

TOWNSHIP OF RIDEAU LAKES

ZONING BY-LAW NO. 2005-6

(Office Consolidation)

TOWNSHIP OF RIDEAU LAKES

1439 County Road No. 8

Delta, Ontario K0E 1G0

Tel: (800) 928-2250

Fax: (613) 928-3097

www.twprideaulakes.on.ca

Prepared by:

NOVATECH ENGINEERING CONSULTANTS LTD.

Consulting Engineers and Planners

Suite 200, 240 Michael Cowpland Drive

Ottawa, Ontario K2M 1P6

Tel: (613) 254-9643

Fax: (613) 254-5867

www.novatech-eng.com

**THE CORPORATION OF THE
TOWNSHIP OF RIDEAU LAKES**

BY-LAW NO. 2005-6

**A by-law to regulate the use of lands and the character, location
and the use of buildings and structures in Township of Rideau Lakes**

WHEREAS the *Planning Act, R.S.O., 1990, Chapter P. 13*, as amended, provides that the council of a municipal corporation may pass by-laws to regulate the use of land and the character, location, density, size and use of buildings and structures;

NOW THEREFORE, the Council of the Corporation of Township of Rideau Lakes enacts as follows:

**THE CORPORATION OF
THE TOWNSHIP OF RIDEAU LAKES
BY-LAW NO. 2005-6
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SCHEDULES

- A1 - North Crosby Ward**
- A2 - South Crosby Ward & Newboro Ward**
- A3 - Bastard & South Burgess Ward – North Portion**
- A4 - Bastard & South Burgess Ward – South Portion**
- A5 - South Elmsley Ward**

SECTION 1 – APPLICATION & INTERPRETATION

1.1 Title of By-law

This By-law may be cited as the “Zoning By-law” of the Township of Rideau Lakes.

1.2 Scope of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Rideau Lakes, as shown on Schedules A1, A2, A3, A4 and A5 attached hereto. This By-law shall also apply to any lands not shown on the Schedules and created through the filling of water bodies, as well as to any portion of the bed of any water body where a license of occupation or lease relating to a commercial or industrial use has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law, provided that:
 - When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
 - The building or structure is commenced within six (6) months of the date of the passing of this By-law and is completed within a reasonable time of the commencement.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a governmental authority having jurisdiction to make such restrictions.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the *Planning Act* shall refer to the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended.

1.3 Interpretation of By-law

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.
3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be

occupied” and “arranged to be occupied”.

1.4 Schedules to By-law

The following schedules which are attached hereto are hereby incorporated into and are declared to form part of this By-law to the same extent as if fully described herein:

- Schedule A1 - North Crosby Ward
- Schedule A2 - South Crosby Ward & Newboro Ward
- Schedule A3 - Bastard & South Burgess Ward – North Portion
- Schedule A4 - Bastard & South Burgess Ward – South Portion
- Schedule A5 - South Elmsley Ward

1.5 Zoning Administrator

This By-law shall be administered by the Zoning Administrator.

1.6 Issuance of Building Permits, Certificates and Licenses

1. Notwithstanding any provisions of the Building By-law or any other by-law of the Corporation to the contrary, no building permit, certificate or license shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.
2. Notwithstanding the generality of (1) above, where the approval of another agency or authority is required, this shall mean that the approval of such shall be obtained by the applicant and submitted to the Zoning Administrator at such time as an application is made for a building permit.

1.7 Certificate of Occupancy

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to the Township’s Occupancy Permit By-law.

1.8 Request for Amendment to Zoning By-law

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's “Application for an Amendment to Zoning By-law”.

1.9 Inspection

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of 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. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

1.10 Violations and Penalties

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the *Planning Act* and every penalty shall be recoverable under the *Provincial Offences Act*.

1.11 Remedies

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Planning Act* or the *Municipal Act*.

1.12 Validity

If any section, clause or provision of this By-law, including anything contained in Schedules A1, A2, A3, A4 and A5 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(s) so declared to be invalid. 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.

