods are made for retail sale on the premises.

**Bake Shop**

**BAKERY:** Means a building or portion of a building wherein baked foods are produced and processed for packaging, distribution and resale off the premises. A bakeshop is a permitted accessory use in a bakery.

**Bakery**

**BASEMENT:** Means a portion of a building which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the adjacent finished grade.

**Basement**

**BED AND BREAKFAST:** Means a private residence, limited to a single detached dwelling which is operated to provide the travelling public with sleeping accommodations in a maximum of three (3) rooms and other related services and facilities within the occupants dwelling unit.

**Bed and  
Breakfast**

**BEVERAGE ROOM:** Means a building or portion of a building or premises, other than a restaurant, where liquor, spirits and food are stored, sold and consumed and which is licensed under The Liquor License Act.

**Beverage  
Room**

## SECTION 2: DEFINITIONS

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BOARDING OR LODGING HOUSE: (See DWELLING, BOARDING or LODGING HOUSE).	<b>Boarding or Lodging House</b>
BUILDING: Means any structure used or intended to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or fence.	<b>Building</b>
BUILDING, ACCESSORY: Means a subordinate detached building or structure designed or intended for the better or more convenient enjoyment of the main building, to which it is accessory and which is located on the same lot therewith. An accessory building shall be uninhabitable unless otherwise specifically permitted.	<b>Accessory Buildings</b>
BUILDING, MAIN: Means a building designed and used for the principal use on the lot.	<b>Main Building</b>
BUILDING INSPECTOR: (See CHIEF BUILDING OFFICIAL)	<b>Chief Building Official</b>
BUILDING LINE: Means a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.	<b>Building Line</b>
BUILDING SUPPLY OUTLET: Means a building, structure or lot where building supplies including lumber, siding, roofing, plumbing, electrical, heating, air conditioning and similar items are kept for display and/or sale and may include the assembly and/or finishing of the items and contracting the construction or installation of the items.	<b>Building Supply Outlet</b>
BULK STORAGE: Means the use of a building, structure or lot for the purpose of storing and selling coal, fuel oil, chemicals and similar items, but does not include any manufacturing, assembling or processing uses.	<b>Bulk Storage</b>
BUSINESS OFFICE: (See OFFICE, BUSINESS)	<b>Business Office</b>
BUTCHER SHOP: Means a building or portion of a building where animals, poultry and/or fish carcasses are processed and packaged for retail sale on the premises, but shall not include an abattoir.	<b>Butcher Shop</b>
<b>2C</b>	
CARPORT: Means a partially enclosed structure, which is attached to the main building and which is used primarily for the storage of one or more motor vehicles and in which no business, occupation or service is conducted for profit.	<b>Carport</b>
CEMETERY: Means a place used for the interment of human bodies as defined under the Cemeteries Act and includes accessory uses such as crematorium, columbarium and chapel.	<b>Cemetery</b>
CELLAR: Means that portion of a building which has more than one-half of its height from finished floor to finished ceiling below the adjacent finished grade.	<b>Cellar</b>
CHIEF BUILDING OFFICIAL: Means an officer or employee of the Corporation	<b>Chief Building</b>

## **SECTION 2: DEFINITIONS**

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charged with the duty of enforcing the provisions of the Building Code Act, the Zoning By-law and similar By-laws of the Corporation.	<b>Official</b>
CHURCH: Means a building dedicated to religious worship. Permitted accessory uses may include a church or parish hall, rectory, Sunday school and licensed day nursery.	<b>Church</b>
CLINIC, ANIMAL: (See ANIMAL CLINIC)	<b>Animal Clinic</b>
CLINIC, MEDICAL: (See MEDICAL CLINIC)	<b>Medical Clinic</b>
CLUB, COMMERCIAL: (See COMMERCIAL SPORTS AND RECREATION CENTRE)	<b>Commercial Club</b>
COMMERCIAL SCHOOL: (See SCHOOL, COMMERCIAL)	<b>Commercial School</b>
COMMERCIAL SPORTS AND RECREATION CENTRE: Means an athletic, recreational or social club operated for gain or profit or for the private use of members.	<b>Commercial Sports and Recreation Centre</b>
COMMERCIAL STORAGE: Means a building or structure in which more than one storage unit is rented and used for the temporary storage of household items, vehicles and/or commercial goods and materials, but does not include any business operation or use associated with the storage. Each unit is physically separated from other units within the building and has its own entrance.	<b>Commercial Storage</b>
COMMERCIAL YARD SALE: Means the sale of new or used household items including, but not limited to, clothing, furniture, appliances, house wares, sporting or recreational equipment and toys which is conducted by a person or persons on a regular basis, whether or not seasonally and whether or not on the same lot.	<b>Commercial Yard Sale</b>
COMMUNICATION FACILITY: Means any use of land that is primarily for the transmission of electronic signals through the air and includes a transmitting station or tower.	<b>Communication Facility</b>
COMMUNITY CENTRE: Means any land, building and/or structure that is used for community activities, whether used for commercial purposes or not, the control of which is vested in the corporation, a local board or agent thereof.	<b>Community Centre</b>
CONSERVATION: Means the maintenance of the natural environment for the purposes of preservation, research, observation and outdoor uses such as hiking and fishing. This definition may include the construction and use of trail shelters and other similar structures ancillary to the foregoing uses, but shall not include a dwelling house, a mobile home or a tourist vehicle.	<b>Conservation</b>
CONTRACTOR OR TRADESMAN ESTABLISHMENT: Means a building or part of a building where mechanical, electrical, structural, plumbing or like contractors conduct their businesses, whether in conjunction with a retail store or not, and may include offices, display areas and storage areas, but shall not include open storage.	<b>Contractor or Tradesman Establishment</b>
CONVENIENCE STORE: Means a building or part of a building wherein	<b>Convenience Store</b>

## SECTION 2: DEFINITIONS

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convenience commercial goods and foodstuffs which serve the day-to-day needs of local residents are offered for sale and may include an automobile gas bar.

CONVERTED DWELLING: (See DWELLING, CONVERTED).

**Converted Dwelling**

CORNER LOT: (See LOT, CORNER).

**Corner Lot**

CORPORATION: Means the Corporation of the Village of Westport

**Corporation**

COVERAGE: (See LOT, COVERAGE)

**Coverage**

CUSTOM WORKSHOP: Means a building or part of a building where individual custom productions such as drapes, venetian blinds, handmade leather goods, orthopedic and prosthetic appliances, weaving, awnings and other non-offensive, non-dangerous custom production is carried out, but does not include any factory production or any shop or factory otherwise classified or defined in this By-law. A custom workshop may include an accessory retail use up to 25% of the gross leasable floor area.

**Custom Workshop**

### 2D

DAIRY: Means a building or portion of a building where dairy products are produced and processed for packaging, distribution and resale off premises. A dairy may include an accessory retail use up to 25% of the gross leasable floor area.

**Dairy**

DAY NURSERY, PRIVATE: Means a dwelling in which the owner or tenant conducts a home occupation by providing temporary care, supervision and board for less than 5 children who are not of common parentage.

**Private  
Day Nurseries**

DAY NURSERY, LICENSED: Means a building or part of a building in which temporary care, supervision and/or board for more than 5 children who are not of common parentage is provided and which is licensed under the Day Nurseries Act.

**Licensed  
Day Nurseries**

DENSITY: Means the ratio of the number of dwelling units to the lot area.

**Density**

DEPTH: (See LOT, DEPTH)

**Depth**

DRIVEWAY: Means the area between the traveled portion of a street and a parking lot used by motor vehicles for access to and from the parking lot, but does not include an aisle. A driveway on a residential lot may be used as one or more parking spaces, excluding the required parking spaces, where specifically permitted herein.

**Driveway**

DRY CLEANING DISTRIBUTION STATION: Means a building or part of a building used for receiving clothing articles, or fabric goods to be subjected to the process of dry cleaning, dry dyeing, or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process. Notwithstanding the foregoing, on-site dry cleaning, dry dyeing, cleaning and pressing of personal clothing and household articles are permitted.

**Dry Cleaning  
Distribution  
Station**

DRY CLEANING PLANT: Means a building or part of a building in which the

**Dry Cleaning**

## **SECTION 2: DEFINITIONS**

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business of dry cleaning, dry dyeing, cleaning or pressing of clothing articles or fabric goods is carried on.

**Plant**

**DWELLING HOUSE:** Means a building containing one or more dwelling units, each of which is occupied or intended to be occupied by one household and excluding hotels/motels, trailers, recreational vehicles, or tents.

**Dwelling House**

**DWELLING UNIT:** Means a suite of two or more habitable rooms designed for use and occupied by not more than one household in which separate kitchen and sanitary facilities are provided for the exclusive use of the household, with a private entrance from outside the building or from a common hallway or stairway inside the building.

**Dwelling Unit**

**ACCESSORY APARTMENT DWELLING UNIT:** Means an accessory dwelling unit located in a single-detached dwelling house that does not occupy the whole of a storey within the dwelling, and that shares at least two of the following with the principal dwelling unit:

**Accessory Apartment**

- building entrance,
- parking area and/or
- private amenity area .

**ACCESSORY DWELLING HOUSE:** Means a single detached dwelling house which is accessory to a permitted Non-Residential use and is occupied by either the owner of the lot or by one employee employed on the lot where such accessory dwelling house is located.

**Accessory Dwelling**

**ACCESSORY DWELLING UNIT:** Means a dwelling unit within a Non-residential building which is accessory to a permitted Non-Residential use and is occupied by either the owner of the lot or by one employee employed on the lot where such accessory dwelling unit is located.

**Accessory Dwelling Unit**

**APARTMENT DWELLING HOUSE:** Means a building containing a number of dwelling units which share a common entrance from the street level wherein the occupants have the right to use common halls and/or stairs and/or elevators and yards.

**Apartment Dwelling House**

**BOARDING/ROOMING DWELLING HOUSE:** Means a single-detached dwelling house existing at the time of the passing of this By-law in which rooms are rented individually, with or without meals, for three or more persons who are not a household but does not include any other establishment otherwise defined or classified herein.

**Boarding/Rooming House**

**CONVERTED DWELLING HOUSE:** Means a single-detached dwelling house existing at the time of the passing of this By-law which because of size and design, has been or can be converted by partition and the addition of sanitary facilities and cooking facilities into more than one dwelling unit.

**Converted Dwelling House**

**DUPLEX DWELLING HOUSE:** Means the whole of a dwelling house divided horizontally into two dwelling units, each of which has an independent entrance

**Duplex Dwelling House**

## SECTION 2: DEFINITIONS

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either directly from the outside or through a common vestibule.

**GROUP DWELLING:** Means a dwelling house that is part of a group of dwelling houses on the same lot.

**Group Dwelling**

**MODULAR DWELLING HOUSE:** Means a single-detached dwelling house built in one or more major pieces and transported to the site where it is assembled, as opposed to a dwelling built entirely on site. A modular dwelling house shall be manufactured in accordance with the A 277 standard of the Canadian Standards Association. For the purposes of this By-law, a modular dwelling shall be deemed to be a single detached dwelling house.

**Modular Dwelling**

**MULTIPLE DWELLING HOUSE:** Means a dwelling containing three or more dwelling units not otherwise defined herein.

**Multiple Dwelling**

**SEMI-DETACHED DWELLING HOUSE:** Means one of a pair of dwelling units divided vertically into two dwelling units, each of which has an independent entrance either directly from the outside of through a common vestibule.

**Semi-Detached Dwelling House**

**SINGLE DETACHED DWELLING HOUSE:** Means a completely detached dwelling house.

**Single-Detached Dwelling House**

**TOWNHOUSE DWELLING HOUSE:** Means a dwelling house divided vertically into 3 or more dwelling units, each of which has independent entrances to front and rear privacy yards.

**Townhouse**

1. **STREET TOWNHOUSE DWELLING HOUSE:** Means a townhouse dwelling house that abuts an open street or a private street on a common elements plan of condominium, and is designed as an independent dwelling unit for freehold occupancy.

**Street Townhouse**

2. **PLANNED UNIT TOWNHOUSE DWELLING HOUSE:** Means a townhouse dwelling house, which forms part of a group of such dwelling houses and which shares common facilities with the other dwelling houses such as access to a public road, parking facilities, open space, recreation areas, and is designed as an integral part of a complex for condominium, cooperative and/or rental occupancy.

**Planned Unit Townhouse**

### 2E

**EMPLOYEE:** Means a person who is hired, contracted, engaged or otherwise employed by another person or persons or by a company, partnership, corporation or similar organization to perform or carry out work. For the purpose of this definition, an employee includes any person who is employed full time or part time, whether for a salary, commission, hourly wage, other consideration or as a volunteer, and includes the owner, owners, partners, principals and officers of the company, partnership, corporation or organization.

**Employee**

**ERECT:** Means to build, construct, reconstruct, alter and 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, and any other work which requires a building

**Erect**

## SECTION 2: DEFINITIONS

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permit.

**ESTABLISHED BUILDING LINE:** Means the average distance between the street and the building line for all main buildings on the same side of the street within the same block as of the date of the passing of this By-law.

**Established Building Line**

**EXISTING:** Means existing as of the date of the passing of this By-law.

**Existing**

**EXISTING USE:** Means the purpose for which any land, building, structure or combination thereof is designed, arranged, occupied or maintained as of the date of the passing of this By-law.

**Existing Use**

**EXTERIOR SIDE LOT LINE:** (See LOT LINE)

**Exterior Side Lot Line**

**EXTERIOR SIDE YARD:** (See YARD)

**Exterior Side Yard**

### 2F

**FARM:** (See AGRICULTURE)

**Farm**

**FARM IMPLEMENT SALES:** Means a building and/or lot where new and/or used farm implements are kept for display, sale and/or rental. Accessory uses may include those normally required for performing maintenance on and repair of farm implements, including service centres, service bays, storage of farm implement parts, etc.

**Farm Implement Sales**

**FARM SUPPLY SALES:** Means a building wherein farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel, etc. are sold or rented.

**Farm Supply Sales**

**FILL LINE:** Means a line delineating that area both inside and outside of the flood plain, where fill placement, excavation and lot grading are regulated under the Fill, Construction and Alterations to Waterways Regulations of the responsible Conservation Authority.

**Fill Line**

**FLOOD LINE:** Means the line which delineates 1:100 year flood boundary

**Flood Line**

**FLOOD PLAIN:** Means the area below the flood line, as herein defined, which is subject to The Fill, Construction and Alteration to Waterways Regulations of the Conservation Authority Regulations under The Conservation Authorities Act.

