

Village of Merrickville-Wolford



Zoning By-law No. 23-08

November 2008

Village of Merrickville-Wolford



Zoning By-law No. 23-08

November 2008

DELCAN CORPORATION
TO-1142-TOC

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VILLAGE OF MERRICKVILLE-WOLFORD
ZONING BY-LAW No. _____

A Zoning By-law, being a By-law, comprising the following text and Schedules A and B 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 Merrickville-Wolford enacts as follows:

SECTION 1: TITLE

1 TITLE

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

SECTION 2: DEFINITIONS

2 DEFINITIONS

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

2A

ABATTOIR: Means a building or structure wherein animals, including poultry, are slaughtered and processed for packaging, distribution and resale.

Abattoir

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.

AGRICULTURE, GENERAL: 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.

**General
Agriculture**

SECTION 2: DEFINITIONS

AGRICULTURE, INTENSIVE: Means use of land, buildings and/or structures for feedlots and other similar enterprises, mushroom farms, and greenhouses, and may include an agricultural produce outlet where products grown on the farm are sold.

**Intensive
Agriculture**

AISLE: 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.

Aisle

ALTER: 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.

Alter

ANIMAL CARE: Means caring and grooming of domestic animals, excluding overnight care or accommodation, and shall not include an animal clinic.

**Animal
Care**

ANIMAL CLINIC: 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.

**Animal
Clinic**

APARTMENT DWELLING HOUSE: (See DWELLING, APARTMENT HOUSE)

**Apartment Dwelling
House**

AREA (See LOT, AREA)

Area

ASSEMBLY HALL: 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.

Assembly Hall

ATTACHED: Means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

Attached

ATTIC: Means the portion of a building situated wholly or in part within the roof and which is not a half storey.

Attic

AUCTION HALL: 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.

Auction Hall

AUTOMOBILE BODY SHOP: Means a building or structure used for complete motor vehicle repairs to bodies, frames or motors and/or painting, upholstering and/or complete collision work, but shall not include a wrecking or salvage yard.

**Automobile
Body Shop**

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

**Automobile
Care**

SECTION 2: DEFINITIONS

and installation on motor vehicles.

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 short term (daily) 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, sale and/or long term lease. 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 single detached dwelling in which not more than 5 guest rooms are used to accommodate the traveling or vacationing public for gain or profit, and may include the provision of meals to the guest room occupants.

**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**

BOARDING OR LODGING HOUSE: (See DWELLING, BOARDING or LODGING HOUSE).

**Boarding or
Lodging House**

SECTION 2: DEFINITIONS

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.

Building

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.

**Accessory
Buildings**

BUILDING, MAIN: Means a building designed and used for the principal use on the lot.

Main Building

BUILDING INSPECTOR: (See CHIEF BUILDING OFFICIAL)

Chief Building Official

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.

Building Line

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.

**Building Supply
Outlet**

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.

Bulk Storage

BUSINESS OFFICE: (See OFFICE, BUSINESS)

Business Office

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.

Butcher Shop

2C

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, where the enclosure does not constitute more than 60 percent of the perimeter of the structure, and in which no business, occupation or service is conducted for profit.

Carport

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.

Cemetery

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.

Cellar

CHIEF BUILDING OFFICIAL: Means an officer or employee of the

Chief Building

SECTION 2: DEFINITIONS

Corporation charged with the duty of enforcing the provisions of the Building Code, the Zoning By-law and similar By-laws of the Corporation.	Official
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.	Church
CLINIC, ANIMAL: (See ANIMAL CLINIC)	Animal Clinic
CLINIC, MEDICAL: (See MEDICAL CLINIC)	Medical Clinic
CLUB, COMMERCIAL: (See COMMERCIAL SPORTS AND RECREATION CENTRE)	Commercial Club
COMMERCIAL SCHOOL: (See SCHOOL, COMMERCIAL)	Commercial School
COMMERCIAL SPORTS AND RECREATION CENTRE: Means an athletic, recreational or social club operated for gain or profit or for the private use of members.	Commercial Sports and Recreation Centre
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.	Commercial Storage
COMMERCIAL YARD SALE: Means the sale of new or used household items including, but not limited to, clothing, furniture, appliances, housewares, 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.	Commercial Yard Sale
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.	Communication Facility
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.	Community Centre
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.	Conservation
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.	Contractor or Tradesman Establishment
CONVENIENCE STORE: Means a building or part of a building wherein convenience commercial goods and foodstuffs which serve the day-to-day needs	Convenience Store

SECTION 2: DEFINITIONS

of local residents are offered for sale and may include an automobile gas bar. Such stores shall be limited to a maximum gross leasable floor area of 400 m² (4,306 ft²).

CONVERTED DWELLING: (See DWELLING, CONVERTED).

Converted Dwelling

CORNER LOT: (See LOT, CORNER).

Corner Lot

CORPORATION: Means the Corporation of the Village of Merrickville-Wolford.

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

**Dry Cleaning
Distribution
Station**

SECTION 2: DEFINITIONS

dyeing, cleaning and pressing of personal clothing and household articles are permitted.

DRY CLEANING PLANT: Means a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning or pressing of clothing articles or fabric goods is carried on.

**Dry Cleaning
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
Village of Merrickville-Wolford Zoning by-law No. 23-08
DELCAN Corporation

Duplex Dwelling

November, 2008

SECTION 2: DEFINITIONS

horizontally into two dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.	House
GROUP DWELLING: Means a dwelling house that is part of a group of dwelling houses on the same lot.	Group Dwelling
MOBILE DWELLING HOUSE: (See MOBILE HOME)	Mobile 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
SEASONAL DWELLING: Means a single detached dwelling house used as an occasional resort for vacation, recreation, rest and relaxation purposes by a household which regularly resides in a permanent dwelling at another location.	Seasonal 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	Employee
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SECTION 2: DEFINITIONS

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.

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 permit.

Erect

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 CUSTOM WORKSHOP: Means an accessory use to a permitted farm, which consists of the supply of farm labour and/or farm machinery, on a short term, seasonal or contract basis for general or intensive agricultural uses and/or for transporting farm produce and supplies. This definition may include a maintenance garage for vehicles used exclusively for the farm custom work use.

**Farm Custom
Workshop**

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

SECTION 2: DEFINITIONS

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 establishment of a permanent sawmill, as herein defined.

Forestry Use

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

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

Greenhouse

SECTION 2: DEFINITIONS

include any premises for the growing of mushrooms.

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 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.

**Type A Group
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 deckline 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.

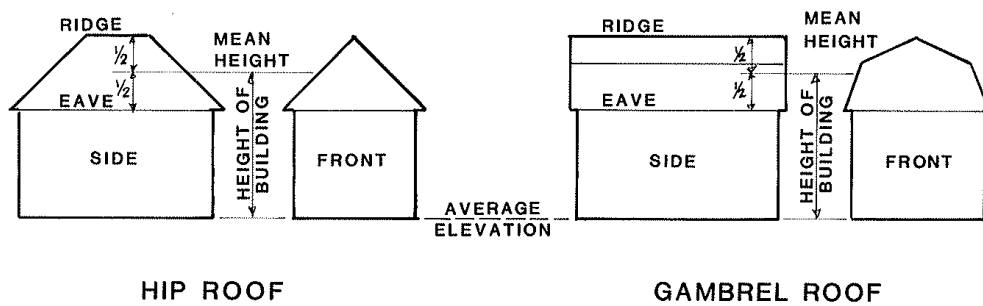
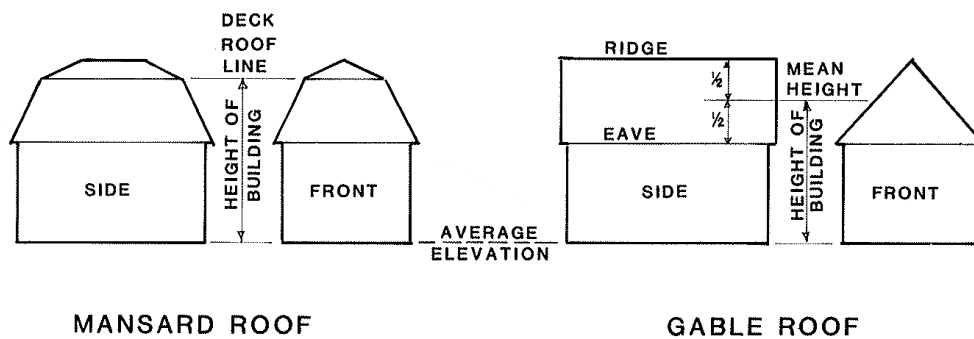
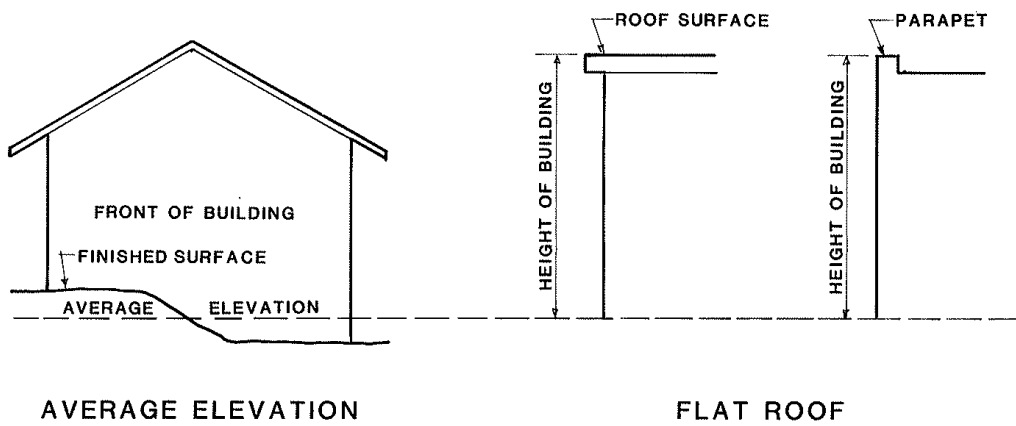
HIGHWAY: (See STREET)

Highway

HOBBY FARM: Means the keeping, breeding, raising and grazing of livestock and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as herein defined which is operated for commercial purposes.