1.13 Typographical Corrections

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

1.14 Existing By-laws

All other by-laws of the Corporation enacted pursuant to Section 34 or predecessors thereof of the *Planning Act* are hereby repealed and, without limiting the generality of the foregoing, existing by-laws that are repealed include:

- By-law No. 88-13 of the former Township of North Crosby;
- By-law No. 32-83 of the former Township of South Crosby;
- By-law No. 7-83 of the former Village of Newboro;
- By-law No. 573 of the former Township of Bastard and South Burgess;
- By-law No. 94-42 of the former Township of South Elmsley; and
- All by-laws of the former Township of North Crosby, former Township of South Crosby, former Village of Newboro, former Township of Bastard and South Burgess, former Township of South Elmsley and Township of Rideau Lakes which amend the foregoing by-laws.

SECTION 2 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern.

ACCESSORY shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to a main use and located on the same lot therewith.

AGGREGATE PROCESSING OPERATION shall mean a facility that processes material derived from a pit or quarry and shall include activities such as screening, washing, crushing and associated storage of raw or processed material.

AGRICULTURAL USE shall mean the use of land, buildings or structures for:

- Growing crops, including the storage and sale of crops produced;
- Raising, breeding, boarding, training, keeping and sale of livestock, including the raising and sale of fish;
- Collection, production, storage and sale of animal products such as milk, eggs, wool, fur or honey;
- Greenhouse or nursery garden, including storage and sale of products produced;
- Planting, harvesting and sale of forest products;
- Craft level production and related value added activities including incidental retail; (#2016-36 – July, 2016)
- Use and storage of all equipment related to the foregoing activities, including the occasional use of a portable sawmill.

Agricultural use shall not include commercial or industrial activities such as abattoirs, tanneries, kennels or manufacturing activities involving crops, animal products or wood products.

AGRICULTURAL PRODUCTS PROCESSING FACILITY shall mean an establishment engaged in the storage, grading, processing and wholesale distribution of agricultural products such as meat, fish, poultry, eggs and dairy, vegetable, fruit, honey, wool, fur and wood products.

ALTER when used in reference to a building or part thereof, shall mean to change any one or more of the internal or 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” shall mean the change to the width, depth or area thereof or to change the width, depth or area of any required yard, open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

ANTIQUÉ SHOP shall mean a retail store offering antiques, second hand goods and used collectable items.

ASPHALT PLANT shall mean a facility designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

AUTOMOBILE BODY SHOP shall mean a building or part of a building used for the painting or repairing of automobile bodies and chassis, provided that all activities shall be undertaken within an enclosed building, and provided further that it shall not include a salvage yard.

AUTOMOBILE SERVICE STATION shall mean a building or place where automotive fuels, lubricants or parts are kept for sale and/or where mechanical repairs to vehicles are performed and/or where vehicles are washed or cleaned, but it shall not include a salvage yard.

BANK shall mean an establishment where money is deposited, kept, lent or exchanged or where other retail financial services are provided and includes a chartered bank, trust company or similar financial institution.

BASEMENT shall mean that portion of the building between two floor levels which is partly underground but, which has at least one-half (1/2) of its height from finished floor to finished ceiling above adjacent finished grade as approved.

BED AND BREAKFAST shall mean a business conducted in a detached dwelling in which the resident owner supplies for financial gain a maximum of three guest bedrooms for the purpose of providing temporary lodging on a daily basis to the travelling public.

BOARDING HOUSE shall mean a dwelling in which the proprietor supplies for financial gain, lodging with or without meals, but it does not include a bed and breakfast, hotel, hospital, foster home, home for the aged or other establishment otherwise classified or defined in this By-law.