**Flood Plain**

**FINANCIAL OFFICE:** Means a building or part of a building in which a bank, trust company, finance company, mortgage company or investment company is located.

**Financial Office**

**FINISHED GRADE:** (See GRADE, FINISHED)

**Finished Grade**

**FLOOR AREA:** (See GROSS LEASABLE FLOOR AREA)

**Floor Area**

**FORESTRY USE:** Means the planting, management and/or harvesting of timber resources including the establishment of a temporary or portable sawmill as an accessory use for the processing of timber resources taken from the lot on which the temporary or portable sawmill is located, but does not include the

**Forestry Use**

## SECTION 2: DEFINITIONS

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establishment of a permanent sawmill, as herein defined.

FRONTAGE: (See LOT, FRONTAGE)

**Frontage**

FUEL PUMP ISLAND: Means a structure on a lot of an automobile gas bar, retail propane/compressed natural gas transfer facility or automobile service station where the fuel pumps are located.

**Fuel Pump  
Island**

FUNERAL HOME: Means a building used for the preparation of deceased human bodies for interment or cremation, for the viewing of deceased persons, and for the holding of funeral services.

**Funeral Home**

### 2G

GARAGE, PRIVATE: Means an accessory building or part of a residential building located on a residential lot intended for the storage of one or more vehicles, in which no business, occupation or service is conducted for profit. Freestanding garages are accessory buildings.

**Private Garage**

GARDEN SUITE: Means a one-unit detached residential structure containing sanitary and kitchen facilities that is accessory to an existing permanent residential structure and that is designed to be portable, but does not include a mobile home, a park model trailer, a travel trailer or any other type of recreational vehicle. (Also known as a Granny flat)

**Garden Suite**

GOLF COURSE: Means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, but does not include driving ranges, miniature courses and similar uses.

**Golf Course**

GRADE, FINISHED: With reference to a building, means the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment, and when used with reference to a street means the elevation of the street established by the Corporation or other designated authority.

**Finished Grade**

GREENHOUSE: Means a building and/or structure used for the growing of flowers, vegetables, shrubs, trees and similar vegetation including any part of a building, structure or area used for the sale of garden supplies and landscaping materials which may include seeds, bulbs, tools, etc. This definition shall not include any premises for the growing of mushrooms.

**Greenhouse**

GROSS LEASABLE FLOOR AREA: Means the sum total of the area of the floor or floors, above and below grade, measured from the exterior faces of the exterior walls of a building or structure at the level of each floor but shall not include:

**Gross Leasable  
Floor Area**

1. any part of the building or structure below grade which is used for heating equipment, storage, laundry facilities and similar accessory uses.
2. any part of the building or structure used for the storage or parking of motor vehicles.

GROUP HOME, TYPE A: Means a single household unit in a dwelling, in which

**Type A Group**

**SECTION 2: DEFINITIONS**

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3 to 10 residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents, and which is licensed or approved under Provincial Statute and is in compliance with Municipal by-laws. This definition does not include residences for young offenders, adult offenders, or boarding/rooming dwelling houses.

**Home**

GROUP HOME, TYPE B: Means a single household unit in a dwelling in which a maximum of ten residents live together under custodial supervision consistent with the particular needs of its residents. A Young Offenders Type B group home shall be licensed or approved by either the Ministry of Community and Social Services or the Ministry of Correctional Services under the Young Offenders Act. An Adult Offenders Type B group home, or Community Resource Centre, shall be licensed or approved by the Ministry of Correctional Services under the Ministry of Correctional Services Act.

**Type B Group Home**

GUEST HOUSE: (See TOURIST GUEST HOUSE)

**Guest House**

**2H**

HABITABLE ROOM: Means a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a bathroom, den, library or enclosed sun room but shall not include any porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

**Habitable Room**

HEIGHT: Means the vertical distance of a building between the finished grade, and:

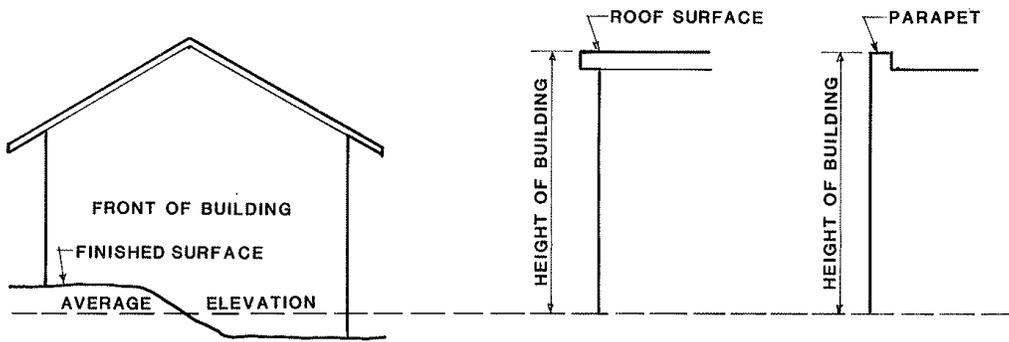
**Height**

1. the highest point of the roof surface or the parapet, whichever is the greater of a flat roof; or
2. the declivity of a mansard roof; or
3. the mean level between eaves and ridge of a gabled, hip, gambrel, cottage or other type of pitched roof.

HIGHWAY: (See STREET)

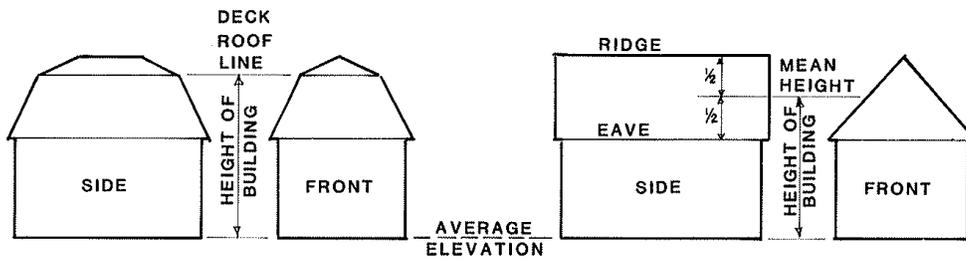
**Highway**

Illustration of Heights of Buildings



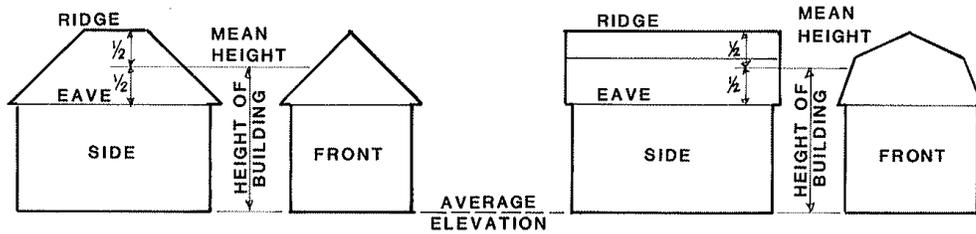
AVERAGE ELEVATION

FLAT ROOF



MANSARD ROOF

GABLE ROOF



HIP ROOF

GAMBREL ROOF

THIS ILLUSTRATION DOES NOT FORM PART OF THIS BY-LAW, BUT IS PROVIDED FOR CONVENIENCE.

## **SECTION 2: DEFINITIONS**

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**HOME FOR THE AGED:** Means a building established and/or maintained by the Corporation under The Homes for the Aged and Rest Homes Act.

**Home for the Aged**

**HOME OCCUPATION:** Means an occupation conducted for gain or profit as an accessory use to a residential use in accordance with the regulations herein.

**Home Occupation**

**HOME INDUSTRY:** Means an occupation conducted for gain or profit as an accessory use within a dwelling unit and/or within an accessory building on the same lot in accordance with the regulations herein.

**Home Industry**

**HOTEL:** Means a building, or part of a building, or two or more disconnected or detached buildings, designed to be used for the purpose of catering to the needs of the traveling or vacationing public by furnishing sleeping accommodation with or without kitchens, with or without supplying food, and may include meeting rooms, banquet halls, public dining rooms, and any premises licensed under the Liquor License Act and shall include an inn, a motel or motor inn but shall not include, boarding/rooming dwelling houses, beverage rooms or apartment dwelling houses.

**Hotel**

**HOUSEHOLD:** Means the collection of all individuals normally resident in a dwelling unit.

**Household**

### **2I**

**INSTITUTION:** Means a building or part of a building used for a non-commercial purpose by an organized body or society for promoting a particular purpose. This definition may include a library, college, university, convent, monastery, public museum or similar use, but shall not include an assembly hall.

**Institution**

**INTERIOR LOT:** (See LOT)

**Interior Lot**

**INTERIOR SIDE YARD:** (See YARD)

**Interior Side Yard**

### **2J**

Reserved for future use.

### **2K**

Reserved for future use.

### **2L**

**LANDSCAPED OPEN SPACE:** Means the area of a lot comprised of lawn, natural or ornamental shrubs, flowers and trees including space occupied by paths, walks, courts, patios and pools, but shall not include parking lots, aisles, driveways, loading spaces, curbs, or ramps for vehicles.

**Landscaped  
Open Space**

**LANE:** Means a public thoroughfare which affords a means of access to abutting lots but which is not a street as defined herein and is not intended for general traffic circulation.

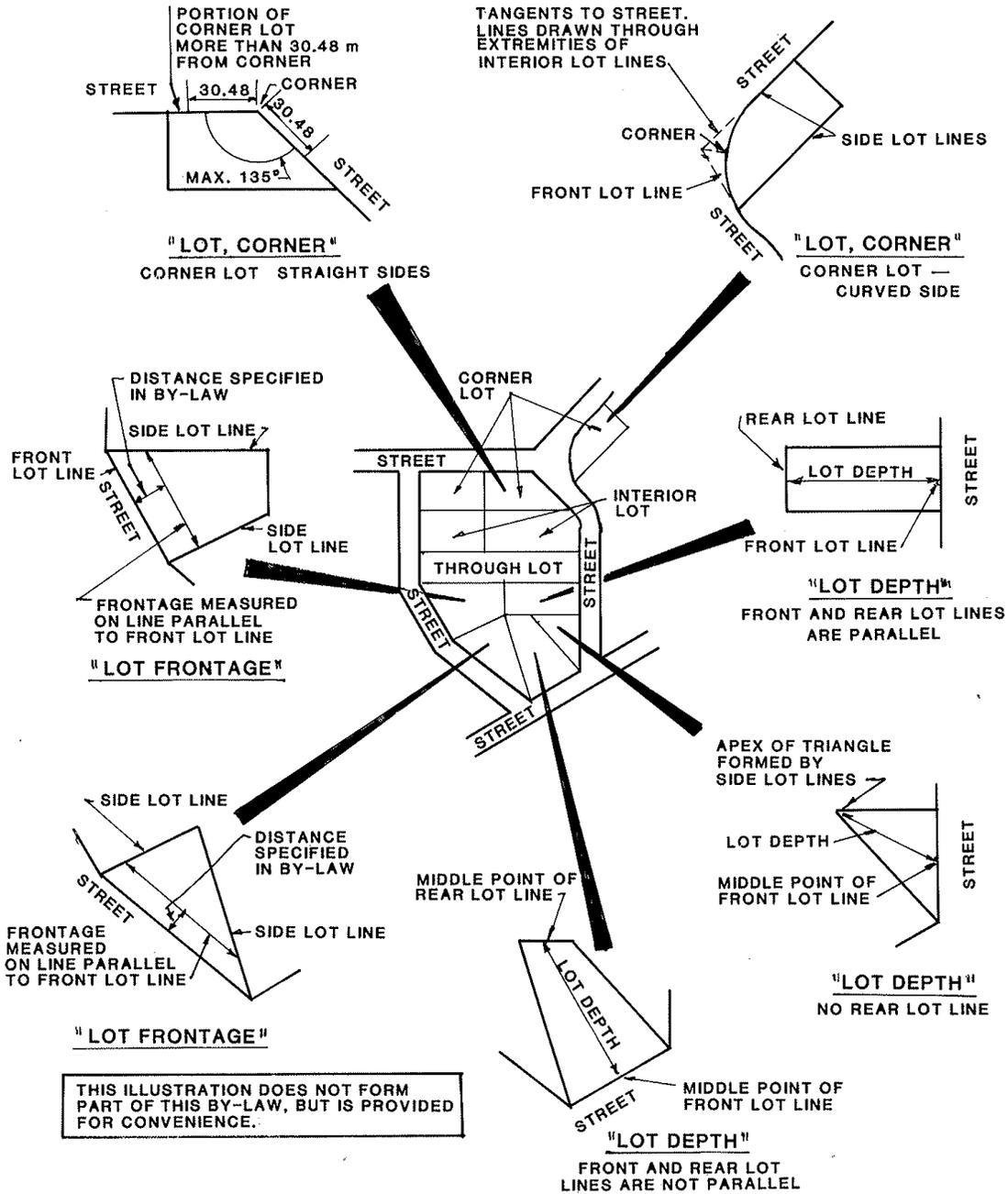
**Lane**

## **SECTION 2: DEFINITIONS**

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LAUNDROMAT: Means a building or part of a building containing two or more washing and/or self-service dry-cleaning machines and/or dryers for use by the public which is operated for profit or gain.	<b>Laundromat</b>
LOADING SPACE: Means a space or bay located on a lot which is used or intended to be used for the temporary parking of any vehicle while loading or unloading goods, merchandise, animals or materials used in connection with the use of the lot or any building thereon.	<b>Loading Space</b>
LOT: Means any parcel of land described in a registered deed or shown in a registered plan of subdivision, which is capable of being legally conveyed from one party to another and including any parts of the parcel which are subject to right of easement.	<b>Lot</b>
CORNER LOT: Means lot situated at the intersection of and abutting two streets which intersect at an angle of less than 135 degrees.	<b>Corner Lot</b>
INTERIOR LOT: Means a lot situated between adjacent lots and abutting one street.	<b>Interior Lot</b>
IRREGULAR LOT: Means a lot abutting more than one street, but not otherwise defined herein.	<b>Irregular Lot</b>
THROUGH LOT: Means a lot bounded on two opposite sides by streets provided, however, that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be conclusively deemed to be a corner lot.	<b>Through Lot</b>
WATERFRONT LOT: Means a lot with at least one lot line abutting the shoreline of a waterbody.	<b>Waterfront Lot</b>

Illustration of Lot Definitions



## SECTION 2: DEFINITIONS

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**LOT AREA:** Means the total horizontal area within the lot lines of a lot. For calculating the minimum lot area requirement such area shall exclude areas covered by a waterbody or watercourse, or areas located within the mapped flood plain, or areas between the top and toe of cliffs or embankments having a slope of 30 degrees or more from the horizontal shall not be included.