Hobby Farm

Illustration of Heights of Buildings



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

SECTION 2: DEFINITIONS

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 OCCUPATION, RURAL: 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.

Rural Home Occupation

HOSPITAL: Means a Public or Private Institution as defined under The Public Hospitals Act or under The Private Hospitals Act.

Hospital

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

HOUSEHOLD PET: (See PET, HOUSEHOLD).

Household Pet

HUNTING OR FISHING CAMP: Means a building or structure which is occupied for limited times during the year as a base for hunting, fishing and similar outdoor activities but which is not a single detached dwelling or a seasonal dwelling as defined herein.

Hunting or Fishing Camp

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

SECTION 2: DEFINITIONS

KENNEL: Means a building or a structure or part of a building or structure used for the breeding, raising and/or boarding of dogs or cats for personal use or for profit or gain, as defined in the Animal Control By-law of the Corporation.

Kennel

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

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.

Laundromat

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.

**Loading
Space**

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.

Lot

CORNER LOT: Means lot situated at the intersection of and abutting two streets which intersect at an angle of less than 135 degrees.

Corner Lot

INTERIOR LOT: Means a lot situated between adjacent lots and abutting one street.

Interior Lot

IRREGULAR LOT: Means a lot abutting more than one street, but not otherwise defined herein.

Irregular Lot

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.

Through Lot

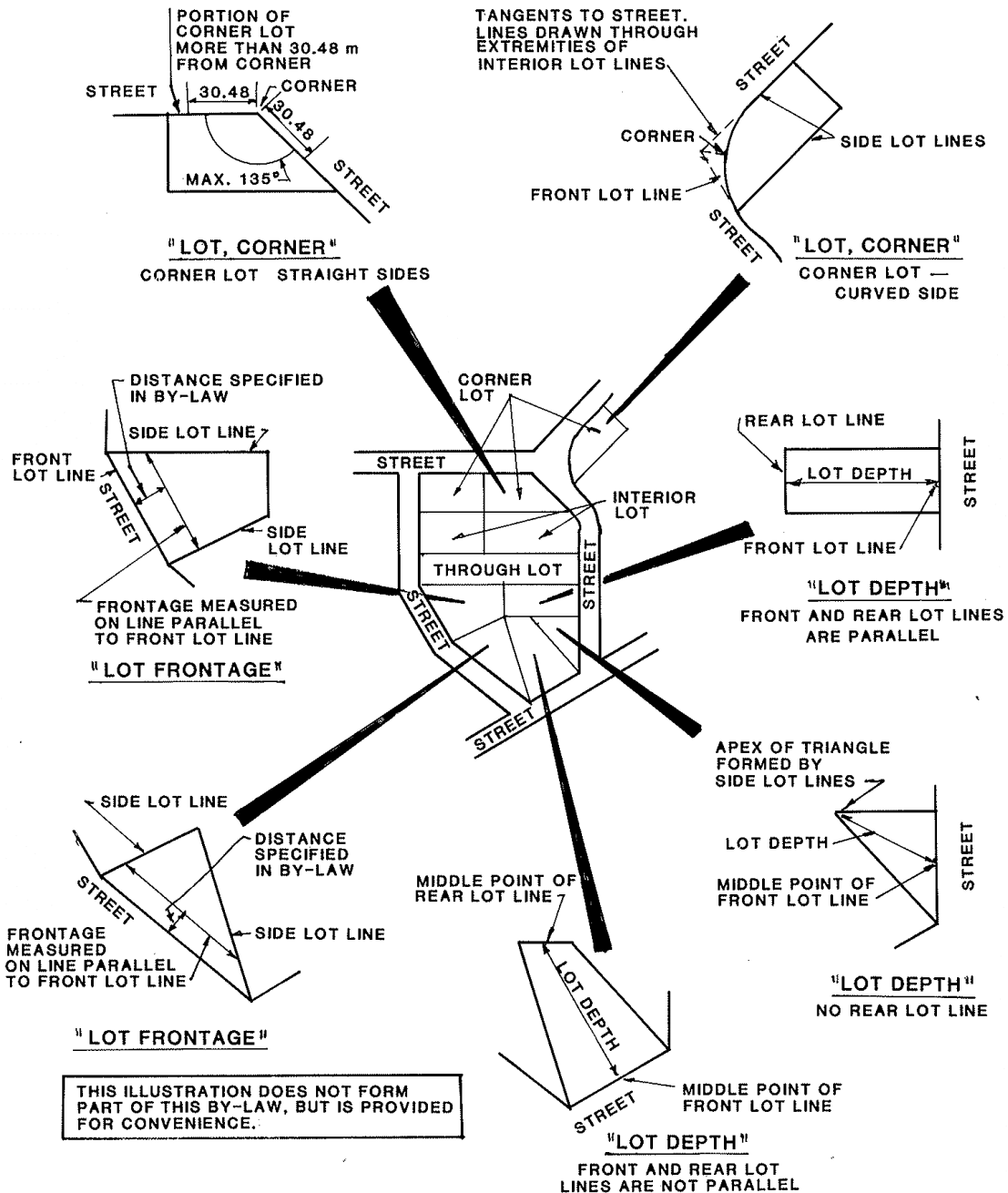
WATERFRONT LOT: Means a lot with at least one lot line abutting the shoreline of a waterbody.

**Waterfront
Lot**

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

Illustration of Lot Definitions



SECTION 2: DEFINITIONS

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 (4.9 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:

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

SECTION 2: DEFINITIONS

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

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.

Market

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.

Medical Clinic

MERCHANDISE SERVICE SHOP: (See SERVICE SHOP)

**Merchandise
Service Shop**

SECTION 2: DEFINITIONS

MINE: Means the extraction of mineral resources either by underground or open pit mining but does not include a pit or quarry as herein defined. A mine includes accessory processing uses such as refining, smelting, open storage of mineral resources, waste storage and processing, and associated handling and transportation uses.

Mine

MOBILE HOME: Means a dwelling house that is designed to be made mobile and constructed or manufactured to provide a permanent residence, but does not include a modular dwelling house, motor home, travel trailer, tent trailer, or any other trailer otherwise designed. A mobile home may be manufactured as a single unit or may be manufactured in two or more units and assembled on the site. A mobile home shall be manufactured in accordance with the Z 240 standard of the Canadian Standards Association.

Mobile Home

MODULAR DWELLING: (See DWELLING, MODULAR)

Modular Dwelling

MOTEL: (See HOTEL)

Motel

MOTOR HOME: Means a self-propelled vehicle designed for living, sleeping and eating accommodation.

Motor Home

MOTOR VEHICLE: Means a motor vehicle as defined by The Highway Traffic Act.

Motor Vehicle

MUNICIPALITY: (See CORPORATION).

Municipality

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.

Museum

2N

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.

Non-Complying

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.

Non-Conforming

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.

Nursing Home

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

Obnoxious Use

SECTION 2: DEFINITIONS

which under The Health Protection and Promotion Act or its regulations is likely to have an adverse affect on the health of any person.

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 m² (153.9 ft²) 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 (18.9 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**

PET, HOUSEHOLD: Means a domestic animal which is tamed and commonly kept in a dwelling unit either with free movement or confined in an appropriate container but shall not include a domesticated animal which is commonly kept, bred, raised or grazed as an agricultural use, an animal requiring unusual care beyond normal feeding or grooming, or an animal, representing a hazard or danger to the health, safety or well being of the occupants of the dwelling unit.

Household Pet

PIT: Means a lot or portion of a lot where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or

Pit

SECTION 2: DEFINITIONS

manufacturing purposes, but does not include a wayside pit. Uses associated with the extractive operation using on-site aggregate are included in this definition, including washing or screening operations, batching plants, etc.

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**

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.

**Place of
Recreation**

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.

Play Area

PRINCIPAL: (See MAIN).

Principal

PRINT SHOP: Means a retail establishment that provides printing or duplicating services using photography, blueprint or offset printing equipment.

Printing Shop

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.

**Printing
Establishment**

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.

**Private
Amenity Area**

PROPANE/COMPRESSED NATURAL GAS TRANSFER AND HANDLING FACILITY:

**Propane/
Compressed
Natural Gas
Transfer and
Handling Facility**

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.
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).
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.
4. Bulk propane storage depot means a propane transfer facility that has an aggregate capacity in excess of 7571 litres (2000 U.S. gallons).

SECTION 2: DEFINITIONS

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.

**Public
Authority**

PUBLIC USE: Means the use of any land, building or structure by a public authority.

Public Use

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

QUARRY: Means a lot where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine. Uses associated with the extractive operation using on-site material are included in this definition, including crushing, washing or screening operations, batching plants, etc.

Quarry

2R

RAILWAY SPUR: Means a rail line located on private property or on a private right-of-way which provides access from a rail line to the private property.

Railway Spur

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

Restaurant

SECTION 2: DEFINITIONS

within a restaurant is permitted.

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

RIGHT-OF-WAY: (See STREET)

Right-of-Way

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.