BUILDING shall mean any structure consisting of walls or columns and a roof which is used for the shelter, accommodation or enclosure of persons, animals or chattels.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building and not used for human habitation.
- **MAIN BUILDING** shall mean a building serving the principal or primary uses for which the lots was purchased, leased or rented.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

BUILDING LINE shall mean a line within a lot drawn parallel to a lot line and establishing the minimum distance between that lot line and any building or structure which may be erected.

BUILDING SUPPLY CENTRE shall mean an establishment engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

CARPORT shall mean an attached or detached structure which is accessory to a dwelling and which is covered but open on at least two sides and used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

CELLAR shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half (1/2) of its height from finished floor to finished ceiling below finished grade.

CEMETERY shall mean land used as a place of interment for the dead within the meaning of the *Cemeteries Act*.

CHIEF BUILDING OFFICIAL shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building by-law of the Corporation.

CLINIC shall mean a building or part thereof where health services are provided to the public in the form of medical, paramedical, dental, surgical, physiotherapeutic or other human health services including associated

technician and laboratory facilities, and may also include an incidental pharmaceutical outlet for the sale of prescription and therapeutic drugs and medication and other drug store products, and optical equipment.

COMMERCIAL PARKING LOT shall mean the use of a vacant lot for parking as the principal or main use.

COMMUNITY SERVICE shall mean the use of land, buildings or structures by a not-for-profit, non-commercial body or society such as a service club or charitable organization for promoting athletic, cultural, educational, environmental, health, recreational, social, philanthropic or other similar objectives.

CONCRETE PLANT shall mean a facility which produces concrete for immediate use in the construction of buildings, structures, roadways, curbs, sidewalks and similar applications. It shall also include a facility which manufactures finished concrete products.

CONSERVATION USE shall mean the preservation, improvement and enhancement of natural resources or the natural environment.

CONTRACTOR'S YARD shall mean a yard where materials, equipment and vehicles are stored in association with any building trade or contractor such as excavators, road builders, roofers, landscapers, snow removal and similar contractors, but shall not include a salvage yard.

CORPORATION shall mean the Corporation of Township of Rideau Lakes.

COUNCIL shall mean the Council of the Corporation of Township of Rideau Lakes.

CRAFT LEVEL PRODUCTION shall mean small scale, on farm, value added, production or dressing of raw materials from the same property and/or farming operation. Craft production shall generally mean work that is capable of being completed by one individual with limited mechanical assistance. (#2016-36 – July, 2016)

CUSTOM WORKSHOP shall mean a business in which an artist or craftsperson produces and sells goods such as jewellery, leatherwork, wood crafts, metal crafts or pottery, or fine art such as paintings and sculptures, in small quantity or on a custom order basis. A custom workshop does not include any establishment where mass production of goods is carried on nor any shop or factory otherwise defined in this by-law.

DAY NURSERY shall mean a day care facility licensed under the *Day Nurseries Act*.

DECK shall mean a structure without a roof, having a foundation to hold it erect, the floor which is above finished grade, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground. (#2011-42 – July, 2011)

- **ATTACHED** when used in relation to a deck, shall mean those decks directly affixed to a structure, or those not directly affixed to the structure but being within 0.5m of the structure. (#2011-42 – July, 2011)
- **ACCESSIBILITY DECK** shall mean an unroofed and unenclosed deck located around the perimeter of a main building or structure having a maximum depth of 2m and serving the purpose of providing for accessibility. (#2011-42 – July, 2011)

DWELLING shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein however does include, but is not limited to, structures with the following CSA designation: CSA A277. (#2016-36 – July, 2016)

- **ACCESSORY DWELLING** shall mean a single dwelling which is accessory to a permitted non-residential building. (#2016-36 – July, 2016)

- **DUPLEX DWELLING** shall mean a dwelling which is divided horizontally into two dwelling units.
- **MULTIPLE DWELLING** shall mean a dwelling which contains three or more dwelling units.
- **SEMI-DETACHED DWELLING** shall mean a dwelling which is divided vertically into two dwelling units.
- **SINGLE DWELLING** shall mean a dwelling which contains only one dwelling unit.