**Lot Area**

**LOT COVERAGE:** Means the percentage of the lot area covered by buildings or structures exclusive of canopies, balconies and overhanging eaves and private swimming pools protruding not more than 1.5 m (16 ft) (5 ft) above finished grade.

**Lot Coverage**

**LOT DEPTH:** Means the horizontal distance between the front lot line and the rear lot line.

**Lot Depth**

For the purpose of determining the required minimum lot depth for lots which are not square or rectangular the following shall apply:

1. If the front and rear lot lines are not parallel, the lot depth shall be measured by joining the mid-point of the front lot line with the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.
2. In the case of a corner lot with a curved front lot line, the lot depth shall be measured by first extending the front and exterior side lot lines as tangents, from the point where each lot line begins to curve, in a straight line to their point of intersection. The lot depth shall then be measured by joining the mid-point of the tangent to the front lot line and the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.

**LOT FRONTAGE:** Means the width of the lot between the side lot lines at the front lot line.

**Lot Frontage**

For the purpose of determining the required minimum lot frontage in the case of a lot without parallel side lot lines and/or without a straight front lot line, the following shall apply:

1. the minimum required lot frontage shall be measured as the length of the front lot line; or
2. the minimum required lot frontage shall be measured as the horizontal distance between the side lot lines, measured between the points on the side lot lines equal to the front yard requirement for the use in the zone in which the lot is located.

**LOT LINE, FRONT:** Means the line dividing the lot from the street.

**Front Lot Line**

For the purpose of determining the front lot line the following shall apply:

## SECTION 2: DEFINITIONS

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1. 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 a street shall be deemed an exterior lot line. If such lot lines are of equal length, the front lot line shall be deemed to be the lot line as established by building orientation and/or main access.
2. In the case of a through lot the shorter of the lines dividing the lot from the streets shall be deemed the front lot line. If such lines are of equal length, the front lot line shall be deemed to be the line as established by building orientation and/or main access.
3. In the case of a waterfront lot, the shoreline shall be deemed to be the front lot line.
4. In the case of an irregular lot, the shortest lot line abutting a street shall be deemed to be the front lot line, or the front lot line shall be deemed to be the lot line as established by building orientation and/or main access, whichever is the more appropriate.

LOT LINE, REAR: Means the lot line furthest from and opposite to the front lot line. In the case of a lot having 4 or more lot lines, the one lot line farthest from and opposite to the front lot line shall be deemed to be the rear lot line. In the case of a lot having 3 lot lines, there shall be deemed to be no rear lot line.

**Rear Lot Line**

LOT LINE, SIDE: Means the lot line or lines other than a front lot line or rear lot line.

**Side Lot Line**

### 2M

MAIN WALL: Means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

**Main Wall**

MARINA: Means a lot, building or structure containing docking facilities, boat launching ramps, lifts, boathouses, and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided, and may include a building or structure for the sale of accessories or refreshments, but does not include a marine facility.

**Marina**

MARINE FACILITY: Means an accessory building or structure located on a waterfront lot which is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or a marina.

**Marine Facility**

## SECTION 2: DEFINITIONS

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MARKET: Means the sale of new or used goods, wares, merchandise, substances, articles or things to the general public, including but not limited to: arts, crafts and other homemade articles, fresh and prepared food products; nursery products; and used furniture and other household items, by one or more independent vendors, but does not include the sale of vehicles or livestock. A market may be located in a permanent or temporary building or structure, or may be located partially or entirely in the open. For the purposes of this By-law, a market is considered to be a retail store.	<b>Market</b>
MEDICAL CLINIC: Means a building or part of a building used solely by physicians, dentists, and/or drugless practitioners, their staff and their patients, for the purpose of consultation, diagnosis and office treatment.	<b>Medical Clinic</b>
MERCHANDISE SERVICE SHOP: (See SERVICE SHOP)	<b>Merchandise Service Shop</b>
MODULAR DWELLING: (See DWELLING, MODULAR)	<b>Modular Dwelling</b>
MOTEL: (See HOTEL)	<b>Motel</b>
MOTOR HOME: Means a self-propelled vehicle designed for living, sleeping and eating accommodation.	<b>Motor Home</b>
MOTOR VEHICLE: Means a motor vehicle as defined by The Highway Traffic Act.	<b>Motor Vehicle</b>
MUNICIPALITY: (See CORPORATION).	<b>Municipality</b>
MUSEUM: Means a lot, building and/or structure used for the storing and exhibition of objects illustrating antiquities, natural history, arts, etc. and which may be publicly or privately owned and/or managed.	<b>Museum</b>
<b>2N</b>	
NON-COMPLYING: Means an existing use, building or structure which is a permitted use in the zone in which it is located but which does not comply, or agree with one or more of the required zone provisions of this By-law.	<b>Non-Complying</b>
NON-CONFORMING: With reference to a use, means an existing use which is not a permitted use in the zone in which it is located, and with reference to a lot means a lot having less than the minimum lot area and/or lot frontage required in the zone in which such lot is located.	<b>Non-Conforming</b>
NURSING HOME: Means a building containing multiple rooms with common access to eating, bathroom, recreation and leisure areas for temporary occupancy by those requiring nursing or other care and where meals, personal care, nursing services and medical care and treatment are provided or made available, as defined under the Nursing Homes Act.	<b>Nursing Home</b>

## SECTION 2: DEFINITIONS

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### 2O

**OBNOXIOUS USE:** Means a use which is offensive by reason of its emission of odour, smoke, dust, noise, gas, fumes, vibration, or refuse matter, or is a use which under The Health Protection and Promotion Act or its regulations is likely to have an adverse affect on the health of any person.

**Obnoxious Use**

**OFFICE:** Means a building or part of a building used or intended to be used in the performance and transaction of business including professional, administrative and clerical activities.

**Office**

**OPEN STORAGE AREA:** Means a lot or part of a lot used for the storage of equipment, goods or materials excluding a parking lot and a salvage yard.

**Open Storage Area**

### 2P

**PARK, PRIVATE:** Means a recreational area other than a public park.

**Private Park**

**PARK, PUBLIC:** Means a recreational area consisting largely of open space, which may include a playground, swimming pool, arena, playfield, or similar use, owned or controlled by the Corporation, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and includes a community centre as herein defined.

**Public Park**

**PARKING LOT:** Means an area, building or structure used for the temporary parking of motor vehicles and includes any related aisles and parking spaces but shall not include any part of a driveway, street or lane. This definition may include a parking garage.

**Parking Lot**

**PARKING SPACE:** Means a portion of a parking lot or parking garage used for the temporary parking or storage of a motor vehicle, exclusive of any aisles, or driveways, which:

**Parking Space**

1. in the case of a private garage or carport consists of an area of not less than 14.3 m<sup>2</sup> (155 ft<sup>2</sup>) with a minimum width of 2.6 m (8.5 ft);
2. in the case of regular or angled parking spaces consists of a minimum width of 2.75 m (9 ft) and a minimum length of 5.75 m (19 ft), with the parking space measured at right angles to the angle of parking; and
3. in the case of parallel parking spaces, consists of a minimum width of 2.75 m (9 ft) and a minimum length of 6.7 m (22 ft).

**PERSONAL SERVICE SHOP:** (see SERVICE SHOP, PERSONAL)

**Personal Service Shop**

**PLACE OF ENTERTAINMENT:** Means a motion picture or other theatre, arena, auditorium, public hall, dance hall, or music hall, but does not include a place of recreation or commercial sports and recreation centre.

**Place of Entertainment**

## SECTION 2: DEFINITIONS

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PLACE OF RECREATION: Means a lot, building or structure in which various forms of recreation are provided for a fee, including amusement parks, mini-golf courses, billiard or pool room, bowling alley, curling rink, ice or roller rink, and arcades, but does not include any place of entertainment, commercial sports and recreation centre, public parks or private parks.	<b>Place of Recreation</b>
PLAY AREA: Means an outdoor area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for the common recreation of the residents of a dwelling house.	<b>Play Area</b>
PRINCIPAL: (See MAIN).	<b>Principal</b>
PRINT SHOP: Means a retail establishment that provides printing or duplicating services using photography, blueprint or offset printing equipment.	<b>Printing Shop</b>
PRINTING ESTABLISHMENT: Means an establishment used for printing, typesetting, blueprinting, engraving, stereotyping or electro-typing and shall include such uses as newspaper or book publishing and shall also include a print shop.	<b>Printing Establishment</b>
PRIVATE AMENITY AREA: Means a privacy yard immediately adjacent to the dwelling unit which serves the household and with access controlled by the household of the dwelling unit.	<b>Private Amenity Area</b>
PROPANE/COMPRESSED NATURAL GAS TRANSFER AND HANDLING FACILITY:	<b>Propane/Compressed Natural Gas Transfer and Handling Facility</b>
<ol style="list-style-type: none"><li>1. Retail propane/compressed natural gas transfer facility means a transfer facility that is licensed under the provisions of The Energy Act, R.S.O. 1980 C.139, from which petroleum fuels (propane and compressed natural gas) may be retailed to the public.</li><li>2. Consumer outlet propane/compressed natural gas transfer facility means a non-retail transfer facility licensed under The Energy Act, R.S.O. 1980 C.139, where vehicles, appliances and other equipment of the business or establishment to which the said facility belongs are refueled with petroleum fuels (propane and compressed natural gas).</li><li>3. Gas cylinder handling facility means a facility licensed under The Energy Act, R.S.O. 1980 C.139, where bottled gases are handled and stored in cylinders and where there is no element of transfer.</li><li>4. Bulk propane storage depot means a propane transfer facility that has an aggregate capacity in excess of 7571 litres (2000 U.S. gallons).</li></ol>	
PUBLIC AUTHORITY: Means any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners of Police, or other board or commission or committee of a local authority established or exercising any power or authority under any general or special Statute of Ontario with respect to any of the affairs or purposes of a municipality or a portion thereof and includes any committee or local authority established by By-law of the municipality.	<b>Public Authority</b>
PUBLIC USE: Means the use of any land, building or structure by a public authority.	<b>Public Use</b>

## SECTION 2: DEFINITIONS

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**PUBLIC UTILITY:** Means the use of any land, building or structure by a telephone, gas or railway company or similar company for purposes of installing and maintaining public utilities.

**Public Utility**

**PUMP ISLAND:** (See FUEL PUMP ISLAND)

**Pump Island**

### 2Q

Reserved for future use.

### 2R

**RECREATIONAL VEHICLE:** Means a vehicle designed for use principally for recreation and includes a travel trailer, tent trailer, motor home, boat, boat trailer, snowmobile, all terrain vehicle, etc.

**Recreational Vehicle**

**RECREATIONAL VEHICLE SALES:** Means a building and/or lot where recreational vehicles are kept for display and/or sale. Permitted accessory uses may include those normally required for performing maintenance and repair including service centre, service bays, body shop, storage of parts, etc.

**Recreational Vehicle Sales**

**RELIGIOUS INSTITUTION:** Means a building or part of a building used for bible institute, a Christian science reading room, a religious library, a religious school, a monastery, a convent, a religious retreat or similar use but shall not include a church.

**Religious Institution**

**REPAIR SHOP:** (See SERVICE SHOP, REPAIR)

**Repair Shop**

**RESTAURANT:** Means a building or part of a building where food is offered for sale to the public for consumption on or off the premises and includes restaurants, cafes, cafeterias, ice cream parlours, tea or lunch rooms, dairy bars, coffee shops, snack bars and which may be licensed by The Liquor Board. This definition does not include a take-out restaurant, although a take-out counter within a restaurant is permitted.

**Restaurant**

**RESTAURANT, TAKE-OUT:** Means a building or structure where food is offered for sale to the public solely for consumption off the premises.

**Take-Out Restaurant**

**RETAIL STORE:** Means a building or part of a building in which goods, wares, merchandise, substances, articles or things are kept and offered for sale directly to the general public, but does not include any establishment otherwise defined herein. A retail store shall also include minor fabricating, processing, assembling and/or manufacturing operations where customers and/or employees produce a finished product from the goods, wares, merchandise, substances or things which are sold on the premises and without limiting the generality of the foregoing includes such uses as picture framing, wine and beer making, and arts and crafts. A retail store also includes the sale of used goods, wares, merchandise, substances, articles or things and without limiting the generality of the foregoing includes such uses as an antique store and market.

**Retail Store**

**RETIREMENT RESIDENCE:** means a premise where lodging is provided primarily for retired persons and may include common facilities for eating, recreation and other such activities and may also include limited medical care.

**Retirement Residence**

## SECTION 2: DEFINITIONS

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RIGHT-OFWAY: (See STREET)	<b>Right-of-way</b>
RIGHT-OF-WAY, PRIVATE: Means land which is owned by other than a public authority over which right-of-way has been granted to others for access purposes.	<b>Private Right-of-way</b>
ROAD: (See STREET)	<b>Road</b>
ROW HOUSE DWELLING: (See DWELLING, TOWNHOUSE)	<b>Row House Dwelling</b>
<b>2S</b>	
SAMPLE AND SHOWROOM: Means a building or part of a building used for the display of samples, patterns or other goods for viewing by the consumer and where purchase orders are taken, provided that articles from the display are not taken from the premises.	<b>Sample and Showroom</b>
SCHOOL: Means a school under the jurisdiction of a Board as defined in the Department of Education Act.	<b>School</b>
SCHOOL, COMMERCIAL: Means a school conducted for hire or gain, other than a private, academic, religious or philanthropic school, and includes the studio of a dancing teacher or a music teacher, an art school or golf school, a school of calisthenics, a business or trade school and any other such specialized school conducted for hire or gain.	<b>Commercial School</b>
SCREENING: Means the use of landscaping, walls, fences, hedges and/or other ornamental fixtures to shield the view from one lot to another.	<b>Screening</b>
SEMI-DETACHED DWELLING: (See DWELLING HOUSE, SEMI-DETACHED)	<b>Semi-Detached Dwelling</b>
SERVICE, BUSINESS: Means a building or part of a building used primarily to provide goods or services to other businesses and, without limiting the generality of the foregoing, includes such uses as courier, equipment and supply, data processing, research, training, rental and similar uses not otherwise defined herein.	<b>Business Service</b>
SERVICE SHOP, REPAIR: Means a building or part of a building wherein articles, goods or materials such as appliances, furniture, office equipment or similar items may be repaired or serviced. This definition shall not include any manufacturing operation, building or structure used for the service or repair of vehicles, or a custom workshop.	<b>Repair Service Shop</b>
SERVICE SHOP, PERSONAL: Means a building or part of a building wherein a personal service is provided. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, an artist's or photographic studio or similar use.	<b>Personal Service Shop</b>
SERVICE STATION: (See AUTOMOBILE SERVICE STATION)	<b>Service Station</b>

## **SECTION 2: DEFINITIONS**

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**SETBACK:** The least horizontal dimension between the centreline of a street allowance or right-of-way, measured at right angles to such centreline, and the nearest part of any excavation, building or structure on the lot, or the nearest open storage use on the lot.