**Private
Right-of-way**

ROAD: (See STREET)

Road

ROW HOUSE DWELLING: (See DWELLING, TOWNHOUSE)

**Row House
Dwelling**

RURAL HOME OCCUPATION: (See HOME OCCUPATION, RURAL)

**Rural Home
Occupation**

RURAL COMMERCIAL/INDUSTRIAL MALL: Means one or more buildings divided into a number of self-contained units which are occupied by uses which are permitted uses in the zone in which a rural commercial/industrial mall is permitted, except that the total gross leasable floor area occupied by retail stores and personal service shops shall not exceed 25% of the total gross leasable of the rural commercial/industrial mall.

**Rural
Commercial/
Industrial Mall**

2S

SALVAGE YARD: Means a lot, building and/or structure where goods, wares, merchandise articles or things are stored, handled, processed for further use and/or are abandoned, and includes a junk yard, a scrap metal yard, an automobile wrecking yard or premises, but does not include a waste disposal site.

**Salvage
Yard**

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.

**Sample and
Showroom**

SAWMILL: Means a building or structure where timber resources are debarked, cut, planed or similarly processed and includes storage and treating of finished

Sawmill

SECTION 2: DEFINITIONS

products, where the timber resources are obtained from the lot on which the sawmill is located or are transported to the sawmill from elsewhere.

SCHOOL: Means a school under the jurisdiction of a Board as defined in the Department of Education Act.

School

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.

Commercial School

SCREENING: Means the use of landscaping, walls, fences, hedges and/or other ornamental fixtures to shield the view from one lot to another.

Screening

SEASONAL DWELLING (see DWELLING, SEASONAL)

Seasonal Dwelling

SEMI-DETACHED DWELLING: (See DWELLING HOUSE, SEMI-DETACHED)

Semi-Detached Dwelling

SERVICE, INDUSTRIAL OR BUSINESS: Means a building or part of a building used primarily to provide goods or services to other industries and 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.

Industrial or Business Service

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.

Repair Service Shop

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.

Personal Service Shop

SERVICE STATION: (See AUTOMOBILE SERVICE STATION)

Service Station

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

SHOPPING CENTRE: Means a group of non-residential uses which are predominantly retail and personal service shop uses which serve the general public and which are designed, developed and managed as a unit in one or more main buildings by a single owner or tenant or group of owners or tenants, as opposed to a business area comprising unrelated individual business uses, and includes parking lots and landscaped areas. For the purposes of this By-law, a power centre, discount centre or other similar use shall be considered to be a shopping centre.

Shopping Centre

SECTION 2: DEFINITIONS

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 (24.6 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 (6.6 ft) above grade. Provided also that any portion of a storey exceeding 4.5 m (14.8 ft) in height shall be deemed an additional storey for each 4.5 m (14.8 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 (8.2 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, UNOPEN PUBLIC: Means a street which has not been assumed by the Corporation as an open thoroughfare.

Unopen 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 (6.6 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

2T

TAXI STATION: Means a building or structure or a part thereof used in whole

Taxi Station

SECTION 2: DEFINITIONS

or in part to dispatch taxis and includes land used to store vehicles used for the taxi business.

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

2V

VEHICLE: (See MOTOR VEHICLE)

Vehicle

SECTION 2: DEFINITIONS

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 any depression 1 m (3.3 ft) or more below the surrounding land serving to give direction to a current of water at least nine months of the year, having a bed and well-defined banks, as well as any flood plain associated with the watercourse. Intermittent creeks and streams, municipal drains, and other similar watercourses are included in this definition.

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**

WAYSIDE PIT OR WAYSIDE QUARRY: Means a temporary pit or quarry located outside the limits of a street which is opened and used by a public authority for the purpose of a construction or maintenance project undertaken by the public authority, or for an urgent project for which no alternative source of aggregate under license or permit is readily available in the vicinity.

**Wayside Pit
Quarry**

SECTION 2: DEFINITIONS

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**

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 Schedules A and B to this By-law to which certain provisions and restrictions apply.

Zone

SECTION 3: GENERAL PROVISIONS

3 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 and single detached dwellings or seasonal dwellings in the Limited Services Residential (LSR) Zone, 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 (49.2 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. in the case of accessory private garages in a residential zone, be built closer than 1.5 m (4.9 ft) to any interior side or rear lot line, except that common semi-detached garages may be centered on the mutual side lot line;
4. in the case of all other accessory buildings or structures in a residential zone, be built closer than 1.5 m to any interior side or rear lot line where the surface area of the main wall facing the respective lot line is 10 m² (107.6 ft²) or less, or closer than 3 m (9.8 ft) to any interior side or rear lot line where the surface area of the main wall facing the respective lot line is greater than 10 m² (107.6 ft²);
5. in the case of accessory buildings or structures in all other zones, be built closer than 3 m (9.8 ft) to any interior side or rear lot line;
6. notwithstanding the foregoing, an accessory building or structure may be located not less than 0.5 m (1.6 ft) from a public lane; and,
7. notwithstanding the foregoing, marine facilities may be built to the lot line where such line corresponds to the water's edge.

SECTION 3: GENERAL PROVISIONS

3.2.3 Height

Accessory buildings or structures shall not exceed 5 m (16.4 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 140m² (1,507 ft²), whichever is the lesser, and shall be 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 (6.6 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 (148 ft);
2. The minimum yard requirements for the main building shall be as follows:
 1. front yard depth 15 m (49.2 ft)
 2. exterior side yard width 15 m (49.2 ft)
 3. interior side yard width 7.5 m (24.6 ft)
 4. rear yard depth 7.5 m (24.6 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 (24.6 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 (14.8 ft).
5. Where the lot is a corner lot, no portion of any pump island shall be located closer than 3 m (9.8 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 (49.2 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 (14.8 ft).

SECTION 3: GENERAL PROVISIONS

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.

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

SECTION 3: GENERAL PROVISIONS

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 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 seasonal dwelling or single detached dwelling, or where an existing building or structure is to be demolished and replaced by a seasonal dwelling or 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

SECTION 3: GENERAL PROVISIONS

1. Except as provided for in Section 3.6.5.2, where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.
2. Notwithstanding the foregoing, where a shoreline area of a lot is placed in the Environmental Protection (EP) Zone or in the Flood Plain overlay Zone, such area may be considered as part of the lot for the purpose of determining the minimum required lot area and setback from a waterbody, provided that written approval of the sewage disposal system is obtained from the Ministry of Environment or its agent.

3.6.5 Lots Having Less Area and/or Frontage

1. Except as may otherwise be provided for in Section 3.6.5.2, where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, or where such a lot is created as a result of any expropriation by or conveyance to a Public Authority, or of any dedication required for site plan approval, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are met, and provided further that written approval of the sewage disposal facilities is obtained from the Ministry of Environment or its agent.
2. In the Limited Services Residential (LSR) Zone, where a lot having a lesser lot area and/or lot frontage than that required herein is enlarged by a lot addition, whether or not such lot addition results in the lot having the minimum required lot area and/or frontage, the following provisions shall apply.
 1. The lot addition need not be located in the same zone as such smaller lot.
 2. Where the lot addition is located in another zone, it shall be deemed to be located entirely in the Limited Services Residential (LSR) Zone and the zone regulations of this By-law shall apply as though the entire lot is located in the Limited services Residential (LSR) Zone. Where such smaller lot and the lot addition are separated by a road allowance, both lots shall be deemed to be one lot for the purposes of this By-law.
3. Where an existing building or structure is to be altered, enlarged or renovated for use as a seasonal dwelling or a single detached dwelling, the provisions of Section 2.2 shall apply except that any yards which would be made not to conform to the minimum yard requirements of this By-law by virtue of the lot addition shall be deemed to conform to the regulations 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.

SECTION 3: GENERAL PROVISIONS

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 (1.6 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 (3.3 ft), provided the bay window does not exceed a maximum width of 3 m (9.8 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 (8.2 ft) but not closer than 2.5 m (8.2 ft) to an interior lot line, provided they do not exceed a maximum width of 3 m (9.8 ft), and provided that they do 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 (3.3 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 (8.2 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 (3.3 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 (3.3 ft) but not closer than 2.5 m (8.2 ft) to an interior side lot line.

SECTION 3: GENERAL PROVISIONS

7. Building Setback in Built-Up Area

Notwithstanding anything else in this By-law, in any Residential Zone except the Limited Services Residential (LSR) 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 (394 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 (9.8 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 (19.7 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 Yard Exceptions for Waterbodies, Watercourses, Embankments and Cliffs

Where a front, side or rear yard is required in this By-law, and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a waterbody or watercourse, or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal, then the required yard shall be measured as the horizontal distance between the nearest main wall of the main building or structure on the lot and the edge of said area covered by water or marsh, or to the rim of said waterbody or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot line.

3.6.9 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 (19.7 ft), exclusive of the lane.

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

SECTION 3: GENERAL PROVISIONS

Licensed day nurseries shall be permitted in all Residential Zones except the Limited Services Residential (LSR) Zone, in all Commercial Zones, the Hamlet Zone, in the Light and Rural Industrial Zones, and in the Rural Zone, in accordance with the following provisions:

	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	540m ² (5813 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	40m (131.2 ft)
3. front yard depth (minimum)	12.5 m (41 ft) in the Rural (RU) Zone and 6 m (19.7 ft) in all other Zones.	
4. exterior side yard width (minimum)	6 m (19.7 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	40%	80%
8. building height (maximum)	11 m (36.1 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 except the Limited Services Residential (LSR) Zone or Tourist Commercial (C4) Zone unless the lot on which such building or structure is located has frontage on an opened public street as herein defined. In the case of the Tourist Commercial (C4) Zone, this provision shall only apply if the lot on which the building or structure is located is a waterfront lot.

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, general agricultural, and hunting/fishing camps, provided that there is no permanent dwelling on the lot.

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.