DWELLING UNIT shall mean one or more habitable rooms designed for use and occupied by persons in which separate kitchen and sanitary facilities are provided for the exclusive use of such persons with an independent entrance from outside the building or from a common hallway or stairway inside the building.

- **ACCESSORY DWELLING UNIT** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building.

ENVIRONMENTAL IMPACT STUDY shall mean an environmental impact assessment completed in accordance with the provisions of the Official Plan.

EQUIPMENT RENTAL OUTLET shall mean the use of land and buildings for the rental of equipment, machinery, furniture and fixtures which are primarily of a size and type which would be used for home improvement or household purposes and which would generally be transportable by the general public.

ERECT shall mean build, construct, reconstruct or relocate and shall include any preliminary physical operations such as cutting, grading, excavating, filling, or draining or any altering of an existing building by an addition, extension or other structural change or the doing of any work for which a building permit is required under the building by-laws of the Corporation. The words “erected” and “erection” shall have a corresponding meaning.

EXISTING shall mean existing as of the date of passing of this By-law.

FEED SUPPLY OUTLET shall mean a building or part of a building, structure or area used for the storage, distribution, sorting, packing and/or retail sale of animal feeds, agricultural related chemicals and fertilizers, and related products. (#2016-36 – July, 2016)

FLOOD LINE shall mean the line showing the limit of the 1:100 year flood level as established by flood plain mapping of the relevant Conservation Authority.

FLOOD PLAIN shall mean the area below the 1:100 year flood line.

FLOOR AREA shall mean:

- For a dwelling or dwelling unit, the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any garage, carport, unenclosed porch or deck, unfinished attic, unfinished basement or unfinished cellar;
- For a building other than a dwelling or dwelling unit, the total area of all floors contained within the exterior walls of the building.

FLOOR SPACE INDEX shall mean the ratio of the total floor area of a dwelling and any sleeping cabin, if applicable, to the area of the lot on which the dwelling is situated, expressed as a percentage. In the case of a lot which abuts a water body, the floor space index shall be calculated on the basis of the portion of the lot which is located within 60 m of the water body.

FUEL STORAGE FACILITY shall mean an establishment primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar products in fuel storage tanks.

GARDEN CENTRE shall mean an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of such materials.

GARDEN SUITE shall mean a single dwelling that is designed to be portable, including a mobile home, that is ancillary to an existing single dwelling on the same lot and for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*. (#2006-83, July 2006) (#2016-36 – July, 2016)

GOLF COURSE shall mean a public or private area operated for the purpose of playing golf and includes a driving range and accessory uses such as a club house, a putting green and similar uses.

GRADE shall mean the median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of the building or structure), but exclusive of any embankment in lieu of steps.

GROUP HOME shall mean a single dwelling which is occupied by 3 to 10 unrelated residents who, by reason of their emotional, mental, social or physical condition or legal status, require a supervised family living arrangement for their well-being. A group home may be occupied as the residence by the staff or receiving family. A group home does not include foster homes, boarding houses or other uses defined herein.

HABITABLE shall mean a space designed to provide living, dining, sleeping, bathroom or kitchen accommodation, or a combination thereof, for persons. (#2016-36 – July, 2016)

HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of heavy trucks and/or excavation or construction equipment for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such heavy equipment.

HEIGHT, when used with reference to a building, shall mean the vertical distance between grade and:

- The highest point of the roof surface on a flat roof;
- The deck line on a mansard roof;
- The mean level between the eaves and ridge of a gable, hip or gambrel roof.

HIGH WATER MARK shall mean the mark made on the shore or bank of a water body through the action of water, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the mark, except that in the case of the Rideau Canal the high water mark shall be the upper controlled water elevation. For the purposes of this definition, Rideau Canal shall include the following lakes and their connecting channels: Lower Rideau, Big Rideau, Upper Rideau, Newboro, Loon, Mosquito, Benson, Indian, Clear, Opinicon, Sand and Whitefish Lakes.