**Setback**

**SIGHT TRIANGLE:** Means the triangular space formed by intersecting street lines and a line drawn from a point in one street line to a point on the other street line, each such point being 7.5 m (25 ft) from the point of intersection of the street lines measured along the street lines. Where the 2 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.

**Sight Triangle**

**SINGLE-DETACHED DWELLING** (See DWELLING HOUSE, SINGLE DETACHED)

**Single-Detached Dwelling**

**STOREY:** Means that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 2 m above grade. Provided also that any portion of a storey exceeding 4.5 m (15 ft) in height shall be deemed an additional storey for each 4.5 m (15 ft) or fraction thereof of such excess.

**Storey**

**STOREY, HALF:** Means the portion of a building located wholly or partly within a sloping roof, having a floor area of not less than one-half or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1 m in height and a ceiling with a minimum height of 2.5 m (8 ft) over an area equal to at least 50 percent of its floor area.

**Half Storey**

**STREET, OPEN PUBLIC:** Means an opened and maintained thoroughfare under the jurisdiction of the Corporation, the County, the Province of Ontario, or the government of Canada. This definition includes highways, roads, right-of-ways and road allowances, but excludes a lane and a private right-of-way.

**Open Public Street**

**STREET, UNOPENED PUBLIC:** Means a street which has not been assumed by the Corporation as an open thoroughfare.

**Unopened Public Street**

**STREET, PRIVATE:** Means a street, not otherwise defined herein, which is described on a plan of subdivision or on a plan of condominium which is not under the jurisdiction of the Corporation, but which has been approved by the Municipality.

**Private Street**

**STREET LINE:** Means the limit of the street allowance and is the dividing line between a lot and a street.

**Street Line**

**STRUCTURE:** Means anything constructed or erected either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground. For the purposes of this By-law, a fence not exceeding 2 m (6.5 ft) in height shall be deemed not to be a structure.

**Structure**

**SWIMMING POOL, PRIVATE:** Means any body of water, permanently located outdoors on privately owned property, contained by artificial means, and used and maintained for the purpose of swimming, wading, diving or bathing.

**Private Swimming Pool**

## SECTION 2: DEFINITIONS

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### 2T

**TAXI STATION:** Means a building or structure or a part thereof used in whole or in part to dispatch taxis and includes land used to store vehicles used for the taxi business.

**Taxi Station**

**TOURIST CAMPGROUND:** Means a lot which is used to provide temporary accommodation for the public, or members of an organization in tents, or recreational vehicles, or in tourist trailers, whether or not a fee is charged or paid for such accommodation, including accessory uses such as recreation and leisure areas, restaurant, convenience store, souvenir shop, etc.

**Tourist  
Campground**

**TOURIST ESTABLISHMENT:** Means a building or buildings which are used to accommodate the traveling public for gain or profit by supplying them with sleeping accommodation with or without meals, and shall include a tourist guest house, tourist cabins, a motel, and a hotel. Accessory uses such as recreation and leisure areas, restaurant, convenience store, souvenir shop, etc are included in this definition. A resort and/or all buildings operating under the Act respecting Tourist Establishment 1959 and the Act respecting the regulations of Tourist Camps, 1946 are also included in this definition.

**Tourist  
Establishment**

**TOURIST GUEST HOUSE:** Means a single detached dwelling and/or an accessory building to a single detached dwelling in which more than two guest rooms are used to accommodate the traveling public for gain or profit and may include the provision of meals to the guest room occupants.

**Tourist Guest  
House**

**TOURIST TRAILER:** A trailer which is used or intended to be used for short term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

**Tourist  
Trailer**

**TOWNHOUSE DWELLING:** (See DWELLING HOUSE, TOWNHOUSE)

**Townhouse  
Dwelling**

**TRANSPORTATION TERMINAL:** Means a lot, building or structure where trucks or tractor trailers are kept for hire, rent or lease, are stored or parked for remuneration, or from which trucks or tractor trailers are dispatched for hire as common carriers and includes buildings or structures used for storage or distribution of goods, wares and merchandise.

**Transportation  
Terminal**

### 2U

**UNDERTAKER'S ESTABLISHMENT:** (See FUNERAL HOME)

**Undertaker's  
Establishment**

**USE:** Means the purpose for which any land, building, structure or combination thereof is designed, arranged, occupied, or maintained.

**Use**

**USE, ACCESSORY:** Means a use customarily incidental and subordinate to the main use or main building and located on the same lot with such main use or main building.

**Accessory Use**

## SECTION 2: DEFINITIONS

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### 2V

VEHICLE: (See MOTOR VEHICLE)

**Vehicle**

VETERINARY CLINIC: (See ANIMAL CLINIC)

**Veterinary Clinic**

### 2W

WAREHOUSE: Means a building or portion of a building used for the bulk storage of goods, wares, merchandise, or materials and includes accessory office space, but does not include bulk storage.

**Warehouse**

WASTE DISPOSAL: Means either:

**Waste Disposal**

1. a municipal solid waste disposal facility which is owned and operated by the Village and which is operated under a Certificate of Approval from the Ministry of the Environment wherein non-hazardous household, commercial and industrial wastes are disposed, and includes related recycling and composting operations; or,
2. a sanitary sewage treatment facility, including a treatment plant and/or lagoon(s), which is owned and operated by a municipality or is owned and operated under contract to a municipality, and which is operated under a Certificate of Approval from the Ministry of the Environment, but does not include a private communal sewage disposal system which is operated under a responsibility agreement with the Village or a private sewage disposal system.

WASTE RECYCLING Means the storage, separation, processing and/or packaging of non-hazardous solid waste products for shipment to another location for re-use. Waste Recycling shall require a Certificate of Approval from the Ministry of the Environment.

**Waste Recycling**

WATERBODY: Means any bay, lake, river, canal as well as any flood plain associated with the waterbody, but excluding a drainage or irrigation channel and any other watercourse.

**Waterbody**

WATERCOURSE: Means a natural drainage channel that contains water either permanently or intermittently, including creeks and streams

**Watercourse**

WATER FRONTAGE: Means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.

**Water Frontage**

WATERBODY SETBACK: Means the straight line horizontal distance from the high water mark of a waterbody to the nearest part of any excavation, building, structure or open storage use on the lot.

**Waterbody  
Setback**

WHOLESALE OUTLET: Means a building or portion of a building used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.

**Wholesale  
Outlet**

## SECTION 2: DEFINITIONS

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### **2X**

Reserved for future use.

### **2Y**

**YARD:** Means a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such buildings, accessory use or structures as are specifically permitted elsewhere in this By-law.

**Yard**

**YARD, REQUIRED:** Means the minimum yard required by the provisions of this By-law.

**Required Yard**

**YARD, FRONT:** Means the space extending across the full width of a lot between the front lot line and the nearest part of any main wall of any building or structure on the lot.

**Front Yard**

**YARD, REAR:** Means the space extending across the full width of a lot between the rear lot and the nearest part of any rear wall of any main building or structure on the lot. In the case of a lot which has no rear lot line, the rear yard shall be the area between the point where the side lot lines meet and the nearest part of any wall of any main building or structure on the lot.

**Rear Yard**

**YARD, SIDE:** Means the space extending from the front yard to the rear yard and from the side lot line to the nearest part of any side wall of any main building or structure on the lot.

**Side Yard**

**YARD, EXTERIOR SIDE:** means a side yard immediately adjacent to a public street.

**Exterior  
Side Yard**

**YARD, INTERIOR SIDE:** Means a side yard other than an exterior yard.

**Interior Side Yard**

### **2Z**

**ZONE:** Means a designated area of land shown on Schedule A to this By-law to which certain provisions and restrictions apply.

**Zone**

## **SECTION 3: GENERAL PROVISIONS**

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### **GENERAL PROVISIONS**

#### **3.1 Accessory Apartments**

One accessory apartment dwelling, as herein defined, shall be a permitted use within all single detached dwelling houses, other than accessory single detached dwelling houses, provided that written approval of any individual sewage disposal facility is obtained from the Ministry of Environment or its agent.

#### **3.2 Accessory Uses**

##### **3.2.1 General**

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or use but shall not include:

1. any occupation for gain or profit except as specifically permitted in this By-law; or
2. any building used for human habitation except as specifically permitted in this By-law.

##### **3.2.2 Location**

Accessory buildings and structures shall be permitted in any zone. Except as otherwise prohibited in Section 3.6, accessory buildings and structures shall not:

1. be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot, except as otherwise required in subsection 3.2.2.2 below;
2. be built closer to a street line than the main building or closer than 15 m (50 ft) to the street line, whichever is the lesser, where the main building is set back more than the minimum distance required by this By-law;
3. be built closer than 1.5 m (5 ft) to any interior side or rear lot line in the case of a building or structure accessory to a residential use and closer than 3 m (10 ft) to any interior side or rear lot line in the case of all other accessory buildings or structures, except that:
  1. common semi-detached garages may be centered on the mutual side lot line, and
  2. an accessory building may be located not less than 0.5 m (1.5 ft) from a public lane; and,
4. marine facilities may be built to the lot line when such line corresponds to the water's edge.

##### **3.2.3 Height**

Accessory buildings or structures shall not exceed 5 m (16 ft) in height.

##### **3.2.4 Lot Coverage**

1. In the case of a building or structure accessory to a residential use, the lot coverage shall not exceed 10% of the lot area or 140m<sup>2</sup> (1,500 ft<sup>2</sup>), whichever is the lesser, and shall be

### **SECTION 3: GENERAL PROVISIONS**

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included in the calculation of the total lot coverage permitted in the zone in which the residential use is located.

2. In the case of all other uses, the total lot coverage of all accessory buildings or structures shall not exceed 10% of the lot area.

#### **3.2.5 Separation**

No accessory building or structure shall be located closer than 2 m (6.5 ft) to the main building.

#### **3.2.6 Private Swimming Pools**

Swimming pools are regulated under a separate By-law of the Municipality

### **3.3 Automobile Service Stations, Gas Bars, Etc.**

Where automobile service stations, gas bars and retail propane/compressed natural gas transfer facilities are permitted in this By-law, the following provisions shall apply:

1. The minimum lot frontage shall be 45 m (150 ft);
2. The minimum yard requirements for the main building shall be as follows:
  1. front yard depth 15 m (50 ft)
  2. exterior side yard width 15 m (50 ft)
  3. interior side yard width 7.5 m (25 ft)
  4. rear yard depth 7.5 m (25 ft)
3. The minimum distance between any portion of a fuel pump island and any front or exterior side lot line shall be 7.5 m (25 ft).
4. The distance between any portion of a fuel pump island and any rear or interior side lot line shall be 4.5 m (16 ft).
5. Where the lot is a corner lot, no portion of any pump island shall be located closer than 3 m (10 ft) to a straight line between a point in the front lot line and a point in the exterior side lot line, each such point being 15 m (50 ft) distant from the intersection of such lines.
6. The minimum distance between a driveway and the intersection of street lines, measured along the street line shall be 4.5 m (16 ft).
7. The minimum interior angle of intersection between a driveway and a street line shall be 45 degrees and the maximum interior angle between a driveway and a street line shall be 90 degrees

### **3.4 Bed and Breakfast**

A bed and breakfast, as herein defined, shall be a permitted use within any single detached dwelling house that is permitted as a principal use within the zone in which it is located.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.5 Buildings to be Moved**

No building or structure shall be moved within the limits of the Village or shall be moved from outside the Village into the Village unless the building or structure is a permitted use and conforms to all the requirements of the zone in which it is to be located, and then only after a permit has been obtained from the Chief Building Official.

### **3.6 Non-Conforming/Complying Uses and Exceptions**

#### **3.6.1 Conformity and Compliance**

1. Save as otherwise provided in this By-law, no land, building or structure shall be used for any purpose, and no building or structure shall be erected or altered for any purpose except as hereafter stated in this By-law and in compliance with all of the applicable provisions of this By-law.
2. No person shall change the purpose for which any lot, building or structure is used, or erect any new building or structure or an addition to any existing building or structure, or sever any lands from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new use, building or structure or lot to be in contravention of this By-law.
3. Nothing in this By-law shall apply to exempt any person from complying with the requirements of any other By-law in force within the Municipality, or from obtaining any license, permission, consent, permit, authority or approval required by this or any other By-law of the Municipality or by any other Federal, Provincial or Municipal Law in force at the time of the passing of this By-law.
4. This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
5. Notwithstanding anything in this By-law, no person shall reduce any lot in area or frontage, either by conveyance or other alienation of title of any portion thereof so as to contravene any of the provisions of this By-law. However, no person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

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

1. Continuation of Non-Conforming Uses

The provision of this By-law shall not apply to 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 prior to the adoption of this By-law, so long as it continues to be used for that purpose.

2. Change of Non-Conforming Uses

A use of a lot, building or structure which, under the provisions hereof, is not permitted within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permitted within such zone or to a use which is authorized by the

## **SECTION 3: GENERAL PROVISIONS**

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Committee of Adjustment pursuant to its powers under the Planning Act, RSO 1990, as amended.

### **3. Termination of Non-Conforming Uses**

A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use, or where a lot, building or structure housing a non-conforming use remains vacant for a period of one year.

### **4. Repair and Replacement of Non-Conforming and Non-Complying Uses**

Nothing in this By-law shall prevent the repair, or the replacement, in whole or in part, or the strengthening to a safe condition, of any building or structure, or part of such building or structure, which is non-conforming or non-complying with respect to the provisions of this By-law, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure.

### **5. Removal of Second Dwelling Units**

Where an existing building or structure is to be altered, enlarged or renovated for use as a single detached dwelling, or where an existing building or structure is to be demolished and replaced by a single detached dwelling, any existing second dwelling or dwelling unit located on the lot, whether a guest cabin, guest quarters in an accessory building, apartment in the main building or similar second dwelling unit, shall be removed, demolished or rendered uninhabitable as a dwelling unit.