SECTION 3: GENERAL PROVISIONS

3.12 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, except in the Limited Services Residential (LSR) Zone, in accordance with the following provisions.

1. A Group Home shall be located a minimum of 300 m (984 ft) from another Group Home within the Hamlet Zone as shown on Schedule A or within the urban Merrickville area as shown on Schedule B, and a minimum of 1,000 m (3,281 ft) from another Group Home outside the Hamlet designation as shown on Schedule A, 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.

3.13 Hobby Farms

Hobby Farms, as defined herein, shall be considered an accessory use to a residential use outside the Hamlet designation as shown on Schedule A and shall be permitted in all zones in which a single detached dwelling house is permitted as a principal use in accordance with the following provisions:

1. A hobby farm shall be restricted to one barn for the housing or stabling of animals with a maximum gross floor area of 100 m² (1,076 ft²). This provision shall not prohibit a larger barn or other buildings or structures, such as a riding arena, which are used exclusively for training, exercising or other similar activities, provided that the area used for housing or stabling of animals does not exceed the maximum gross floor area of 100 m² (1,076 ft²).
2. The barn shall comply with the provisions of Section 3.1 for accessory buildings and structures.
3. The minimum lot area for a hobby farm shall be 4 ha (9.9 ac).
4. A hobby farm shall comply with the Minimum Distance Separation requirements of the Agricultural Code of Practice.

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

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sufficient to warrant immediate development.

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, except a dwelling in the Limited Services Residential (LSR) zone, 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 due to 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 m² (495 ft²), 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 m² (161.5 ft²) 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

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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. Home occupation use(s) which are located in an accessory building may be serviced by municipal or private water and sewer services provided that there is no sanitary facility (toilet) located in the accessory building.

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.

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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. No deliveries or pick-ups are permitted between the hours of 7:00 PM and 7:00 AM.

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 rural home occupation, 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, except in the Limited Services Residential (LSR) Zones and the Mobile Home Development (MHP) Zone in accordance with the following provisions.

1. The provisions of Section 3.15.1 shall apply, except as provided below.
2. Rural home occupations shall also be permitted within an accessory building or structure and shall occupy an area of not more than 100 m² (1,076 ft²) of the building or structure.
3. Rural home occupations may include accessory open uses and storage provided such open uses and storage are limited to 200 m² (2,153 ft²) and provided such open uses and storage are not located within any of the required yards of the zone in which such rural home occupation is located.
4. Rural home occupations shall only be permitted on lots having a minimum lot area of 4 ha (9.9 ac).

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5. In addition to the permitted uses in Section 3.15.1, a rural home occupation 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.

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 (29.5 ft) above finished grade and no closer than 4.5 m (14.8 ft) to any street line.

3.17 Kennel

Kennels shall only be permitted where specifically listed as a permitted use and shall be subject to the regulations of the Animal Control By-law of the Village.

3.18 Landscaped Open Space

3.18.1. 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 (9.8 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 (9.8 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 (4.9 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.

3.18.2. 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 (9.8 ft) of the edge of such driveway or within 1.5 m (4.9 ft) of the edge of such walk.

3.18.3. Accessory Uses

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

3.19 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 (29.5 ft) long, 3 m (9.8 ft) wide, and having a vertical clearance of at least 4 m and in accordance with the following:

3.19.1 Number of Spaces Required

TOTAL FLOOR AREA OF BUILDING OR STRUCTURE	NUMBER OF LOADING SPACES REQUIRED
280 m ² (3,014 ft ²) or less	0
Exceeding 280 m ² (3,014 ft ²) but not 2,300 m ² (24,758 ft ²)	1
Exceeding 2,300 m ² (24,758 ft ²)	1 plus 1 additional space for each additional 2,300 m ² (24,758 ft ²) 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.	

3.19.2. Access

Access to loading or unloading spaces shall be by means of an aisle at least 3.7 m (12.1 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.

3.19.3. 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.

3.19.4. Surface

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

3.19.5. 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.

3.19.6. Additions to Building

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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.

3.20 Minimum Distance Separation

3.20.1 Notwithstanding any other provision of this By-law to the contrary, no building or structure shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I), as calculated in accordance with the MDS I formulae, except that this provision shall not apply to the following:

1. any building or structure which is permitted as a Public Use under Section 3.26 of this By-law;
2. any building or structure which is located on the same lot as the agricultural use for which the MDS I formulae would otherwise be calculated;
3. any lot existing at the date of the passing of this By-law on which no building or structure would be permitted if the MDS I formulae were to be applied to the said lot, except that the MDS I formulae shall apply if the said lot is large enough to accommodate the building or structure in compliance with the MDS I formulae; or
4. any land which is located in the Merrickville urban area, in a Hamlet, or which is located east of the Merrickville urban area between the Rideau Canal and nearest parallel road, being either County Road 43 or 23, whichever is closer to the Canal, all as identified on Schedules A and B of this By-law.

3.20.2 Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as calculated in accordance with the MDS II formulae in Appendix A of this By-law.

3.21 Mobile Homes and Recreational Vehicles as Temporary Dwellings

3.21.1 Except as otherwise permitted in this By-law, a mobile home or 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.

3.21.2 Notwithstanding the generality of the foregoing, a mobile home or 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. The written agreement to permit a mobile home or recreational vehicle to be used as a temporary residence shall be for a period of not exceeding one year, but may be extended for another year provided that the municipality is satisfied that reasonable progress is being made to complete the permanent dwelling.

3.22 One Dwelling Per Lot

Except where second farm dwellings are permitted, where group building projects are permitted and except in the MHP Zone, not more than one dwelling house shall be located on a lot.

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3.23 Objects Stored in Yards

3.23.1. 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.

3.23.2. In any zone in which a dwelling is permitted as a principal use, the following provisions apply:

1. The parking or storage of one commercial vehicle, not in excess of 4,500 kg. (9,921 lb) vehicle weight, shall be permitted except in the LSR Zone.
2. 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.
3. 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 unlicensed.
4. No person shall use any lot for the purpose of outside parking or storage of a recreational vehicle, except as provided below:
 1. one boat;
 2. one motor home;
 3. two all terrain vehicles or snowmobiles;
 4. one travel trailer.

This provision shall not apply to prevent the parking or storing of one or more boats on a lot which abuts a shoreline.

5. 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.
6. 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.

3.24 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;

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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.
5. any trailer other than as temporary or seasonal accommodation, pursuant to Section 3.23.2.2 herein.

3.25 Parking Area Regulations

- 3.25.1 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 ² (43.1 ft ²) of floor area in the gymnasium; or
Secondary School	4 parking spaces per classroom and 3 spaces per 4 m ² (43.1 ft ²) 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 (9.8 ft) of bench space, or 1 parking space per 12 m ² (129.2 ft ²) 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 ² (193.8 ft ²) 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 ² (1076.4 ft ²) 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 ² (150.7 ft ²) 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 ² (102.3 ft ²) 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	1 parking space per 30 m ² (322.9 ft ²) of gross floor area with a minimum of 3 parking spaces.
Office Public Building	1 parking space per 34 m ² (366 ft ²) of gross floor area on the first storey and 1 parking space per 36 m ² (387.5 ft ²) of gross floor area above the first storey.
Furniture, Appliance, Carpet Stores and similar commercial uses requiring large display areas Building Supply Outlet Greenhouse Repair Service Shop Wholesale Outlet	2 parking spaces per 100 m ² (1,076.4 ft ²) 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 ² (269.1 ft ²) of gross floor area or fraction thereof, with a minimum of 4 parking spaces.

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TYPE OF USE	MINIMUM PARKING REQUIREMENT
Automobile Sales Automobile Rental Automobile Body Shop Automobile Care Automobile Gas Bar Automobile Service Station Recreation Vehicle Sales Farm Implement Sales Commercial Storage Transportation Terminal	2 parking spaces per 100 m ² (1,076.4 ft ²) 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.
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 ² (1,292 ft ²) of gross floor area, or fraction thereof.
Shopping Centre	5.5 parking spaces per 100 m ² (1,076.4 ft ²) of gross leasable floor area.
Other Non-Residential uses permitted by this By-law	1 parking space per 25 m ² (269.1 ft ²) of gross floor area.

3.25.2. Parking Space Size

As per definition.

3.25.3 Core Area Parking Area Requirements

On those lands in the Core Area as shaded on Schedule A, the minimum Parking Area Requirements for Non-Residential Uses, as set out above, shall be reduced by 50 percent.

3.25.4. 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.

3.25.5. 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.

3.25.6. 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

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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.

3.25.7. 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 (19.7 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 (19.7 ft) and 3.5 m (11.5 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.

3.25 .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 (8.2 ft) closer to a street line than: i.a main building wall; or, ii.a covered porch that is at least 2.5 m (8.2 ft) in width.

3.25.9 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 (9.8 ft)
	more than 7 m (23 ft) and less than or equal to 10.5 m (34.4 ft)	4.9 m (16.1 ft)	3.5 m (11.5 ft)
	more than 10.5 m (34.4 ft) and less than or equal to 19.5 m (64 ft)	6.4 m (21 ft)	6 m (19.7 ft)
	more than 19.5 m (64 ft)	9.5 m (31.2 ft)	9 m (29.5 ft)

3.25.10 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 (492 ft) from the said lot and shall be located within the same zone as the said lot.

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Furthermore, such spaces and areas shall:

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.

3.25.11 Temporary Car Shelters

In any zone in which a residential dwelling house is permitted as a principle use, temporary car shelters may be erected and used for the storage of personal vehicles between October 15 and April 15 of the following year, provided that they are not located in the required front or exterior side yards, and provided that they are dismantled and stored during the period of time in which they are not permitted. Nothing in this provision shall be interpreted so as to prohibit any other permanent or temporary shelter or structure that is otherwise permitted in the Zone in which it is located or that is permitted under the accessory use provisions of Section 3.2 of this By-law.