HOME-BASED BUSINESS shall mean an occupation, trade, business, profession or craft conducted as an accessory use to the use of a dwelling by the dwelling occupant(s) and includes the following:

- Instruction of students;
- Respite care or day care, provided that no residential accommodation is provided on a permanent basis; (#2016-36 – July, 2016)
- Occupations in the areas of a personal service, a service outlet or a tradesperson's establishment, all as defined in this By-law;
- Office for conducting a business or profession;
- Studio of an artist, artisan or craftsman;
- Antique shop. (#2016-36 – July, 2016)

INDUSTRIAL USES shall refer to lands, buildings, or structures used in conjunction with any process carried on in the course of trade or business for or incidental to any of the following purposes:

- The making of any article of any description, or part of any article;
- The altering, repairing, ornamenting, furnishing, cleaning, washing, packing, canning, refurbishing or adapting for sale, or breaking up or demolition of any article;
- The obtaining, dressing, or treating of minerals or aggregates.

KENNEL shall mean a building or structure, including the fenced in areas around associated buildings, where more than 5 dogs are raised, kept, bred, boarded, trained, groomed, given medical treatment or housed for similar purposes for any length of time. (#2016-36 – July, 2016)

LANE shall mean a driveway providing access from within a property to a public street.

LIVESTOCK FACILITIES shall mean livestock and poultry barns, buildings or structures where agricultural animals are housed and shall include feed lots and associated manure storage.

LOADING SPACE shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the use of the lot or any building thereon.

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

- **CORNER LOT** shall mean a lot, other than a waterfront lot as defined herein, situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees.
- **INTERIOR LOT** shall mean a lot, other than a waterfront lot as defined herein, situated between adjacent lots and which has frontage on one street.
- **THROUGH LOT** shall mean a lot, other than a waterfront lot as defined herein, bounded on two opposite sides by streets, provided that if any lot qualifies as being both a corner lot and a through lot, the lot shall be deemed a corner lot for the purposes of this By-law.
- **WATERFRONT LOT** shall mean a lot which abuts a shoreline but which does not abut an improved street or a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement registered on the title to the lot.

LOT AREA shall mean the total horizontal area within the lot lines of a lot.

LOT COVERAGE shall mean that portion of the area of a lot covered by all main and accessory buildings, porches and decks, but excluding an accessibility deck, automobile service station pump island canopies, entrance canopies for non residential buildings, and balconies and overhanging eaves which are more than 2.5m above finished grade. For added clarity, the lot coverage exemption only applies to an accessibility deck as defined in this By-law. Any attached deck exceeding the maximum depth of 2m and any unattached deck regardless of size shall be subject to the lot coverage provisions of this By-law. (#2011-42 – July, 2011)

LOT FRONTAGE shall mean the width of a lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the front lot line.

LOT LINE shall mean any boundary of a lot or the vertical projection thereof.

- **FRONT LOT LINE** shall mean the following:

- In the case of an interior lot, the line dividing the lot from the street;
 - In the case of a corner lot or through lot, the shorter lot line abutting a street, or where access is gained to the lot regardless of the length of the line.
 - In the case of a waterfront lot, the high water mark shall be deemed to be the front lot line.
- **REAR LOT LINE** shall mean in the case of a lot having four or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be no rear lot line.
 - **SIDE LOT LINE** shall mean a lot line other than a front or rear lot line.

MARINA shall mean an establishment or premises located on a water body and containing facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided.

- **DRY-LAND MARINA** shall mean an establishment not located on a waterbody that contains facilities where boats and boat accessories are stored, services, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided. (#2016-36 – July, 2016)

MARINE FACILITY shall mean an accessory building or structure which is used to place a boat into or out of a water body, or used to moor, berth or store a boat. This definition may include a boat launching ramp, boat lift, dock, boathouse, boat port, slip, but shall not include any building used for human habitation nor any marina or boat service, repair or sales facility.