### **6. Permitted Extensions to Non-Complying Uses**

Except as provided for in Section 3.6.5, nothing in this By-law shall prevent an extension or an addition being made to a use, building or structure which existed at the date of passing of this By-law and which is a permitted use in the zone in which it is located-, but which does not comply with one or more of the zone provisions of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

#### **3.6.3 Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure for a purpose prohibited by this By-law, the plans for which have been approved by the Chief Building Official prior to the date of 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 erection of such building or structure is commenced within two years after the date of the passing of this By-law, and such building or structure is completed within a reasonable time after the erection thereof is commenced.

#### **3.6.4 Lots in More than One Zone**

Where a lot is divided into more than one zone, each 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.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.6.5 Lots Having Less Area and/or Frontage**

Where, on the date of passing of this By-law, an existing lot has less than the minimum lot frontage, water frontage and/or lot area required by this By-law for the zone in which such lot is located, or is increased in lot frontage, water frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot frontage, water frontage and/or lot area provisions of this By-law. This provision shall not be construed as granting relief from any other provisions of this By-law.

### **3.6.6 Construction Uses**

1. A building or structure, incidental to construction on the lot where such building or structure is situated such as a construction camp or other such temporary work camp, tool shed, scaffold or other similar building or structure shall be permitted in all zones for as long as it is necessary for the construction in progress to be completed or abandoned, but only while a valid building permit for such construction remains in force.
2. Abandoned in this subsection shall mean the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during a continuous 12-month period.

### **3.6.7 Yard, Setback and Height Encroachments Permitted**

The following yard, setback and height encroachments shall be permitted provided such encroachments do not encroach on any required parking or sight triangles.

#### **1. Ornamental Structures**

Notwithstanding the yard provisions of this By-law to the contrary, sills, belt courses, chimneys, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard a maximum distance of 0.5 m (2 ft).

#### **2. Window Bays**

Notwithstanding the yard provisions of this By-law to the contrary, a window bay, excluding eaves and cornices, may project into any required yard a maximum distance of 1 m (3 ft), provided the bay window does not exceed a maximum width of 3 m (10 ft).

#### **3. Accessory Structures**

Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, flag poles, garden trellises, fences, retaining walls, signs or similar accessory structures shall be permitted in any required yard.

#### **4. Unenclosed Porches, Balconies, and Steps**

Notwithstanding the yard provisions of this By-law to the contrary, unenclosed porches, balconies, and steps, whether covered or uncovered, may project into any required yard a maximum distance of 2.5 m (8 ft) but not closer than 2.5 m (8 ft) to an interior lot line, provided they do not exceed a maximum width of 3 m (10 ft), and provided that they do

## **SECTION 3: GENERAL PROVISIONS**

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not encroach on the required setback from a waterbody. In the case of encroaching porches and steps, such structures shall not be more than 1 m (3 ft) above grade.

### **5. Terraces, Decks and Patios**

Except as otherwise permitted under Section 3.27.2, uncovered terraces, decks or patios may extend into any yard but not closer than 2.5 m (8 ft) to an interior side lot line, provided that they do not encroach on the required setback from a waterbody. In the case of encroaching terraces and patios such structures shall not be more than 1 m (3 ft) above grade.

### **6. Fire Escapes**

Notwithstanding the yard provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair steps and floors are latticed in such a manner that the proportions of voids to solids is not less than two to one and in which guards consist only of hand rails and the structural members necessary to their support, may project into any required side or rear yard a maximum distance of 1 m (3 ft) but not closer than 2.5 m (8 ft) to an interior side lot line.

### **7. Building Setback in Built-Up Area**

Notwithstanding anything else in this By-law, in any Residential Zone, structures built between existing buildings or adjacent to existing buildings which are located on the same block and which are separated by no more than 120 m (400 ft) may be built with a setback equal to the average setback of the adjacent buildings, but this depth need be no greater than the front yard and setback regulations prescribed in the zone in which it is situated. Notwithstanding the foregoing, the front yard shall not be less than 3 m (10 ft) for interior lots and 3.5 m (11.5 ft) for corner lots, provided that the driveway which provides access to the required parking space(s) is at least 6 m (20 ft) in length, and provided further that there is no encroachment on the required setback from a waterbody.

### **8. Height Exceptions**

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection and/or use of an elevator housing, a roof stairway, a water tank, a skylight, a steeple or church spire, a silo, a belfry, a flag pole, a clock tower, a chimney or smokestack, a radio or television tower or antenna, a satellite dish, a ventilation fan housing, a firewall or a parapet wall, or a roof sign.

### **9. Satellite Dishes**

No satellite dish shall be located in any required yard.

## **3.6.8 Lane as Yards**

Where the rear lot line of a lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the lot for the purpose of computing the area of the lot and for the purpose of computing the depth of any rear yard required under this By-law, provided that the depth of any required rear yard shall not be less than 6 m (20 ft), exclusive of the lane.

## SECTION 3: GENERAL PROVISIONS

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### 3.7 Dangerous Substances

Pursuant to the Health Protection and Promotion Act or regulations thereunder, no use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture.

### 3.8 Day Nurseries

Licensed day nurseries shall be permitted in all Residential Zones and in all Commercial Zones, in accordance with the following provisions:

	Full Municipal Services	
1. lot area (minimum)	540m <sup>2</sup> (5800 ft <sup>2</sup> )	
2. lot frontage (minimum)	18m (60 ft)	
3. front yard depth (minimum)	6 m (20 ft)	
4. exterior side yard width (minimum)	6 m (20 ft)	
5. interior side yard width (minimum)	3 m (10 ft)	
6. rear yard depth (minimum)	6 m (20 ft)	
7. landscaped open space (minimum)	40%	
8. building height (maximum)	11 m (35 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

### 3.9 Dwelling Units Below Grade

No dwelling unit, in its entirety, shall be located in a cellar. However, a portion of a dwelling unit may be located in a cellar.

A dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is located above the level of the sanitary and storm sewer servicing systems of the building in which such basement is located or provided that the dwelling unit is serviced by appropriate sewer pumping facilities.

### 3.10 Frontage on an Opened 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 an opened public street as herein defined.

This provision shall not apply to:

1. a lot on a registered plan of subdivision where an agreement between the owner and the Corporation, which includes provisions for the construction of the streets in the subdivision, is registered in the Registry Office or the Land Titles Office; or,
2. to conservation, forestry and general agricultural provided that there is no permanent dwelling on the lot.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.11 Frontage on More Than One Street**

Where a lot fronts on more than one street and is not a corner lot, the requirements for front yards contained in this By-law shall apply to each yard abutting the street in accordance with the provisions of the zone or zones in which such lot is located.

### **3.12 Garden Suite**

Subject to the passing of a Site Specific Temporary Use By-law under Section 39 of the Planning Act, one Garden Suite shall be permitted as a separate dwelling unit to a permitted main residential use on the same lot, provided that the minimum lot area is 450 m<sup>2</sup>, that the maximum gross floor area is 60 m<sup>2</sup>, that the maximum height of the Garden Suite is 6 metres, that the Garden Suite is located in a rear yard and meets the minimum yard and lot coverage requirements set out in the corresponding zone and is setback a minimum of 3 metres from any rear or interior side lot line.

A Garden Suite shall only be permitted where the owner of the property has entered into an agreement with the municipality under the Municipal Act to register the name(s) of the occupant(s), to govern the appearance and maintenance of the structure and its removal when the dwelling has been vacated, the occupant(s) die or the temporary use By-law expires, whichever is applicable.

### **3.13 Group Homes**

Type A Group Homes shall be a permitted use in all zones in which a single detached dwelling is permitted as a principal use, in accordance with the following provisions.

1. A Group Home shall be located a minimum of 500 m (1500 ft) from another Group Home, such distance to be measured from the closest point of the two properties at the property line.
2. The number of Group Homes permitted shall not exceed 1 per 1,000 permanent resident population.
3. A Group Home shall not be permitted in accessory single detached dwelling houses or in accessory dwelling units.
4. A Group Home may be permitted in single-detached dwellings and in both units of semi-detached dwellings and duplex dwellings, provided that both units are occupied by one group home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed ten.

### **3.14 Holding Zones**

1. Any parcel or area of land in any zone of this By-law may be further classified as a holding zone with the addition of the suffix "h". The intent is to signify Council's approval in principle to future development of the land for the purposes indicated by the zone symbol. The holding classification added to a given zone symbol shall restrict development of the land until such time as the demand for the development of the land is sufficient to warrant immediate development.

## SECTION 3: GENERAL PROVISIONS

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2. Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law and Council may require that the applicant enter into an agreement for the development of the land prior to the amendment being approved.

3. Holding Zone Provisions

### 3.15 Home Occupations

- 3.15.1 A home occupation, as herein defined, shall be permitted as an accessory use in any dwelling, unless specifically listed below as a prohibited use in, in accordance with the following provisions.

1. Residential Character

The home occupation use(s) shall not cause any individual or cumulative effects that change the residential character of the main residential use. The use(s) shall not:

1. be visible or apparent from adjacent properties, other than permitted signage if any;
2. cause a nuisance or annoyance or loss of enjoyment to neighbours; or,
3. cause a significant increase in traffic on streets serving the dwelling.

2. Compatibility

The home occupation use(s) shall not generate noise, vibration, fumes, dust, effluent, odour, glare, magnetic fields or radiation, which is evident outside of the dwelling unit or which exceeds limits established by existing By-laws and Provincial or Federal legislation or policy.

3. Size

The amount of floor area deemed separate and exclusively dedicated for the home occupation use(s) shall not exceed 33% of the total gross leasable floor area of the dwelling unit, or 46 m<sup>2</sup> (500 ft<sup>2</sup>), whichever is the lesser.

4. Location

1. The floor area permitted for home occupation use(s) may be located in any portion of the dwelling unit.
2. Not more than 15 m (50 ft) of the floor area may be located in a private garage or in an accessory building, provided these structures comply with all other provisions of this By-law.

5. Employees

### **SECTION 3: GENERAL PROVISIONS**

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The home occupation use(s) may have, in addition to the residents of the dwelling unit, no more than 2 employee(s) at a time working on the premises, provided that if the employees require parking, it shall be provided on the lot.

6. Exterior Effects

The home occupation use(s) shall be entirely enclosed within the dwelling unit or accessory building(s). Goods or materials associated with the home occupation use(s) may be stored or displayed only within the floor area of the dwelling unit and/or accessory building permitted for home occupation uses and shall not be visible from adjacent properties.

7. Radio, Television and Satellite

The home occupation use(s) shall not interfere with telephone, television, radio, or satellite reception.

8. Health/Life/Fire Safety Hazard

The home occupation use(s) shall not be deemed to present a health, life and/or fire safety hazard, as regulated by the Ontario Building Code, the National Fire Code, the Ministry of Environment and Energy of Ontario, or the Ontario Ministry of Health, or other provincial or federal legislation.

9. Water and Sewer Services

Any proposed home occupation use(s) which places demands on water and sewage disposal services that could possibly exceed normal domestic requirements, whether such services are public or private, will require approval from the government agency which provides or regulates the service.

10. Retail Sales and Rental

The home occupation use(s) shall only permit rental or retail sales at the dwelling unit of merchandise that is:

1. produced, assembled, repaired, or otherwise has value added to, within the dwelling unit or its accessory building(s); or
2. associated with a service being provided as part of the home occupation use(s).

11. Distribution Sales

The home occupation use(s) shall permit the business of transacting a sale where the customer contacts the business to place an order to purchase merchandise, and the merchandise is either picked up by the customer or delivered from the business or from another location to the customer.

12. Instruction or Education

The home occupation use(s) may involve instructional or educational activity, in accordance with the following provisions.

### SECTION 3: GENERAL PROVISIONS

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1. The activity shall be limited to a maximum of 3 students at a time per dwelling unit, or if the activity requires that there be 4 or more students this may be permitted provided that all requirements of fire, health and life safety have been met through a building permit application, if required.
2. The teaching of music, dance, or other physical activity that is likely to create noise or vibration shall be permitted only within fully detached dwellings or in multiple attached dwellings where it can be ensured that noise or vibration will not be detectable to the occupants of adjacent dwelling units.

#### 13. Delivery Vehicles

The home occupation use(s) may have any commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment only by modes typically involved in residential deliveries.

#### 14. Specifically Prohibited Uses

The following uses do not fall within the definition of home occupation uses:

1. a use which does not comply with any one of the preceding provisions;
2. a use which has not received a license under any other municipal by-law, as required;
3. animal care;
4. licensed day nursery;
5. dry cleaning distribution station;
6. home for the aged or nursing home;
7. laundromat;
8. restaurant of any type;
9. retail store;
10. sales or service of motorized vehicles, machinery or equipment;
11. Commercial yard sale; or
12. sales or installation of automotive and audio parts and products.

3.15.2. A home industry, as herein defined, shall be permitted as an accessory use in any dwelling which is permitted as a principal use in any zone as shown on Schedule A, in accordance with the following provisions.

1. The provisions of Section 3.15.1 shall apply, except as provided below.
2. A home industry shall also be permitted within an accessory building or structure and shall occupy an area of not more than 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of the building or structure.
3. A home industry may include accessory open uses and storage provided such open uses and storage are limited to 200 m<sup>2</sup> (2,153 ft<sup>2</sup>) and provided such open uses and storage are not located within any of the required yards of the zone in which such home industry is located.
4. A home industry shall only be permitted on lots having a minimum lot area of 1 ha (2.5 ac).
5. In addition to the permitted uses in Section 3.15.1, a home industry also includes a business which is accessory to an agricultural use and may include the servicing and repair of farm equipment, the grading of produce or similar activities.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.16 Illumination**

1. Lighting fixtures, designed to illuminate wharves and other waterfront facilities, which are not public uses, shall be installed with the light directed downward or away from the water.
2. Lawn lamps may be located at the edge of any driveway or laneway and shall be located so as not to interfere with night time traffic movement.
3. All lighting fixtures, other than those specified above, which are designed for exterior illumination and which are not public uses, shall be installed with the light directed and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 m (30 ft) above finished grade and no closer than 4.5 m (16 ft) to any street line.

### **3.17 Landscaped Open Space**

#### 3.17.1. Requirements

1. Where any lot in a commercial or industrial zone abuts a lot in another zone or where any lot is used for institutional purposes, a continuous strip of landscaped open space having a minimum width of 3 m (10 ft) shall be provided along the abutting lot line.
2. In any yard in a non-residential zone, where the required parking abuts a lot in a residential zone, then a continuous strip of landscaped open space a minimum width of 3 m (10 ft) shall be provided along the abutting lot line.
3. In any zone where the required parking abuts a street, then a strip of landscaped open space a minimum width of 1.5 m (5 ft) 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.
4. Any portion of any front yard which is not used for any other purpose permitted in this By-law shall be devoted to landscaped open space.