3.26 Public Uses and Services

3.26.1 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 Ontario Hydro, 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.

3.26.2. 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.

3.27 Setbacks

3.27.1. Streets

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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 8 m (26.2 ft) in the urban area of Merrickville and in the Hamlet Zone (as shown on Schedules A and B) and 10 m (32.8 ft) in all other areas of the Village, plus the required front yard depth of the zone in which the use is located.
3. Notwithstanding the foregoing, the minimum setback shall be 6 m (19.7 ft) along any street in the urban area of Merrickville, plus the required front yard depth of the zone in which the use is located, where the width of the road allowance is 12 m (39.4 ft).

3.27.2. Waterbody

1. All buildings and structures, except a marina or a marine facility, shall be set back a minimum horizontal distance of 30 m (98.4 ft) from the normal high water mark of a waterbody. Except for a marina, within the 30 m (98.4 ft) setback, a maximum of 25% or 15 m (49.2 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 (9.8 ft) of the shoreline.
2. Where there is sufficient lot area, the septic system and tile field should also be set back a minimum horizontal distance of 30 m (98.4 ft) from the normal high water mark of a waterbody. Where there is insufficient lot area, the setback from a waterbody may be reduced but shall not be less than as required under the provisions of the Building Code.

3.27.3 Watercourse

All buildings and structures including septic tanks and tile fields shall be set back a minimum horizontal distance of 20 m (65.6 ft) from the top-of-bank of a watercourse as herein defined.

3.28 Sight Triangles and Sight Distance

3.28.1. 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.

3.28.2. Railway Crossings

Where any road or street crosses a railway at the same grade, no building or structure shall hereafter be erected closer to the point of intersection of the centreline of both the railway and the street than 30 m (98.4 ft) where automatic signal protection is provided and 45 m (148 ft) where no automatic signals are provided.

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3.29 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.

3.30 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.

3.31 Temporary Use Zones

3.31.1. Where the zone symbol zoning certain lands as shown on Schedules A and B 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 or B 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.

3.31.2. Temporary Use Provisions

SECTION 4: ZONES

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
RESIDENTIAL TYPE THREE	R3
LIMITED SERVICES RESIDENTIAL	LSR
MOBILE HOME PARK	MHP
GENERAL COMMERCIAL	C1
LOCAL COMMERCIAL	C2
HIGHWAY COMMERCIAL	C3
TOURIST COMMERCIAL	C4
SHOPPING CENTRE COMMERCIAL	C5
LIGHT INDUSTRIAL	M1
RURAL INDUSTRIAL	M2
SALVAGE YARD	M3
WASTE DISPOSAL	M4
INSTITUTIONAL	I
OPEN SPACE	O
HAMLET	H
AGRICULTURAL	A
RURAL	RU
AGGREGATE – PIT	AP
AGGREGATE – QUARRY	AQ
AGGREGATE – RESERVE	AR
MINERAL RESOURCE	MR
WETLAND	W
ENVIRONMENTAL PROTECTION	EP
DEVELOPMENT	D

SECTION 4: ZONES

FLOOD PLAIN	(shaded overlay)
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 approximate imperial equivalent.

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.

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 LSRh), 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,

SECTION 4: ZONES

following which the use or uses shall cease, and such special provisions may be found by reference to Section 3.31.

4.9 Flood Plain Zones

Lands zoned Flood Plain, as shown on the Schedules by shading, shall be subject to all of the provisions of the zone in which the lands are located. However, no building or structure shall be erected or altered within a Flood Plain Zone, except with the written approval of the Conservation Authority.

4.10 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.

4.11 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
2. Non-Residential Uses
in accordance with Section 3

5.1.2 Zone Provisions

Single Detached Dwelling	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	450 m ² (4,844 ft ²)	2,000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	30m (98.4 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft) on one side with a total of 4.2 m (13.8 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 (3.9 ft) for each yard	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. dwelling unit area (minimum)	85 m ² (915 ft ²)	
8. landscaped open space (minimum)	40%	80%
9. building height (maximum)	11 m (36.1 ft)	
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

5.1.3 Special Provisions

5.1.4 Exception Zones

SECTION 5: RESIDENTIAL ZONES

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
2. Non-Residential Uses
in accordance with Section 3

5.2.2 Zone Provisions

Single Detached Dwelling	Full Municipal Services	Partial or Private Services
in accordance with Section 5.1.2		

Semi-detached Dwelling	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	270 m ² (2,906 ft ²)	2,000 m ² (0.5 ac)
2. lot frontage (minimum)	9 m (29.5 ft)	15m (50 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 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 (3.9 ft), and nil on the other side	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. dwelling unit area (minimum)	70 m ² (750 ft ²)	
8. landscaped open space (minimum)	30%	60%
9. building height (maximum)	11 m (36.1 ft)	
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

Duplex Dwelling	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	540m ² (5,813 ft ²)	2,000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	30m (98.4 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft) on one side with a total of 4.2 m (13.8 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 (3.9 ft) for each yard	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. dwelling unit area (minimum)	70 m ² (753.5 ft ²)	
8. landscaped open space (minimum)	30%	60%

SECTION 5: RESIDENTIAL ZONES

Duplex Dwelling	Full Municipal Services	Partial or Private Services
9. building height (maximum)	11 m (36.1 ft)	
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

Converted Dwelling Boarding/Rooming Dwelling	Full Municipal Services	Partial or Private Services
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	35 m ² (376.7 ft ²)	
8. landscaped open space (minimum)	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	

Street Townhouse Dwelling	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	180 m ² (1,937.6 ft ²)	not permitted
2. lot frontage (minimum)	6 m (19.7 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	Nil, except that the minimum width adjoining an end-unit wall shall be 1.2 m (3.9 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. dwelling unit area (minimum)	65 m ² (700 ft ²)	
8. landscaped open space (minimum)	30%	
9. building height (maximum)	11 m (36.1 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	Partial or Private Services (maximum 5 units per lot)
1. lot area (minimum)	890 m ² (9,580.2 ft ²)	4,000 m ² (1 ac)
2. lot frontage (minimum)	30 m (98.4 ft)	40m (131.2 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	1.2 m (3.9 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	

SECTION 5: RESIDENTIAL ZONES

Planned Unit Townhouse Dwelling	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
7. dwelling unit area (minimum)	65 m ² (700 ft ²)	
8. landscaped open space (minimum)	30%	
9. building height (maximum)	11 m (36.1 ft)	
10. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	
11. dwelling units per building (maximum)	6	5
12. density (maximum)	1 per 200m ² (2,153 ft ²) lot area	1 per 800 m ² (8,611 ft ²) 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">1. front yard depth (minimum): 6 m (19.7 ft)2. exterior side yard width (minimum): 3 m (9.8 ft)3. interior side yard width (minimum): Nil, except that the minimum width adjoining an end unit wall shall be 1.2 m (3.9 ft)4. rear yard depth (minimum): 6 m (19.7 ft) <p>The privacy yards may be included in the yard requirements of items 3 to 6 of this table.</p>	not permitted

5.2.3 Exception Zones

SECTION 5: RESIDENTIAL ZONES

5.3 RESIDENTIAL TYPE 3 (R3) ZONE

5.3.1 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
multiple dwelling house
apartment dwelling
nursing home
home for the aged
2. Non-Residential Uses
in accordance with Section 3

5.3.2 Zone Provisions

Single Detached Dwelling	Full Municipal Services	Partial or Private Services
in accordance with Section 5.1.2		

Semi-Detached Duplex Dwelling Converted Dwelling Boarding/rooming House Street Townhouse Dwelling Planned Unit Townhouse Dwelling	Full Municipal Services	Partial or Private Services
in accordance with Section 5.2.2		

Multiple Residential Dwelling Apartment Dwelling	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
1. lot area (minimum)	890 m ² (9,580.2 ft ²)	4,000 m ² (1 ac)
2. lot frontage (minimum)	30 m (98.4 ft)	40 m (131.2 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	6 m (19.7 ft)	
5. interior side yard width (minimum)	6 m (19.7 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	30%	
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	
11. dwelling units per building (maximum)	No maximum	5
12. density (maximum)	1 per 130 m ² (1,399.4 ft ²)	1 per 800 m ² (8,611 ft ²) lot area

SECTION 5: RESIDENTIAL ZONES

Multiple Residential Dwelling Apartment Dwelling	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
13. privacy yards	<p>Privacy yards with a minimum depth of 3 m (9.8 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 (8.2 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 m² (161.5 ft²), whichever is the greater.</p> <p>The children's play area shall be located at least 6 m (19.7 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 (8.2 ft) above the adjacent grade.</p>	

Nursing Home Home for the Aged	Full Municipal Services	Partial or Private Services
in accordance with Section 9		

5.3.3 Exception Zones

SECTION 5: RESIDENTIAL ZONES

5.4 LIMITED SERVICES RESIDENTIAL (LSR) ZONE

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

5.4.1 Permitted Uses

seasonal dwelling house
single-detached dwelling house
other uses in accordance with the provisions of Section 3

5.4.2 Zone Provisions

1.	lot area (minimum)	8,000 m ² (2 ac)
2.	lot frontage (minimum)	50 m (164 ft)
3.	front yard depth (minimum)	30 m (98.4 ft), defined as the minimum setback from a waterbody
4.	exterior side yard width (minimum)	7.5 m (24.6 ft)
5.	interior side yard width (minimum)	3 m (9.8 ft)
6.	rear yard depth (minimum)	7.5 m (24.6 ft), defined as the depth from a private right-of-way
7.	lot coverage (maximum)	15%
8.	building height (maximum)	11 m (36.1 ft)
9.	dwellings per lot (maximum)	1
10.	accessory uses, parking, waterbody setback, etc.	in accordance with Section 3

5.4.3 Special Provisions

1. The front yard located next to a waterbody shall be maintained in a natural state except as shown on an approved site plan.