MOBILE HOME shall mean a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a travel trailer or tent trailer or trailer otherwise defined in this By-law.

MOBILE HOME SITE shall mean a portion of a mobile home park designed to accommodate one mobile home.

MOBILE HOME PARK shall mean land which has been provided and designed for the location of two or more occupied mobile homes.

NON-COMPLYING when applied to a use, building or structure shall mean a use, building or structure which is listed as a permitted use in the zone in which it is located but which contravenes one or more of the provisions of this By-law for the zone in which it is located, as of the date of the passing of this By-law.

NON-CONFORMING shall mean a use, building or structure which, on the date of the passing of this By-law, is not within the list of permitted uses for the zone in which it is located.

OFFICIAL PLAN shall mean the *Official Plan of the Township of Rideau Lakes*, as amended.

OPEN MARKET shall mean a building or open air facility where individual vendors operating from stalls, booths or other defined areas offer the following for sale: Fresh fruit, vegetables and herbs, poultry, fish, meat, eggs, cheese, honey, cider, maple products, cut flowers, bedding plants, shrubs and trees, baked foodstuffs, second hand furniture and other items, handicrafts and other hand-made products.

OPEN SPACE shall mean unoccupied space open to the sky on the same lot with the building.

OPEN STORAGE shall mean the storage of goods, merchandise or equipment outside a building or structure on

a lot or portion thereof, but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purposes of sales and advertisement, nor does it include the open storage of a limited quantity of operative or licensed vehicles and equipment that are normally associated with residential occupancy.

OUTDOOR WOODBURNING FURNACE shall mean an accessory building or structure which operates as a heat source for associated main buildings.

PARK shall mean an area consisting largely of open space, which may include a recreational area, playground, playing field, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, curling rinks, athletic field, picnic areas, swimming pools, day camps, community centres or other similar use, but it shall not include a mobile home park or tourist campground.

- **PUBLIC PARK** shall mean a park owned or controlled by the Corporation or by any ministry, board, commission or authority established under any statute of Ontario or Canada.
- **PRIVATE PARK** shall mean a park other than a public park.

PARKING AREA shall mean a lot or lots or portions thereof required in accordance with the provisions of this by-law for the temporary parking of motor vehicles and includes any related aisles, parking spaces, entrance and exit lanes, but, it shall not include any part of a public street.

PARKING SPACE shall mean an area for the temporary parking or storage of motor vehicles.

PERSON shall mean an individual, an association, a chartered organization, a firm, a partnership or a corporation.

PERSONAL SERVICE shall mean an establishment where a personal service related to the grooming or health of persons is provided, or where the maintenance or repair of personal wardrobe articles is performed. A personal service may include a hair stylist, an aesthetician, a tailor, a shoe repair shop, a laundromat, a dry cleaning distribution outlet or similar use.

PET CEMETERY shall mean land used as a place of interment for domesticated animals where plots are used for commercial purposes. (#2016-36 – July, 2016)

PIT shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but, it shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

- **WAYSIDE PIT** shall mean a temporary pit opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

PLACE OF ASSEMBLY shall mean a building or structure used for the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, community activities or events, conferences, auctions and similar activities.

PLACE OF WORSHIP shall mean a building dedicated to religious worship.

PLAN OF SUBDIVISION shall mean a plan of subdivision which has been approved and registered pursuant to the provisions of the *Planning Act*.

PRIVATE GARAGE shall mean an attached or detached building which is accessory to a dwelling and which is

fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

PRIVATE RIGHT-OF-WAY shall mean a legal right-of-way over one lot for the purpose of providing vehicular access in favour of another lot.

PRINTING ESTABLISHMENT shall mean a business primarily engaged in the reproduction or duplication of printed materials and/or the production of books, newspapers and similar publications.