#### 3.17.2. Driveways or Walks

In all cases where driveways or walks extend through the landscaped open space, it is permitted to interrupt the strip within 3 m (10 ft) of the edge of such driveway or within 1.5 m (5 ft) of the edge of such walk.

#### 3.17.3. Accessory Uses

No accessory use shall be permitted to locate within the required landscaped open space.

### **3.18 Loading Space Regulations**

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares and merchandise and raw materials shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading or unloading facilities comprising one or more loading or unloading spaces 9 m (30 ft)

## SECTION 3: GENERAL PROVISIONS

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long, 3 m (10 ft) wide, and having a vertical clearance of at least 4 m and in accordance with the following:

### 3.18.1 Number of Spaces Required

<b>TOTAL FLOOR AREA OF BUILDING OR STRUCTURE</b>	<b>NUMBER OF LOADING SPACES REQUIRED</b>
280 m <sup>2</sup> (3,000 ft <sup>2</sup> ) or less	0
Exceeding 280 m <sup>2</sup> (3,000 ft <sup>2</sup> ) but not 2,300 m <sup>2</sup> (24,750 ft <sup>2</sup> )	1
Exceeding 2,300 m <sup>2</sup> (24,750 ft <sup>2</sup> )	1 plus 1 additional space for each additional 2,300 m <sup>2</sup> (24,750 ft <sup>2</sup> ) or part thereof
provided, however, that in addition to the above number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading spaces.	

### 3.18.2. Access

Access to loading or unloading spaces shall be by means of an aisle at least 3.7 m (12 ft) wide contained within the lot on which the spaces are located, and leading to a street or lane located within or adjoining the zone in which the use is located.

### 3.18.3. Location

The loading space or spaces required shall be located in the interior side or rear yard, and may also be located in front or exterior side yards provided they are not located in the required front or exterior side yard.

### 3.18.4. Surface

The loading spaces and aisles shall be surfaced with a stable material such as concrete, asphalt, crushed stone or gravel.

### 3.18.5. Cumulative Standards

Where there are two or more uses located on the same lot, the loading space requirements shall be the sum of the requirements of each use.

### 3.18.6. Additions to Building

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as 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 for such addition as required above.

### 3.18.7 Core Area Loading Space Requirements

On those lands in the Core Area zoned as Central Commercial – Special Exception One (C1-1) shown on Schedule A, the minimum loading space requirements for Non-Residential Uses, as set out above, shall be exempted from the requirements.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.19 Recreational Vehicles as Temporary Dwellings**

- 3.19.1 Except as otherwise permitted in this By-law, a recreational vehicle shall not be used for residential or non-residential purposes within the municipality except as a temporary office, temporary residence, tool storage shed or similar use on a construction site provided that the use is terminated when the work is completed or abandoned.
- 3.19.2 Notwithstanding the generality of the foregoing, a recreational vehicle shall only be used as a temporary residence for such period as there is a valid building permit for the construction of a permanent single-detached or seasonal dwelling and provided that written approval in the form of an agreement is obtained from the municipality.

### **3.20 Objects Stored in Yards**

- 3.20.1. Except as hereinafter provided no person shall obstruct any required front yard or rear yard by the location of a building or structure, or by the storage of lumber, salvage or similar material.
- 3.20.2. In any zone in which a dwelling is permitted as a principal use, the following provisions apply:
1. Where a recreational vehicle is parked in any yard of a lot, such vehicle shall not be used for living or sleeping accommodation for longer than 30 consecutive days by any person in transit between one place and another; but in no event shall such living or sleeping accommodation be leased or rented.
  2. No person shall use any lot for the outside storage of :
    1. a motor vehicle which has had part or all of its superstructure removed; or,
    2. a motor vehicle which is not operational.
  3. The parking or storage of a recreational vehicle may be permitted for a period of not more than 72 hours in any one calendar month in a front yard or exterior side yard.
  4. Notwithstanding the foregoing, where a lot is used for a dwelling house containing more than 2 dwelling units, the limitations imposed herein shall not restrict the number of recreational vehicles that are stored on the lot provided the area, building or structure used for such storage complies with the yard provisions of the zone in which such area, building or structure is located and has been approved by the Corporation under a site plan agreement. Such area, building or structure shall be in addition to the required parking.

### **3.21 Occupancy Restrictions**

Human habitation shall not be permitted in any of the following buildings, structures or parts thereof;

1. any private garage or other building which is accessory to a residential use;
2. any truck, bus, coach or street car body whether or not the same is mounted on wheels;
3. any cellar, as defined in this By-law;

## SECTION 3: GENERAL PROVISIONS

4. any building or structure before the main wall and roof have been erected, application of the exterior siding and roofing has been completed and the kitchen, heating and sanitary conveniences have been installed, unless approval of the Chief Building Official has been obtained in advance.
4. any trailer other than as temporary pursuant to Section 3.20.2.2 herein.

### 3.22 Parking Area Regulations

3.22.2 The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas in accordance with the following table. Where the minimum requirement by zone differs from the minimum requirement by type of use, the higher standard shall apply.

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Single-detached Dwelling Semi-detached Dwelling Duplex Dwelling Seasonal Dwelling	1 parking space per dwelling unit.
Street Townhouse Dwelling	1 parking space per dwelling unit located in a private garage.
Senior Citizens Housing	1 parking space per 3 dwelling units, or fraction thereof.
Other Residential Uses	1.25 parking spaces per dwelling unit or fraction thereof.
Boarding/Rooming House	1 parking space plus 0.25 spaces per boarder.
Group Home	1 parking space per on duty employee plus 1 space per 5 beds, or fraction thereof.
Elementary School	1.5 parking spaces per classroom, and 1 parking space per 4 m <sup>2</sup> (45 ft <sup>2</sup> ) of floor area in the gymnasium; or
Secondary School	4 parking spaces per classroom and 3 spaces per 4 m <sup>2</sup> (45 ft <sup>2</sup> ) of floor area in the gymnasium; or
Assembly Hall Community Centre Church Commercial Sports and/or Recreation Centre Place of Recreation Place of Entertainment (other than listed separately)	The greater of:  1 parking space for every 8 fixed seats or fraction thereof; or 1 parking space for every 3 m (10 ft) of bench space, or 1 parking space per 12 m <sup>2</sup> (130 ft <sup>2</sup> ) of gross floor area, or fraction thereof.
Bowling Alley Curling Rink	2 parking spaces per bowling lane or curling sheet, plus 1 parking space per 6 seats design capacity of the area for accessory uses.
Funeral Home	1 parking space per 18m <sup>2</sup> (200 ft <sup>2</sup> ) of gross floor area, or fraction thereof, with a minimum of 8 parking spaces.

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TYPE OF USE	MINIMUM PARKING REQUIREMENT
Institution	1 parking space per 100 m <sup>2</sup> (1075 ft <sup>2</sup> ) of display/assembly area, or fraction thereof, including basement area used for display, with a minimum of 4 parking spaces.
Licensed Day Nursery	1 parking space per on duty employee plus 1 space per 12 children.
Hospital Nursing Home Home for the Aged	1 parking space for every 2 beds.
Bed and Breakfast	1 parking space per guest room
Tourist Establishment	1 parking space per guest room, plus 1 parking space per 8 persons design capacity of the beverage room, eating area, or meeting room.
Restaurant Beverage Room	The greater of:  1 parking space per 14 m <sup>2</sup> (150 ft <sup>2</sup> ) of gross floor area; or 1 parking space per 4 persons design capacity of the eating area or beverage room.
Restaurant, Take-out	1 parking space per 9.5 m <sup>2</sup> (100 ft <sup>2</sup> ) of gross floor area, or fraction thereof.
Medical Clinic Animal Clinic Animal Care Contractor or Tradesman Establishment Printing Shop Industrial or Business Service Shop Custom Workshop Furniture, Appliance, Carpet Stores and similar commercial uses requiring large display areas Building Supply Outlet Greenhouse Repair Service Shop Wholesale Outlet	1 parking space per 30 m <sup>2</sup> (320 ft <sup>2</sup> ) of gross floor area with a minimum of 3 parking spaces.       2 parking spaces per 100 m <sup>2</sup> (1,075 ft <sup>2</sup> ) of gross floor area or fraction thereof, with a minimum of 8 parking spaces.
Retail, other than listed elsewhere Convenience Store Financial Office Bake Shop Butcher Shop Personal Service Shop Dry Cleaning Distribution Station Laundromat	1 parking space per 25 m <sup>2</sup> (270 ft <sup>2</sup> ) of gross floor area or fraction thereof, with a minimum of 4 parking spaces.
Automobile Sales Automobile Rental Automobile Body Shop Automobile Care Automobile Gas Bar Automobile Service Station Recreation Vehicle Sales	2 parking spaces per 100 m <sup>2</sup> (1,075 ft <sup>2</sup> ) of gross floor area, with a minimum of 4 parking spaces.  The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause.

**SECTION 3: GENERAL PROVISIONS**

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Farm Implement Sales Commercial Storage Transportation Terminal	
Automobile Washing Establishment	Self-service operation: 2 waiting and 1 drying space per wash rack.  Conveyer operation: 5 waiting spaces per wash rack.
Warehouse Bulk Storage Bakery Dairy Dry Cleaning Plant	1 parking space per 120 m <sup>2</sup> (1,290 ft <sup>2</sup> ) of gross floor area, or fraction thereof.
Other Non-Residential uses permitted by this By-law	1 parking space per 25 m <sup>2</sup> (270 ft <sup>2</sup> ) of gross floor area.

3.22.2. Parking Space Size

As per definition.

3.22.3 Core Area Parking Area Requirements

On those lands in the Core Area zoned as Central Commercial – Special Exception One (C1-1) shown on Schedule A, the minimum Parking Area Requirements for Non-Residential Uses, as set out above, shall be exempted from the requirements.

3.22.4. Parking Lot and Driveway Surface

Each parking lot and driveway connecting a parking lot with a street shall be surfaced with asphalt, concrete, interlocking pavers or similar hard surfaces or any stable surface treated so as to prevent the raising of dust or loose particles.

3.22.5. Multiple Use Developments

When a building or structure accommodates more than one type of use as set out in sub-section 3.25.1 above, the parking area requirements shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.

3.22.6. Additions to Buildings or Change of Use

When a building or structure has insufficient parking at the time of the passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or change of use to a permitted use in the zone in which the building is located. No addition may be built and no change of use may occur, however, the effect of which would be an increase in that deficiency.

## SECTION 3: GENERAL PROVISIONS

### 3.22.7. Parking Area Location and Setbacks

USE	YARD IN WHICH REQUIRED PARKING PERMITTED
Single detached Semi detached Duplex Street Townhouse	Required parking spaces are permitted in all yards, except the required front and exterior side yards, wherein a driveway may be located provided the minimum length of the driveway from a private garage or carport to the edge of pavement or to an existing or planned sidewalk, as the case may be, is 6 m (20 ft)
All other residential uses	Required parking spaces are permitted in all yards, except the required front yard, wherein a driveway may be located provided no parking spaces and no driveways shall be located within 6 m (20 ft) and 3.5 m (16 ft), respectively, of a habitable room window, unless the parking spaces and/or driveways are reserved for the exclusive use of the occupants of the dwelling unit containing the habitable room window.
2. Non-Residential	All yards, subject to the provisions of Section 3.18.

### 3.22.8 Attached Garage and Carport Extensions

USE	PERMITTED EXTENSION
Single detached Semi detached Duplex Street Townhouse	No attached garage or carport may extend more than 2.5 m (8 ft) closer to a street line than: i. a main building wall; or, ii. a covered porch that is at least 2.5 m (8 ft) in width.

### 3.22.9 Attached Garage or Carport and Driveway Widths

USE	LOT WIDTH	MAXIMUM ATTACHED GARAGE OR CARPORT WIDTH	MAXIMUM DRIVEWAY AND/OR PARKING SPACE WIDTH
Single detached Semi detached Duplex Street Townhouse	less than or equal to 7 m (23 ft)	3.8 m (12.5 ft)	3 m (10 ft)
	more than 7 m (23 ft) and less than or equal to 10.5 m (34 ft)	4.9 m (16 ft)	3.5 m (11.5 ft)
	more than 10.5 m (34 ft) and less than or equal to 19.5 m (64 ft)	6.4 m (21 ft)	6 m (20 ft)
	more than 19.5 m (64 ft)	9.5 m (31 ft)	9 m (29.5 ft)

### 3.22.10 Parking Space Location on Other Lot

Where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such spaces and areas shall be located not more than 150 m (500 ft) from the said lot and shall be located within the same zone as the said lot.

Furthermore, such spaces and areas shall:

## SECTION 3: GENERAL PROVISIONS

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1. be in the same possession, either by deed or renewable long term lease, as the property occupied by the use or building to which the parking facilities are accessory; or
2. be subject to an agreement between the owner of the use or building served by the parking facilities and the owner of the parking facility allocating the required number of parking spaces.

In addition, the required number of parking spaces shall be maintained for the duration of the use.

### 3.23 Public Uses and Services

3.23.1 The provisions of this By-law shall not apply to the use of any lot or the location or use of any building or structure for the purpose of a public use by the Corporation or by any local board of the Corporation as defined by The Municipal Act, R.S.O. 1990 as amended, any telephone, telegraph or telecommunications corporation, any natural gas distribution system operated by the Corporation or on its behalf by a company distributing gas to the residents of the Corporation and possessing all the necessary powers, rights, licenses and franchise, any Conservation Authority established by the Government of Ontario, any department of the Government of Ontario or Canada, including Hydro One, Rideau St. Lawrence Distribution Incorporated, any use permitted under The Railway Act or any other statutes of Ontario or Canada governing railway operations, including tracks, spurs and other railway facilities, provided that where such lot, building, structure, use or transmission facility is located in any zone:

1. no goods, materials or equipment shall be stored in the open, except as permitted in such zone;
2. any above-ground use carried on under the authority of this paragraph in any Residential zone shall be maintained in general harmony with Residential buildings in such zone.
3. the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with.

3.23.2 Nothing in this By-law shall prevent the use of land as a street or prevent the installation of a public utility such as a watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro electric or telephone line, traffic or other sign, or other supply and/or communication line, including their distribution, transformer, pumping and/or regulation stations.