5.4.4 Exception Zones

SECTION 5: RESIDENTIAL ZONES

5.5 MOBILE HOME PARK (MHP) ZONE

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

5.5.1 Permitted Uses

1. Non-Residential Uses

assembly hall for mobile home park residents
commercial storage for mobile home park residents
convenience store
laundromat
mobile home sales
private park
buildings and uses accessory to the foregoing

2. Residential Uses

mobile home
modular dwelling
accessory dwelling house

5.5.2 Zone Provisions

- | | | |
|----|--|---|
| 1. | lot area (minimum) | 4 ha (9.9 ac) |
| 2. | lot frontage (minimum) | 100 m (328.1 ft) |
| 3. | front yard depth (minimum) | 7.5 m (24.6 ft) on a lot in a plan of subdivision and 12.5 m (40 ft) on all other lots. |
| 4. | exterior side yard width (minimum) | 7.5 m (24.6 ft) |
| 5. | interior side yard width (minimum) | 7.5 m (24.6 ft) |
| 6. | rear yard depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Landscaped Open Space (minimum) | 30% |
| 8. | Height of Building (maximum) | 11 m (36.1 ft) |
| 9. | accessory uses, parking, waterbody setback, etc. | in accordance with Section 3 |

5.5.3 Special Provisions

1. The following provisions shall apply to each dwelling site within a mobile home park:

- | | | |
|----|------------------------------------|---|
| 1. | area (minimum) | 465 m ² (5,005.4 ft ²) |
| 2. | frontage (minimum) | 15 m (49.2 ft) |
| 3. | front yard depth (minimum) | 6 m (19.7 ft) |
| 4. | exterior yard width (minimum) | 6 m (19.7 ft) |
| 5. | interior side yard width (minimum) | 3 m (9.8 ft) |
| 6. | rear yard depth (minimum) | 6 m (19.7 ft) |

Where a yard is required for a dwelling site, it may be included within the required front, exterior side, interior side or rear yard as set out in Section 5.5.2.

SECTION 5: RESIDENTIAL ZONES

5.5.4 Exception Zones

SECTION 6: COMMERCIAL ZONES

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 GENERAL COMMERCIAL (C1) ZONE

6.1.1 Permitted Uses

1. Non-Residential Uses

- animal care
- assembly hall
- bakeshop
- beverage room
- butcher shop
- church
- commercial school
- commercial sports and recreation establishment
- community centre
- custom workshop
- dry cleaning distribution station or plant
- funeral home
- financial office
- guest house
- hotel
- institution
- laundromat
- 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
- warehouse use accessory to any of the foregoing
- wholesale use accessory to any of the foregoing
- other uses in accordance with Section 3

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

SECTION 6: COMMERCIAL ZONES

6.1.2 Zone Provisions

6.1.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	No minimum	2000 m ² (0.5 ac)
2. lot frontage (minimum)	No minimum	18m (59 ft)
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 1.5 m (4.9 ft)	
6. rear yard depth (minimum)	No minimum, except where the yard abuts a lot in a Residential Zone, the minimum yard shall be 1.5 m (4.9 ft)	
7. building height (maximum)	11 m (36.1 ft)	
8. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

6.1.2.2 Residential Uses

Residential Uses	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
1. Minimum Landscaped Open Space	15 m ² (161.5 ft ²) 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 ² (53.8 ft ²) per unit	
3. Maximum Density	1 per 65 m ² (700 ft ²) lot area	1 per 800 m ² (8,611 ft ²) lot area
4. Maximum Building Height	11 m (36.1 ft)	
5. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

6.1.3 Exception Zones

1. C1-1: 165 Drummond Street (Schedule B)

Notwithstanding the parking requirements of Section 3.25, on the land zoned C1-1 no parking is required.

2. C1-2: 118 Main Street (Schedule B)

Notwithstanding the permitted use provisions of Section 6.1.1, on the land zoned C1-2 the permitted non-residential uses shall be restricted to the following:

assembly hall
bakeshop
beverage room

SECTION 6: COMMERCIAL ZONES

butcher shop
church
commercial school
commercial sports and recreation establishment
community centre
custom workshop
dry cleaning distribution station or plant
financial office
guest house
hotel
institution
medical clinic
museum
office
personal service shop
place of entertainment
place of recreation
restaurant
retail store
take-out restaurant, excluding drive-through
taxi station
other uses in accordance with Section 3

3. C1-3: 136 Wellington Street (Schedule B)

Notwithstanding the permitted use provisions of Section 6.1.1, on the land zoned C1-2 an animal clinic is permitted in addition to the other permitted uses in the C1 Zone, provided that the animal clinic use is restricted to an office and surgery for household pets and non-venomous, but not large, wild or farm, animals.

SECTION 6: COMMERCIAL ZONES

6.2 LOCAL COMMERCIAL (C2) ZONE

6.2.1 Permitted Uses

1. Non-Residential Uses

animal care
bakeshop
butcher shop
convenience store
dry cleaning distribution station
financial office
office
personal service shop
retail store
take-out restaurant, excluding drive through
other uses in accordance with Section 3

2. Residential Uses

one accessory dwelling unit in a portion of a Non-Residential building

6.2.2 Zone Provisions

6.2.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	450 m ² (4,844 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	18m (59 ft)
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. building height (maximum)	11 m (36.1 ft)	
8. gross leasable floor area (maximum)	100 m ² (1,076.4 ft ²)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

6.2.2.2 Residential Uses

Residential Uses	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
1. Minimum Landscaped Open Space	15 m ² (161.5 ft ²) 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	

SECTION 6: COMMERCIAL ZONES

Residential Uses	Full Municipal Services	Partial or Private Services (maximum 5 units per lot)
	of 5 m ² (53.8 ft ²) per unit	
3. Maximum Building Height	11 m (36.1 ft)	
4. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

6.2.3 Exception Zones

6.3 HIGHWAY COMMERCIAL (C3) ZONE

6.3.1 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
commercial school
commercial sports and recreation establishment
commercial storage
contractor or tradesman establishment
convenience store
custom workshop
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
take-out restaurant
warehouse
wholesale
other uses in accordance with Section 3

2. Residential Uses

SECTION 6: COMMERCIAL ZONES

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.

6.3.2 Zone Provisions

6.3.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	540m ² (5813 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. dwelling unit area (minimum)	85 m ² (915 ft ²)	
8. landscaped open space (minimum)	20%	40%
9. building height (maximum)	11 m (36.1 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: 1. the open storage is accessory to the main use 2. the open storage is not located in any required yard 3. the open storage does not occupy more than 40% of the lot area 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	

6.3.2.2 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	

6.3.3 Exception Zones

1. C3-1: 205 East Broadway (Schedule A)

Notwithstanding the permitted use provisions of Section 6.3.1, on the land C3-1 an accessory dwelling unit is permitted within the same building as an automobile body shop.

SECTION 6: COMMERCIAL ZONES

2. C3-2: 168 County Road 23 (Schedule A)

Notwithstanding the permitted use provisions of Section 6.3.1, on the land zoned C3-2 the permitted use shall be restricted to an automobile sales use as herein defined.

4. C3-3: 201 Kilmarnock Road (Schedule A)

Notwithstanding the permitted use provisions of Section 6.3.1, on the land zoned C3-3 the permitted uses shall be restricted to an automobile sales and automobile rental uses as herein defined.

4. C3-4: 3515 County Road 16 (Schedule A)

Notwithstanding the permitted use provisions of Section 6.3.1, on the land zoned C3-4 the permitted uses shall be restricted to a commercial storage use as herein defined with as maximum gross leasable floor area of 483 m² (5,200 ft²).

SECTION 6: COMMERCIAL ZONES

6.4 TOURIST COMMERCIAL (C4) ZONE

6.4.1 Permitted Uses

1. Non-Residential Uses

beverage room
commercial sports and recreation centre
convenience store
conservation
golf course
hotel
hunting/fishing camp
laundromat
marina
marine facility
museum
private park
place of recreation
place of entertainment
restaurant
retail store
take out restaurant
tourist campground
tourist establishment
tourist guest house
other uses in accordance with the provisions of 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.

6.4.2 Zone Provisions

7.4.2.1 Non-Residential Uses

Non-Residential Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	540m ² (5813 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	20%	40%
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	
10. open storage	Open storage of goods or materials shall be permitted	

SECTION 6: COMMERCIAL ZONES

Non-Residential Uses	Full Municipal Services	Partial or Private Services
	in accordance with the following: 1 the open storage is accessory to the main use 2 the open storage is not located in any required yard 3 the open storage does not occupy more than 40% of the lot area Garbage shall be stored in metal containers in a fenced or screened area designed expressly for that purpose	
11. fuel pump island location	in accordance with Section 3	
12. 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	

7.4.2.2 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	

6.4.3 Exception Zones

SECTION 6: COMMERCIAL ZONES

6.5 SHOPPING CENTRE COMMERCIAL (C5) ZONE

6.5.1 Permitted Uses

1. Non-Residential Uses

shopping centre
other uses in accordance with Section 3
2. Residential Uses

not permitted

6.5.2 Zone Provisions

Shopping Centre	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	2000 m ² (0.5 ac)	
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft) except where the yard abuts a lot in a Residential Zone, the minimum shall be 6 m (19.7 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	20%	40%
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	
10. floor space index (maximum)	0.45	
11. Open Storage	No open storage shall be permitted. Garbage shall be stored in metal containers in a fenced or screened area designed expressly for that purpose.	