PROFESSIONAL OR BUSINESS OFFICE shall mean a building or part of a building in which any business is conducted or profession is practiced, but which does not include any establishment otherwise defined herein.

PUBLIC USE shall mean the use of land, buildings or structures for the supply of public services by the Corporation, the County of Leeds, the Governments of Ontario or Canada, any agencies, boards commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation.

QUARRY shall mean any open excavation made for the removal of consolidated rock or mineral including limestone, sandstone or shale in order to supply material for construction, industrial or manufacturing purposes.

- **WAYSIDE QUARRY** shall mean a temporary quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction.

RECREATIONAL ESTABLISHMENT shall mean any building or part of a building used for the purposes of a bowling alley, curling rink, skating rink, billiard parlour, health or athletic club, swimming pool, theatre or other similar use.

RESIDENTIAL CARE HOME shall mean a residence for the elderly which provides ancillary health and social services to the residents of the home and has communal dining and recreational facilities.

RESTAURANT shall mean a building or part of a building where food is prepared and offered for sale or sold to the public for consumption on or off the premises.

RETAIL STORE shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail and includes rental of consumer goods and storage of limited inventory on or about the store premises.

SALVAGE YARD shall mean a junk yard, an automobile wrecking yard or premises and premises where goods, wares, merchandise or articles are processed for further use or for the storage, keeping or abandonment of junk including scrap metals or other scrap material from the dismantling, demolition or abandonment of vehicles or machinery parts.

SCHOOL shall mean an educational establishment under the jurisdiction of a Board as defined in the *Education Act*.

SELF-STORAGE FACILITY shall mean a building which is divided into spaces which may be rented for the purpose of storing goods, wares, merchandise, equipment or materials.

SENSITIVE LAND USE shall mean a building, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby facility. The sensitive land use may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, churches, community centres and educational and health facilities. (#2016-36 – July, 2016)

SERVICE OUTLET shall mean an establishment where articles, goods or materials, excluding vehicles, may be repaired or serviced.

SEWAGE DISPOSAL SYSTEM shall mean a privy, a greywater system, a cesspool, a leaching bed system, a holding tank or any other privately-owned individual or communal system for the on-site holding and/or treatment of sanitary sewage.

SHORELINE shall mean any lot line or portion thereof which is the shore of a water body.

SIGHT TRIANGLE shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 m from the point of intersection of the street lines, measured along the street lines. Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

SIGN shall mean a name, identification, description, device, display or illustration which is affixed to a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business and which does not contravene any by-law of the Corporation.

SLEEPING CABIN shall mean a single storey building which provides accessory sleeping accommodation and which may contain washroom facilities, but which shall not include a kitchen or other food preparation facilities.

STOREY shall mean that portion of a building other than a cellar, basement or attic included between the surface of any floor level and the surface of the floor, ceiling or roof above it.

STREET shall mean a public thoroughfare under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition does not include a lane, a private road or private right-of-way.

- **IMPROVED STREET** shall mean a street which has been assumed by the Corporation, the County or the Province and is maintained on a regular, year-round basis.

STREET ACCESS shall mean, when referring to a lot that such lot has a lot line or portion thereof which is also a street line.

STREET LINE shall mean the limit of the road or street allowance and is the dividing line between a lot and a street.

STREET SETBACK shall mean with reference to a street, the distance between the centreline of a street allowance and the nearest building line.

STRUCTURE shall mean anything constructed or erected, the use of which requires location on the ground or attached to something having its location on the ground and, without limiting the foregoing, includes a trailer or a mobile home.

TEMPORARY EVENT TENTS shall mean non-permanent structures made of fabric or similar material with support posts for the purposes of events on a short-term basis as accessory to residential uses. Temporary event tents shall not include any structure used for human habitation. (#2016-36 – July, 2016)

TERTIARY TREATMENT shall mean the treatment of sewage that goes beyond the secondary or biological treatment stage to reduce nutrients, including phosphorus and nitrogen, in order to provide higher quality effluent.