### 3.24 Residential Separation Distances from Other Land Uses

Notwithstanding any other provisions of this By-law, any new dwelling shall be located minimum distances from certain zones or land uses on other lots as follows:

- |   |  |
|---|--|
| • From a Class “B” pit with no excavation below the water table | 150 m  |
| • From any other pit or concrete plant                          | 300 m  |
| • From a quarry or asphalt plant                                | 500 m  |
| • From land zoned Waste Disposal                                | 500 m  |
| • From livestock facilities                                     | As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs, except that MDS 1 shall not apply to new non-agricultural uses to be located on an existing lot of less than 2 ha in lot area. |

## **SECTION 3: GENERAL PROVISIONS**

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### **3.25 Setbacks**

#### 3.25.1. Streets

1. All buildings and structures located along County Roads shall comply with the specific setback requirements established by the County. Development permits for such lands shall be obtained from the County Roads Department.
2. All buildings and structures located along a street under the jurisdiction of the Corporation shall be set back a minimum distance of 6 m (20 ft) plus the required front yard depth of the zone in which the use is located.

#### 3.25.2. Waterbody

1. All buildings and structures, except a marina or a marine facility, shall be set back a minimum horizontal distance of 30 m (100 ft) from the normal high water mark of a waterbody. Except for a marina, within the 30 m (100 ft) setback, a maximum of 25% or 15 m (50 ft) of the shoreline area, whichever is the lesser, may be used for marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory structures. For the purposes of this Section, the shoreline area shall include that portion of the lot lying within 3 m (10 ft) of the shoreline.

Attached unenclosed porches, open patios, decks, balconies, exterior stairs and landings may project from the main building into the water setback by not more than 3 metres except that where an existing main building is non-complying in relation to the required water setback, an open and unroofed porch, deck, exterior stairs or landing may project into the existing water setback by a maximum of 1.5 metres.

### **3.26 Sight Triangles and Sight Distance**

#### 3.26.1. Sight Triangles

In a sight triangle, as herein defined, no uncovered surface parking lot or loading space may be constructed or used and no building or structure, landscaping or finished grade shall be constructed or located thereon which exceeds 0.8 m (2.5 ft) in height above the centreline of the street.

### **3.27 Signs**

Nothing in this By-law shall apply to prevent the use of signs on any land, building or structure, but the erection, use and maintenance of such signs shall be subject to the provisions of the Sign By-law of the Corporation and the provisions of this By-law for Home Occupations and Sight Triangles.

### **3.28 Site Plan Requirements**

No development shall take place on any parcel of land designated as Site Plan Control Area in the Site Plan Control By-law unless the Council of the Corporation has approved such plans and drawings required under the provisions of the Site Plan Control By-law.

## **SECTION 3: GENERAL PROVISIONS**

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### **3.29 Temporary Use Zones**

Where the zone symbol zoning certain lands as shown on Schedule A is followed by the suffix “t” (for example, R1t), a use or uses in addition to the uses permitted in the zone in which the lands are located shall be permitted for a specified period of time following which the use or uses shall cease. Temporary uses shall only be permitted by an Amendment to this By-law which amends Schedule A by adding the letter "t" to the zone symbol on the lands where the temporary use is located and by amending this section:

1. to describe the lands on which the temporary use or uses is/are permitted including the municipal address where appropriate
2. to list the permitted temporary use or uses
3. to specify the time period for which the temporary use or uses is/are permitted including the date on which the use or uses is/are to cease, on which date the Amendment shall be deemed to be repealed and the temporary use(s) shall be deemed to be repealed and the temporary use(s) no longer permitted
4. to describe any conditions which apply to the temporary use or uses.

## SECTION 4: ZONES

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### 4 ZONES

#### 4.1 Classification

The provisions of this By-law shall apply to all lands within the limits of the Corporation which lands are divided into various zones. Schedule A and B symbols refer to zone classifications as shown below:

ZONE	SYMBOL
RESIDENTIAL TYPE ONE	R1
RESIDENTIAL TYPE TWO	R2
CENTRAL COMMERCIAL	C1
HIGHWAY COMMERCIAL	C2
WASTE DISPOSAL	M1
INSTITUTIONAL	I
OPEN SPACE	O
RURAL	RU
ENVIRONMENTAL PROTECTION	EP
HOLDING ZONE	h
TEMPORARY USE ZONE	t

#### 4.2 Zone Regulations

The permitted uses, the minimum size and dimensions of lots, the minimum size of yards, the maximum lot coverage, the minimum setback, gross leasable floor area, the minimum landscaped open space, and all other zone provisions are set out herein for the respective zones.

#### 4.3 Metric Measurements

Where a zone regulation is expressed as a metric measurement, it shall apply. Any imperial measurement in brackets following a metric measurement is intended only as a convenience to illustrate the imperial equivalent which would have formerly applied prior to the implementation of metric measurements.

#### 4.4 Zone Boundaries

The extent and boundaries of all the said zones are shown on the Schedules which form a part of this By-law and are attached hereto.

## **SECTION 4: ZONES**

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### **4.5 Zone Symbols**

The symbols listed in Section 4.1 may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word Zone is used, preceded by any of the said symbols, such zones shall mean any area within the Corporation within the scope of this By-law, delineated on the Schedules and designated thereon by the said symbol.

### **4.6 Exception Zones**

Where the zone symbol as shown on the Schedules is followed by a dash and a number (for example R2-1), then special provisions apply to such lands and such special provisions may be found by reference to that part of the by-law which deals with that particular zone. Lands zoned in this manner shall also be subject to all the provisions of the zone, except such special provisions as specified.

### **4.7 Holding Zones**

Where the zone symbol zoning certain lands is followed by the suffix "h" (for example Rh), then special holding provisions apply to such lands and such special provisions may be found by reference to Section 3.14.

### **4.8 Temporary Use Zones**

Where the zone symbol zoning certain lands as shown on Schedules A and B is followed by the suffix "t" (for example, R1t), then special provisions apply to permit a use or uses in addition to the uses permitted in the zone in which the lands are located for a specified period of time, following which the use or uses shall cease, and such special provisions may be found by reference to Section 3.31.

### **4.9 Interpretation of Zone Boundaries**

Zone boundaries, where possible, are construed to be lot lines, street lines, centrelines of streets or railway rights-of-way. In the case where uncertainty exists as to the boundary of any zone, then the location of such boundary shall be determined in accordance with the scale of Schedules A and B at its original size.

### **4.10 Building, Structure and Use Classification**

1. The buildings, structures and use of buildings, structures and lots specifically named as uses permitted and classified under the headings of "Residential" and "Non-Residential" refer only to the uses as are specifically named under such headings in each zone.
2. For the purpose of reference, all buildings, structures and uses of buildings, structures and lots named as Permitted Uses and classified under the headings of "Residential" and "Non-Residential" may be referred to as "Residential and "Non-Residential" buildings, structures, or uses respectively.

## SECTION 5: RESIDENTIAL ZONES

### 5 RESIDENTIAL ZONES

No person shall use any lot or erect, alter or use any building or structure within any of the following Residential Zones except in accordance with the following provisions.

#### 5.1 RESIDENTIAL TYPE ONE (R1) ZONE

##### 5.1.1 Permitted Uses

1. Residential Uses  
single detached dwelling  
semi-detached dwelling  
duplex dwelling
2. Non-Residential Uses  
in accordance with Section 3

##### 5.1.2 Zone Provisions

Single Detached Dwelling	Full Municipal Services
1. lot area (minimum)	450 m <sup>2</sup> (4,520 ft <sup>2</sup> )
2. lot frontage (minimum)	15m (50 ft)
3. front yard depth (minimum)	6 m (20 ft)
4. exterior side yard width (minimum)	3 m (10 ft)
5. interior side yard width (minimum)	3 m (10 ft) on one side with a total of 4.2 m (14 ft) for both yards, except where a garage or carport is attached to the main building, in which case the minimum shall be 1.2 m (4 ft) for each yard
6. rear yard depth (minimum)	6 m (20 ft)
7. dwelling unit area (minimum)	80 m <sup>2</sup> (860 ft <sup>2</sup> )
8. lot coverage (maximum)	35%
9. building height (maximum)	11 m (35 ft)
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3

Semi-detached Dwelling	Full Municipal Services
1. lot area (minimum)	650 m <sup>2</sup> (7,500 ft <sup>2</sup> )
2. lot frontage (minimum)	21 m (69 ft)
3. front yard depth (minimum)	6 m (20 ft)
4. exterior side yard width (minimum)	3 m (10 ft)
5. interior side yard width (minimum)	3 m (10 ft) on one side, except where a garage or carport is attached to the main building, in which case the minimum shall be 1.2 m (4 ft), and nil on the other side
6. rear yard depth (minimum)	6 m (20 ft)
7. dwelling unit area (minimum)	70 m <sup>2</sup> (750 ft <sup>2</sup> )
8. lot coverage (maximum)	35%
9. building height (maximum)	11 m (35 ft)
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3

## SECTION 5: RESIDENTIAL ZONES

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<b>Duplex Dwelling</b>	<b>Full Municipal Services</b>	
1. lot area (minimum)	650m <sup>2</sup> (7500 ft <sup>2</sup> )	
2. lot frontage (minimum)	21m (69 ft)	
3. front yard depth (minimum)	6 m (20 ft)	
4. exterior side yard width (minimum)	3 m (10 ft)	
5. interior side yard width (minimum)	3 m (10 ft) on one side with a total of 4.2 m (14 ft) for both yards, except where a garage or carport is attached to the main building, in which case the minimum shall be 1.2 m (4 ft) for each yard	
6. rear yard depth (minimum)	6 m (20 ft)	
7. dwelling unit area (minimum)	70 m <sup>2</sup> (750 ft <sup>2</sup> )	
8. lot coverage (maximum)	35%	
9. building height (maximum)	11 m (35 ft)	
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

### 5.1.3 Exception Zones

**SECTION 5: RESIDENTIAL ZONES**

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**5.2 RESIDENTIAL TYPE TWO (R2) ZONE**

**5.2.1 Permitted Uses**

1. Residential Uses  
 single detached dwelling  
 semi-detached dwelling  
 duplex dwelling  
 converted dwelling  
 boarding/rooming house  
 street townhouse dwelling  
 planned unit townhouse dwelling  
 apartment dwelling  
 multiple residential dwelling  
 nursing home  
 home for the aged
  
2. Non-Residential Uses  
 in accordance with Section 3

**5.2.2 Zone Provisions**

<b>Single Detached Dwelling Semi-detached Dwelling Duplex Dwelling</b>	<b>Full Municipal Services</b>
in accordance with Section 5.1.2	

<b>Converted Dwelling Boarding/Rooming Dwelling</b>	<b>Full Municipal Services</b>
1. lot area (minimum)	Existing
2. lot frontage (minimum)	existing
3. front yard depth (minimum)	existing
4. exterior side yard width (minimum)	existing
5. interior side yard width (minimum)	existing
6. rear yard depth (minimum)	existing
7. dwelling unit area (minimum), converted dwelling house only	55 m <sup>2</sup> (600 ft <sup>2</sup> )
8. lot coverage (maximum)	Existing
9. building height (maximum)	existing
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
11. dwelling units (maximum), converted dwelling house only	4

## SECTION 5: RESIDENTIAL ZONES

Street Townhouse Dwelling	Full Municipal Services
1. lot area (minimum)	180 m <sup>2</sup> (1,935 ft <sup>2</sup> )
2. lot frontage (minimum)	6 m (20 ft)
3. front yard depth (minimum)	6 m (20 ft)
4. exterior side yard width (minimum)	3 m (10 ft)
5. interior side yard width (minimum)	Nil, except that the minimum width adjoining an end-unit wall shall be 1.2 m (4 ft)
6. rear yard depth (minimum)	6 m (20 ft)
7. dwelling unit area (minimum)	65 m <sup>2</sup> (700 ft <sup>2</sup> )
8. lot coverage (maximum)	35%
9. building height (maximum)	11 m (35 ft)
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
11. dwelling units per building (maximum)	6

Planned Unit Townhouse Dwelling	Full Municipal Services
1. lot area (minimum)	890 m <sup>2</sup> (9,580 ft <sup>2</sup> )
2. lot frontage (minimum)	30 m (100 ft)
3. front yard depth (minimum)	6 m (20 ft)
4. exterior side yard width (minimum)	3 m (10 ft)
5. interior side yard width (minimum)	1.2 m (4 ft)
6. rear yard depth (minimum)	6 m (20 ft)
7. dwelling unit area (minimum)	65 m <sup>2</sup> (700 ft <sup>2</sup> )
8. lot coverage (maximum)	35%
9. building height (maximum)	11 m (35 ft)
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
11. dwelling units per building (maximum)	6
12. density (maximum)	1 per 200m <sup>2</sup> (2,150 ft <sup>2</sup> ) lot area
13. privacy yards	<p>Privacy yards shall be provided for each planned unit townhouse dwelling in accordance with the following provisions and shall be measured as though each dwelling unit is located on a separate lot:</p> <ol style="list-style-type: none"> <li>1. front yard depth (minimum): 6 m (20 ft)</li> <li>2. exterior side yard width (minimum): 3 m (10 ft)</li> <li>3. interior side yard width (minimum): Nil, except that the minimum width adjoining an end unit wall shall be 1.2 m (4 ft)</li> <li>4. rear yard depth (minimum): 6 m (20 ft)</li> </ol> <p>The privacy yards may be included in the yard requirements of items 3 to 6 of this table.</p>

**SECTION 5: RESIDENTIAL ZONES**

<b>Multiple Residential Dwelling Apartment Dwelling</b>	<b>Full Municipal Services</b>
1. lot area (minimum)	890 m <sup>2</sup> (9,580 ft <sup>2</sup> )
2. lot frontage (minimum)	30 m (100 ft)
3. front yard depth (minimum)	6 m (20 ft)
4. exterior side yard width (minimum)	6 m (20 ft)
5. interior side yard width (minimum)	6 m (20 ft)
6. rear yard depth (minimum)	6 m (20 ft)
7. lot coverage (maximum)	35%
8. building height (maximum)	11 m (35 ft)
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
11. dwelling units per building (maximum)	No maximum
12. density (maximum)	1 per 130 m <sup>2</sup> (1,400 ft <sup>2</sup> )
13. privacy yards	<p>Privacy yards with a minimum depth of 3 m (10 ft), which are clear and unobstructed by any common parking area, driveway and pedestrian access, shall be provided adjoining any ground floor habitable room window.</p> <p>For the purposes of this item, a window shall be considered a ground floor window if any part of the glazing is less than 2.5 m (8 ft) above the adjacent grade.</p>
14. equipped children's play area	<p>For a dwelling house which does not have a separate privacy yard for the exclusive use of each dwelling unit, a children's play area shall be provided.</p> <p>The children's play area shall be a minimum of 4% of the lot area or 15 m<sup>2</sup> (160 ft<sup>2</sup>), whichever is the greater.</p> <p>The children's play area shall be located at least 6 m (20 ft) from any ground floor habitable room window.</p> <p>For the purposes of this item, a window shall be considered a ground floor window if any part of the glazing is less than 2.5 m (8 ft) above the adjacent grade.</p>

<b>Nursing Home Home for the Aged</b>	<b>Full Municipal Services</b>
in accordance with Section 8	

**5.2.3 Exception Zones**

- R2-1 - 2 Rideau Street  
Notwithstanding the provisions of Section 5.2.2, on lands zoned R2-1, a fourteen unit condominium is a permitted use.