6.5.3 Exception Zones

SECTION 7: INDUSTRIAL ZONES

7 INDUSTRIAL ZONES

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

7.1 LIGHT INDUSTRIAL (M1) ZONE

7.1.1 Permitted Uses

1. Non-Residential Uses

Only those uses which are able to comply with The Health Protection and Promotion Act and are not likely to be obnoxious or dangerous by reason of fire, explosion, noise, smoke, or odour. Subject to this qualification, the following non-residential uses are permitted.

accessory retail store
adult entertainment
animal clinic
artists or photographic studio
assembly hall
assembly plant
automobile body shop
automobile care
automobile gas bar
automobile sales
automobile service station
automobile washing establishment
bakery
building supply outlet
commercial school
commercial sports and recreation establishment
commercial storage
communication facility
consumer outlet propane/compressed natural gas transfer facility
convenience store
custom workshop
dairy
dry cleaning distribution station or plant
fabricating plant
financial office
funeral home
gas cylinder handling facility
hotel
industrial mall
industrial or business service
laundromat
manufacturing plant
office
open storage area
parking lot

SECTION 7: INDUSTRIAL ZONES

personal service shop
place of entertainment
place of recreation
printing shop
processing plant excluding abattoirs, rendering plants, and similar operations
recreational vehicle sales
repair service shop
restaurant
retail propane transfer facility
sample and showroom
take-out restaurant
taxi station
warehouse
wholesale outlet
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 gas bar, retail propane/compressed natural gas transfer facility.

7.1.2 Zone Provisions

Non-Residential Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	540m ² (5813 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	20%	40%
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	
10. open storage	Open storage of goods or materials shall be permitted in accordance with the following: 1 the open storage is accessory to the main use 2 the open storage is not located in any required yard 3 the open storage does not occupy more than 40% of the lot area Garbage shall be stored in metal containers in a fenced or screened area designed expressly for that purpose	
11. fuel pump island location	in accordance with Section 3	
12. 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	

7.1.2.1 Residential Uses

SECTION 7: INDUSTRIAL ZONES

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	

7.1.3 Exception Zones

SECTION 7: INDUSTRIAL ZONES

7.2 RURAL INDUSTRIAL (M2) ZONE

7.2.1 Permitted Uses

1. Non-Residential Uses

All uses permitted in the M1 Zone
feed mill
open uses
saw mill
transportation terminal

2. Residential Uses

accessory dwelling house

7.2.2 Zone Provisions

1. Non-Residential Uses

- | | | |
|-----|---|----------------------------|
| 1. | Lot Area (minimum) | 4000 m ² (1 ac) |
| 2. | Lot Frontage (minimum) | 40 m (131.2 ft) |
| 3. | Front Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m (24.6 ft) |
| 5. | Interior Side Yard Width (minimum) | 3 m (9.8 ft) |
| 6. | Rear Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Landscaped Open Space (minimum) | 10% |
| 8. | Height of Building (maximum) | 11 m (36.1 ft) |
| 9. | Accessory Uses, Waterbody Setback,
Parking, etc.
in accordance with Section 3 | |
| 10. | Open Storage | |
- The open storage of goods or materials shall be permitted only to the rear of the main building provided that:
- | | |
|----|---|
| 1. | such open storage is accessory to the use of the main building; |
| 2. | such open storage complies with the yard requirements of this by-law; |
| 3. | such open storage does not cover more than 40% of the lot area. |

2. Residential Uses

1. Accessory single detached dwelling house

Shall be so located on the lot that there is a private amenity area abutting each exterior wall which is measured as though the dwelling house is located on a separate lot in accordance with the zone provisions for the Rural (RU) Zone.

7.2.3 Exception Zones

7.3 SALVAGE YARD (M3) ZONE

7.3.1 Permitted Uses

1. Non-Residential Uses
 - salvage yard
 - waste recycling
2. Residential Uses
 - accessory single-detached house

7.3.2 Zone Provisions

1. Non-Residential Uses
 1. Lot Area (minimum) 1 ha (2.5 ac)
 2. Lot Frontage (minimum) 90 m (295 ft)
 3. Front Yard Depth (minimum) 9 m (29.5 ft)
 4. Exterior Side Yard Width (minimum) 9 m (29.5 ft)
 5. Interior Side Yard Width (minimum) 9 m (29.5 ft)
 6. Rear Yard Depth (minimum) 9 m (29.5 ft)
 7. Landscaped Open Space (minimum) 10%
 8. Height of Building (maximum) 11 m (36.1 ft)
 9. Accessory Uses, Waterbody Setback, Parking, etc.
in accordance with Section 3
 10. Open Storage
 1. A solid fence or wall a minimum of 2.4 m (8 ft) in height shall be erected around the area used for storage, handling and/or processing
 2. No storage shall be permitted to extend above the height of the fence
 11. 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.
2. Residential Uses
 1. Accessory detached dwelling house

Shall be so located on the lot that there is a private amenity area abutting each exterior wall which is measured as though the dwelling house is located on a separate lot in accordance with the zone provisions for a single detached dwelling house in the Rural (RU) Zone.

7.3.3 Exception Zones

SECTION 7: INDUSTRIAL ZONES

7.4 WASTE DISPOSAL (M4) ZONE

7.4.1 Permitted Uses

waste disposal
waste recycling

7.4.2 Zone Provisions

1. Lot Area (minimum) 1 ha (2.5 ac)
2. Lot Frontage (minimum) 90 m (295 ft)
3. Front Yard Depth (minimum) 9 m (29.5 ft)
4. Exterior Side Yard Width (minimum) 9 m (29.5 ft)
5. Interior Side Yard Width (minimum) 9 m (29.5 ft)
6. Rear Yard Depth (minimum) 9 m (29.5 ft)
7. Landscaped Open Space (minimum) 10%
8. Height of Building (maximum) 11 m (36.1 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.

7.4.3 Exception Zones

SECTION 9: INSTITUTIONAL (I) ZONE

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
school
other uses in accordance with Section 3

8.2 Zone Provisions

Institutional Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	450 m ² (4,844 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	20%	40%
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

8.3 Exception Zones

1. I-1: 223 Lewis Street (Schedule B)

Notwithstanding the provisions of Sections 8.1 and 3.25, on the land zoned I-1 the following provisions apply:

- the permitted use shall be restricted to a licensed day nursery; and,
- a minimum of 6 parking spaces shall be provided.

SECTION 9: OPEN SPACE (O) ZONE

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

conservation
golf course
private park
public park

2. Residential Uses

Existing uses

9.2 Zone Provisions

Open Space Uses	Full Municipal Services	Partial or Private Services
1. lot area (minimum)	450 m ² (4,844 ft ²)	2000 m ² (0.5 ac)
2. lot frontage (minimum)	18m (59 ft)	
3. front yard depth (minimum)	6 m (19.7 ft)	
4. exterior side yard width (minimum)	3 m (9.8 ft)	
5. interior side yard width (minimum)	3 m (9.8 ft)	
6. rear yard depth (minimum)	6 m (19.7 ft)	
7. landscaped open space (minimum)	20%	40%
8. building height (maximum)	11 m (36.1 ft)	
9. accessory uses, parking, waterbody setback, etc.	in accordance with Section 3	

9.3 Exception Zones

1. O-1: 106 Read Street (Schedule B)

Notwithstanding the permitted use provisions of Section 9.1, on the land zoned O-1 the following additional uses shall be permitted:

assembly hall
institution
medical clinic
museum

SECTION 10: HAMLET (H) ZONE

10 HAMLET(H) ZONE

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

10.1 Permitted Uses and Zone Provisions

Residential uses in accordance with the Residential Type 2 (R2) Zone (Section 6.2)
Commercial uses in accordance with the General Commercial (C1) Zone (Section 7.2)
Institutional uses in accordance with the Institutional (I) Zone (Section 8)
Open Space uses in accordance with the Open Space (O) Zone (Section 9)

10.2 Exception Zones

SECTION 11: AGRICULTURAL (A) ZONE

11 AGRICULTURAL (A) ZONE

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

11.1 Permitted Uses

1. Non-Residential Uses

conservation
forestry
general agriculture
intensive agriculture
other uses in accordance with the provisions of Section 4

2. Residential Uses

accessory dwelling house to an agricultural use
single detached dwelling house on an existing lot of record or on a lot created by the Land Division Committee

11.2 Zone Provisions

- | | | |
|-----|--|--|
| 1. | Lot Area (minimum) | 40 ha (98.8 ac), except for a single detached dwelling house in which case the minimum lot area shall be 1 ha (2.5 ac) |
| 2. | Lot Frontage (minimum) | 40m (131.2 ft) |
| 3. | Front Yard Depth (minimum) | 15 m (49.2 ft) |
| 4. | Exterior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 5. | Interior Side Yard Width (minimum) | 6 m (19.7 ft) |
| 6. | Rear Yard Depth (minimum) | 15 m (49.2 ft) |
| 7. | Lot Coverage (maximum) | 20% |
| 8. | Height of Building (maximum) | 11 m (36.1 ft) |
| 9. | Dwellings per Lot (maximum) | 1 |
| 10. | Accessory Uses, Waterbody Setback, Parking, etc. | in accordance with Section 3 |

11.3 Special Provisions

Notwithstanding anything in this By-law to the contrary, a second single-detached dwelling may be erected in the Agricultural (A) Zone as an accessory dwelling house on a lot having an area of at least 40 ha (100 ac), provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons, whose principal occupation is the conduct of a general agricultural or intensive agricultural use.

For the purpose of this provision, a mobile home may be used as a second single-detached dwelling.