## **SECTION 5: RESIDENTIAL ZONES**

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2. R2-2 – George Street  
Notwithstanding the provisions of Section 5.2.2, on the lands zoned R2-2, the minimum lot frontage shall be 21 metres

## **SECTION 6: COMMERCIAL ZONES**

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### **6 COMMERCIAL ZONES**

No person shall use any lot or erect, alter or use any building or structure within any of the following Commercial Zones except in accordance with the following provisions.

#### **6.1 CENTRAL COMMERCIAL (C1) ZONE**

##### **6.1.1 Permitted Uses**

1. Non-Residential Uses
  - animal care
  - artists or photographic studio
  - assembly hall
  - bakeshop
  - beverage room
  - butcher shop
  - church
  - commercial school
  - commercial sports and recreation establishment
  - convenience store
  - custom workshop
  - dry cleaning distribution station or plant
  - funeral home
  - financial office
  - guest house
  - hotel
  - institution
  - laundromat
  - marina
  - medical clinic
  - museum
  - office
  - parking lot
  - personal service shop
  - place of entertainment
  - place of recreation
  - printing shop
  - repair service shop
  - restaurant
  - retail store
  - take-out restaurant, excluding drive-through
  - taxi station
  - tourist guest house
  - tourist establishment
  - warehouse use accessory to any of the foregoing
  - wholesale use accessory to any of the foregoing
  - other uses in accordance with Section 3

## SECTION 6: COMMERCIAL ZONES

2. Residential Uses
  - a dwelling unit or units in the upper storeys of a Non-Residential building
  - existing residential buildings
  - former residential buildings converted back to residential use from non-residential use

### 6.1.2 Zone Provisions

#### 6.1.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services
1. lot area (minimum)	No minimum
2. lot frontage (minimum)	No minimum
3. front yard depth (minimum)	No minimum
4. exterior side yard width (minimum)	No minimum
5. interior side yard width (minimum)	No minimum, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 9 m (30 ft)
6. rear yard depth (minimum)	No minimum, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 6 m (20 ft)
7. building height (maximum)	12 m (40 ft)
8. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
9. lot coverage (maximum)	50%

#### 6.1.2.2 Residential Uses

Residential Uses	Full Municipal Services
1. Minimum Landscaped Open Space	15 m <sup>2</sup> (160 ft <sup>2</sup> ) per unit
2. Minimum Roof Deck or Balcony	The minimum landscaped open space provision shall not apply to dwelling units in a portion of a Non-Residential building provided that all dwelling units have access to a private balcony or to an open roof deck with a minimum area of 5 m <sup>2</sup> (54 ft <sup>2</sup> ) per unit
3. Maximum Density	1 per 65 m <sup>2</sup> (700 ft <sup>2</sup> ) lot area
4. Maximum Building Height	12 m (40 ft)
5. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3

### 6.1.3 Exception Zones

1. C1-1 – Core Area  
Notwithstanding any provision of this By-law to the contrary, loading space shall be in accordance with Section 3.18.7 and parking shall be in accordance with Section 3.22.3.
2. C1-2: 45 Main Street

Notwithstanding the provisions of Section 6.1 to the contrary, on lands zoned C1-1 on Schedule “A” the only permitted uses allowed are a restaurant, a tourist lodging establishment and a miniature golf course.

## SECTION 6: COMMERCIAL ZONES

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### 6.2 HIGHWAY COMMERCIAL (C2) ZONE

#### 6.2.1 Permitted Uses

1. Non-Residential Uses

animal care  
animal clinic  
assembly hall  
automobile body shop  
automobile care  
automobile gas bar  
automobile sales  
automobile service station  
automobile washing establishment  
automobile rental  
bakery  
beverage room  
building supply outlet  
business service  
commercial school  
commercial sports and recreation establishment  
commercial storage  
consumer outlet propane/compressed natural gas transfer facility  
contractor or tradesman establishment  
convenience store  
custom workshop  
dairy  
dry cleaning distribution station  
dry cleaning plant  
farm implement sales  
farm supplies dealership  
funeral home  
financial office  
guest house  
greenhouse  
laundromat  
highway commercial mall  
hotel  
office  
personal service shop  
place of entertainment  
place of recreation  
printing shop  
recreational vehicle sales  
restaurant  
retail store  
retail propane/compressed natural gas transfer facility  
sample and showroom  
take-out restaurant  
warehouse  
wholesale outlet

## SECTION 6: COMMERCIAL ZONES

other uses in accordance with Section 3

### 2. Residential Uses

an accessory dwelling house or an accessory dwelling unit in a portion of a Non-Residential building, except in the case of an automobile service station, gas bar, retail propane/compressed natural gas transfer facility or automobile body shop.

### 6.2.2 Zone Provisions

#### 6.2.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services
1. lot area (minimum)	540m <sup>2</sup> (5800 ft <sup>2</sup> )
2. lot frontage (minimum)	18m (60 ft)
3. front yard depth (minimum)	9 m (30 ft)
4. exterior side yard width (minimum)	6 m (20 ft)
5. interior side yard width (minimum)	3 m (10 ft)
6. rear yard depth (minimum)	6 m (20 ft)
7. dwelling unit area (minimum)	85 m <sup>2</sup> (915 ft <sup>2</sup> )
8. lot coverage (maximum)	50%
9. building height (maximum)	12 m (40 ft)
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3
11. open storage	Open storage of goods or materials shall be permitted in accordance with the following: <ol style="list-style-type: none"> <li>1. the open storage is accessory to the main use</li> <li>2. the open storage is not located in any required yard</li> <li>3. the open storage does not occupy more than 40% of the lot area</li> </ol> Garbage shall be stored in metal containers in a fenced or screened area designed expressly for that purpose
12. fuel pump island location	in accordance with Section 3
13. retail propane/compressed natural gas transfer and handling facilities	in accordance with the foregoing zone provisions or the licensing provisions of the Energy Act, whichever are the more restrictive

#### 6.2.2.2 Residential Uses

Residential Uses	Full Municipal Services	Partial or Private Services
Accessory Dwelling	shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 5.1.2	
Accessory Dwelling Unit	in accordance with Section 6.1.2.2	

## **SECTION 6: COMMERCIAL ZONES**

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### **6.2.3 Exception Zones**

1. C2-1: 23 Whelan Street, Assessment Roll No. 042 06900

Notwithstanding the permitted use provisions of Section 6.2.1, on the land C3-1, the only permitted uses shall be a vehicle sales area and accessory office.

## **SECTION 7: INDUSTRIAL ZONES**

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### **7 INDUSTRIAL ZONES**

#### **7.1 WASTE DISPOSAL (M1) ZONE**

##### **7.1.1 Permitted Uses**

waste disposal  
waste recycling

##### **7.1.2 Zone Provisions**

1. Lot Area (minimum) 1 ha (2.5 ac)
2. Lot Frontage (minimum) 90 m (300 ft)
3. Front Yard Depth (minimum) 9 m (30 ft)
4. Exterior Side Yard Width (minimum) 9 m (30 ft)
5. Interior Side Yard Width (minimum) 9 m (30 ft)
6. Rear Yard Depth (minimum) 9 m (30 ft)
7. Landscaped Open Space (minimum) 10%
8. Height of Building (maximum) 11 m (35 ft)
9. Accessory Uses, Waterbody Setback,  
Parking, etc.  
in accordance with Section 3
10. Buffering  
The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard.

##### **7.1.3 Exception Zones**

## SECTION 9: INSTITUTIONAL (I) ZONE

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### 8 INSTITUTIONAL (I) ZONE

No person shall use any lot or erect, alter or use any building or structure within an Institutional Zone except in accordance with the following provisions.

#### 8.1 Permitted Uses

accessory office, restaurant, personal service shop and retail store  
assembly hall  
cemetery  
community centre  
church  
home for the aged  
hospital  
institution  
medical clinic  
museum  
nursing home  
public use  
religious institution  
retirement residence  
school  
other uses in accordance with Section 3

#### 8.2 Zone Provisions

Institutional Uses	Full Municipal Services	
1. lot area (minimum)	450 m <sup>2</sup> (4,850 ft <sup>2</sup> )	
2. lot frontage (minimum)	18m (60 ft)	
3. front yard depth (minimum)	6 m (20 ft)	
4. exterior side yard width (minimum)	3 m (10 ft)	
5. interior side yard width (minimum)	3 m (10 ft)	
6. rear yard depth (minimum)	6 m (20 ft)	
7. lot coverage (maximum)	40%	
8. building height (maximum)	12 m (40 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

#### 8.3 Exception Zones

## SECTION 9: OPEN SPACE (O) ZONE

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### 9 OPEN SPACE (O) ZONE

No person shall use any lot or erect, alter or use any building or structure within an Open Space Zone except in accordance with the following provisions.

#### 9.1 Permitted Uses

1. Non-Residential Uses

community centre  
conservation  
golf course  
private park  
public park

2. Residential Uses

Existing uses

#### 9.2 Zone Provisions

Open Space Uses	Full Municipal Services	
1. lot area (minimum)	450 m <sup>2</sup> (4,850 ft <sup>2</sup> )	
2. lot frontage (minimum)	18m (60 ft)	
3. front yard depth (minimum)	6 m (20 ft)	
4. exterior side yard width (minimum)	3 m (10 ft)	
5. interior side yard width (minimum)	3 m (10 ft)	
6. rear yard depth (minimum)	6 m (20 ft)	
7. lot coverage (maximum)	20%	
8. building height (maximum)	12 m (40 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

#### 9.3 Exception Zones

## SECTION 10: RURAL (RU) ZONE

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### 10 RURAL (RU) ZONE

No person shall use any lot or erect, alter or use any building or structure within a Rural Zone except in accordance with the following provisions.

#### Permitted Uses

1. Non-Residential Uses

animal clinic  
conservation  
farm produce outlet  
forestry  
garden nursery  
general agriculture  
private park  
public park  
other uses in accordance with the provisions of Section 4

2. Residential Uses

single detached dwelling house  
accessory dwelling house to an agricultural use

#### Zone Provisions

- |     |  |  |
|-----|--|--|
| 1.  | Lot Area (minimum)                               | 10 ha (25 ac), except for a single detached dwelling house in which case the minimum lot area shall be 0.8 ha (2.0 ac) |
| 2.  | Lot Frontage (minimum)                           | 40m (130 ft)   |
| 3.  | Front Yard Depth (minimum)                       | 15 m (50 ft)   |
| 4.  | Exterior Side Yard Width (minimum)               | 7.5 m (25 ft)  |
| 5.  | Interior Side Yard Width (minimum)               | 3 m (10 ft)  |
| 6.  | Rear Yard Depth (minimum)                        | 7.5 m (25 ft)  |
| 7.  | Lot Coverage (maximum)                           | 20%  |
| 8.  | Height of Building (maximum)                     | 12 m (40 ft)   |
| 9.  | Dwellings per Lot (maximum)                      | 1  |
| 10. | Accessory Uses, Waterbody Setback, Parking, etc. | in accordance with Section 3   |

#### Exception Zones

## **SECTION 11: ENVIRONMENTAL PROTECTION (EP) ZONE**

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### **11 ENVIRONMENTAL PROTECTION (EP) ZONE**

No person shall use any lot or erect, alter or use any building or structure within an Environmental Protection Zone except in accordance with the following provisions.

#### **11.1 Permitted Uses**

1. Non-Residential Uses

conservation, excluding buildings  
marine facility

Crown Beds of Water bodies:

All Crown beds of waterbodies up to the high water mark are zoned Environmental Protection unless specifically shown otherwise on the attached Schedule.

## **SECTION 12: ADMINISTRATION, ENFORCEMENT AND PENALTIES**

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### **12 ADMINISTRATION, ENFORCEMENT AND PENALTIES**

#### **12.1 Administration**

This By-law shall be administered by the Chief Building Official or by an officer designated by the Corporation.

#### **12.2 Interpretation**

1. For the purposes of this By-law, the definitions and interpretation given herein shall govern.
2. For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural, and words in the plural include the singular number; the word "shall" is mandatory; the words "used" and "occupied" shall include the words "intended or arranged" and "designed to be used or occupied".

#### **12.3 Building and Other Permits**

Notwithstanding the provisions of the Corporation's Building By-law or any other By-law of the Corporation, no building permit or occupancy permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

#### **12.4 Certificate of Occupancy**

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

#### **12.5 Application for Permits**

In addition to all the requirements of the Corporation's Building By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate (one copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:

1. The true dimensions of the lot to be built upon or otherwise used.
2. The proposed location, height and dimensions of any building, structure or use proposed for such lot.
3. Proposed locations and dimensions of any yards, setback, landscaped open space, off-street parking space, etc., required by this By-law.
4. The location of all existing buildings or structures on the lot.
5. A statement signed by the owner, disclosing the exact use proposed for each aforesaid building or structure and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.

## **SECTION 12: ADMINISTRATION, ENFORCEMENT AND PENALTIES**

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### **12.6 Inspection**

The Chief Building Official of the Corporation acting under the direction of the Council is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.

### **12.7 Violations and Penalties**

Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or causes or permits a violation, shall be guilty of an offence and subject to the provisions of Section 67 of the Planning Act, RSO 1990 and the Municipal Act 2001, SO2001, c.25. Further, any person who contravenes any of the provisions of this By-law is guilty of an offence and the procedure with respect thereto, and the penalty upon conviction therefore shall be as provided for in the Provincial Offences Act, RSO 1990 Chapt. P. 33 and amendments thereto.

### **12.8 Remedies**

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the Municipal Act 2001, SO2001, c.25.

### **12.9 Validity**

If any section, clause or provision of this By-law, including anything contained in Schedule A, attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

### **12.10 Existing By-laws**

Zoning By-law No. 82-7 of the Village of Westport, as amended, to regulate the use of lands and the character, location, bulk, height and use of buildings and structures, shall be, and the same are, hereby repealed.

## **SECTION 12: ADMINISTRATION, ENFORCEMENT AND PENALTIES**

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### **APPROVAL**

This By-law shall become effective on the date of passing hereof, subject to the approval of the Ontario Municipal Board or following the last date for filing objections, as the case may be.