11.4 Exception Zones

1. A-1: 2277 County Road 16 (Schedule A)

SECTION 11: AGRICULTURAL (A) ZONE

Notwithstanding the permitted use provisions of Section 11.1, on the lands zoned A-1 the following uses shall be permitted in addition to the other permitted uses in the A Zone:

1. automobile, farm and welding repair use; and,
2. tool and dye manufacturing.

SECTION 12: RURAL (RU) ZONE

12 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.

12.1 Permitted Uses

1. Non-Residential Uses

animal clinic
conservation
forestry
general agriculture
hunting/fishing camp
intensive agriculture
private 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

12.2 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 1 ha (2.5 ac) |
| 2. | Lot Frontage (minimum) | 40m (131.2 ft) |
| 3. | Front Yard Depth (minimum) | 7.5 m (24.6 ft) on a lot in a plan of subdivision and 15 m (49.2 ft) on all other lots. |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m (24.6 ft) |
| 5. | Interior Side Yard Width (minimum) | 3 m (9.8 ft) |
| 6. | Rear Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Lot Coverage (maximum) | 20% |
| 8. | Height of Building (maximum) | 11 m (36.1 ft) |
| 9. | Dwellings per Lot (maximum) | 1 |
| 10. | Accessory Uses, Waterbody Setback, Parking, etc. | in accordance with Section 3 |

12.3 Special Provisions

Notwithstanding anything in this By-law to the contrary, a second single-detached dwelling may be erected in the Rural (RU) Zone as an accessory dwelling house on a lot having an area of at least 40 (100 ac) ha, provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons, whose principal occupation is the conduct of a general agricultural or intensive agricultural use.

For the purpose of this provision, a mobile home may be used as a second single-detached dwelling.

SECTION 12: RURAL (RU) ZONE

12.4 Exception Zones

1. RU-1: 3301 County Road 16 (Schedule A)

Notwithstanding the permitted use provisions of Section 12.1, on the lands zoned RU-1 a fairgrounds is permitted in addition to the other permitted uses in the RU Zone.

2. RU-2: 1100 Kilmarnock Road (Schedule A)

Notwithstanding the permitted use provisions of Section 12.1, on the lands zoned RU-2 the following uses shall be permitted in addition to the other permitted uses in the RU Zone:

welding shop
office
home industry
accessory dwelling house
trailer with a reduced interior side yard of 1 m (3.3 ft)

3. RU-3: 1100 Kilmarnock Road (Schedule A)

Notwithstanding the permitted use provisions of Section 12.1, on the lands zoned RU-3 the following uses shall be permitted in addition to the other permitted uses in the RU Zone:

office
cider manufacturing facility
accessory retail store.

SECTION 13: AGGREGATE – PIT (AP) ZONE

13 AGGREGATE - PIT (AP) ZONE

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

13.1 Permitted Uses

conservation, excluding buildings
forestry, excluding buildings
general agriculture, excluding buildings
pit

13.2 Zone Provisions

- | | | |
|-----|---|----------------|
| 1. | Lot Area (minimum) | No minimum |
| 2. | Lot Frontage (minimum) | No minimum |
| 3. | Front Yard Depth (minimum) | 15 m (49.2 ft) |
| 4. | Exterior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 5. | Interior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 6. | Rear Yard Depth (minimum) | 15 m (49.2 ft) |
| 7. | Landscaped Open Space (minimum) | 10% |
| 8. | Height of Building (maximum) | 11 m (36.1 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. | |
| 11. | Special Provisions
No pit shall be located closer than 300 m (984.3 ft) from an existing dwelling. | |

13.3 Exception Zones

SECTION 14: AGGREGATE – QUARRY (AQ) ZONE

14. AGGREGATE - QUARRY (AQ) ZONE

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

14.1 Permitted Uses

conservation, excluding buildings
forestry, excluding buildings
general agriculture, excluding buildings
quarry

14.2 Zone Provisions

- | | | |
|-----|---|----------------|
| 1. | Lot Area (minimum) | No minimum |
| 2. | Lot Frontage (minimum) | No minimum |
| 3. | Front Yard Depth (minimum) | 15 m (49.2 ft) |
| 4. | Exterior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 5. | Interior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 6. | Rear Yard Depth (minimum) | 15 m (49.2 ft) |
| 7. | Landscaped Open Space (minimum) | 10% |
| 8. | Height of Building (maximum) | 11 m (36.1 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. | |
| 11. | Special Provisions
No quarry shall be located closer than 500 m (1,640 ft) from an existing dwelling. | |

14.3 Exception Zones

SECTION 15: AGGREGATE – RESERVE (AR) ZONE

15 AGGREGATE - RESERVE (AR) ZONE

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

15.1 Permitted Uses

conservation, excluding buildings
forestry, excluding buildings
general agriculture, excluding buildings

15.2 Zone Provisions

1.	Lot Area (minimum)	No minimum
2.	Lot Frontage (minimum)	No minimum
3.	Front Yard Depth (minimum)	NA
4.	Exterior Side Yard Width (minimum)	NA
5.	Interior Side Yard Width (minimum)	NA
6.	Rear Yard Depth (minimum)	NA
7.	Landscaped Open Space (minimum)	NA
8.	Height of Building (maximum)	NA
9.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 3	

15.3 Exception Zones

SECTION 16: MINERAL RESOURCE (MR) ZONE

16 MINERAL RESOURCE (MR) ZONE

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

16.1 Permitted Uses

conservation, excluding buildings
forestry, excluding buildings
general agriculture, excluding buildings
mine

16.2 Zone Provisions

- | | | |
|-----|--|----------------|
| 1. | Lot Area (minimum) | No minimum |
| 2. | Lot Frontage (minimum) | No minimum |
| 3. | Front Yard Depth (minimum) | 15 m (49.2 ft) |
| 4. | Exterior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 5. | Interior Side Yard Width (minimum) | 15 m (49.2 ft) |
| 6. | Rear Yard Depth (minimum) | 15 m (49.2 ft) |
| 7. | Landscaped Open Space (minimum) | 10% |
| 8. | Height of Building (maximum) | 11 m (36.1 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. | |
| 11. | Special Provisions
No mine shall be located closer than 1,000 m (3,280 ft) from an existing dwelling. | |

16.3 Exception Zones

SECTION 17: WETLAND (W) ZONE

17 WETLAND (W) ZONE

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

17.1 Permitted Uses

1. Non-Residential Uses
conservation, excluding buildings
existing uses
2. Residential Uses
Existing uses

17.2 Zone Provisions

- | | | |
|----|---|-----------------|
| 1. | Lot Area (minimum) | No minimum |
| 2. | Lot Frontage (minimum) | No minimum |
| 3. | Front Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m (24.6 ft) |
| 5. | Interior Side Yard Width (minimum) | 3 m (9.8 ft) |
| 6. | Rear Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Height of Building (maximum) | 11 m (36.1 ft) |
| 8. | Accessory Uses, Waterbody Setback,
Parking, etc.
in accordance with Section 3 | |

17.3 Special Provisions

1. No building or structure shall be erected or enlarged and no change of use shall be permitted.

17.4 Exception Zones

SECTION 18: ENVIRONMENTAL PROTECTION (EP) ZONE

18 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.

18.1 Permitted Uses

1. Non-Residential Uses
conservation, excluding buildings
existing uses
2. Residential Uses
Existing uses

18.2 Zone Provisions

- | | | |
|----|---|-----------------|
| 1. | Lot Area (minimum) | No minimum |
| 2. | Lot Frontage (minimum) | No minimum |
| 3. | Front Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m (24.6 ft) |
| 5. | Interior Side Yard Width (minimum) | 3 m (9.8 ft) |
| 6. | Rear Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Height of Building (maximum) | 11 m (36.1 ft) |
| 8. | Accessory Uses, Waterbody Setback,
Parking, etc.
in accordance with Section 3 | |

18.3 Exception Zones

SECTION 19: DEVELOPMENT (D) ZONE

19 DEVELOPMENT (D) ZONE

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

19.1 Permitted Uses

Existing uses

19.2 Zone Provisions

- | | | |
|----|---|-----------------|
| 1. | Lot Area (minimum) | existing |
| 2. | Lot Frontage (minimum) | existing |
| 3. | Front Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m (24.6 ft) |
| 5. | Interior Side Yard Width (minimum) | 3 m (9.8 ft) |
| 6. | Rear Yard Depth (minimum) | 7.5 m (24.6 ft) |
| 7. | Landscaped Open Space (minimum) | 10% |
| 8. | Height of Building (maximum) | 11 m (36.1 ft) |
| 9. | Accessory Uses, Waterbody Setback,
Parking, etc. | |
| | in accordance with Section 3 | |

19.3 Exception Zones

SECTION 20: ADMINISTRATION, ENFORCEMENT AND PENALTIES

20 ADMINISTRATION, ENFORCEMENT AND PENALTIES

20.1 Administration

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

20.2 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".

20.3 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.

20.4 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.

20.5 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 20: ADMINISTRATION, ENFORCEMENT AND PENALTIES

20.6 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.

20.7 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 SO 2001, c.25, as amended from time to time. 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 Chapter. P. 33 and amendments thereto.

20.8 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, as amended from time to time.

20.9 Validity

If any section, clause or provision of this By-law, including anything contained in Schedules A and B, 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.

20.10 Existing By-laws

Zoning By-law No. 23-94 of the former Village of Merrickville and Zoning By-law No. 1079 of the former Township of Welford, 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.

21 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.

READ A FIRST AND SECOND TIME THIS 8th DAY OF DECEMBER, 2008, AND READ A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF JANUARY, 2008.

Signed

J. Douglas Struthers, Mayor

Signed

Jill Eagle, CAO