TOURIST CAMPGROUND shall mean any parcel of land which is used to provide temporary accommodation for the public or members of an organization in tents, trailers, tourist trailers or recreational vehicles.

TOURIST LODGING ESTABLISHMENT shall mean an establishment which provides temporary accommodation in one or more buildings for members of the public or organizations who are vacationing or travelling and shall include a seasonal camp, a cabin, a hotel, a lodge and a motel.

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps and other similar uses.
- **CABIN** shall mean an establishment designed to accommodate one or more persons in a detached or semi-detached building.
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include dining rooms, meeting rooms and similar uses.
- **LODGE** shall mean an establishment containing four or more guest rooms served by a common entrance, generally from ground level. Accessory uses may include accommodation for permanent staff, dining room, meeting rooms and similar uses.
- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms and similar uses.

TRADEPERSON'S ESTABLISHMENT shall mean a building or part of a building which, in addition to or as well as serving as an office, serves as a storage facility for the materials and equipment of, and/or a workshop for the undertaking of repairs, the preparation of materials, or the production of items on a custom order basis by, one of the following tradespersons: Heating and cooling systems specialist, cabinet maker, carpenter, chimney sweep, drywaller or plasterer, electrician, exterminator, fence installer, furniture refinisher, general building contractor, glass installer, grounds maintenance person and landscaper, handyman, janitor, mason, painter, plumber, printer, snow plough operator, upholsterer, window cleaner and similar tradespersons whose activities are not otherwise defined in this By-law.

TRANSPORTATION DEPOT shall mean an establishment where more than two commercial vehicles are kept for hire, stored or parked and/or dispatched and may include accessory loading and warehouse uses and truck or bus fuelling and repair facilities.

UNENCLOSED, when used in relation to an attached or detached porch, deck or other structure, shall mean open except for a roof, supporting columns, safety railings, screens, curtains or shades. The word unenclosed shall exclude partial or full solid walls or other solid materials such as glass and synthetic glass substitutes normally intended to provide protection from the elements.

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

VEHICLE shall mean an all-terrain vehicle, an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a recreational vehicle or a trailer.

VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

VETERINARY CLINIC shall mean a building where one or more licensed veterinarians and any associated staff provide medical, surgical, grooming or similar services to animals, but does not include boarding services except those essential to recovery from medical treatment.

WAREHOUSE shall mean a building used for the bulk storage of commodities, goods, materials, merchandise or wares.

WASTE DISPOSAL SITE shall mean a place where garbage, refuse, domestic or industrial waste is disposed of or dumped and shall include a sewage treatment plant, lagoon or sludge disposal area.

WASTE RECYCLING FACILITY shall mean an operation engaged in the processing and recycling of non-hazardous solid wastes including but not limited to wood, drywall, cardboard, metal and other construction wastes. Radioactive, pathological and/or asbestos-contaminated materials or any other hazardous materials are not permitted to be processed.

WASTE TRANSFER FACILITY shall mean an operation wherein waste materials collected from surrounding areas are stored on a temporary basis entirely within a building and then shipped to the appropriate disposal site.

WATER BODY shall mean any bay, lake, river, watercourse or canal, but excluding a drainage or irrigation channel.

WATER FRONTAGE shall mean, in the case of a lot which abuts a water body, the width of such lot measured between the intersections of the side lot lines with a line that is continuously 6 m back from and parallel to the high water mark.

WATERCOURSE shall mean a natural drainage channel that contains water either permanently or intermittently, including creeks and streams.

WATER SETBACK shall mean, in reference to a water body, the horizontal distance between the high water mark and the nearest building line.

WHOLESALE ESTABLISHMENT shall mean a business engaged in the bulk storage and sale of commodities, goods, materials, merchandise or wares for resale or business use.

YARD shall mean an open, uncovered space appurtenant to a building or structure

- **FRONT YARD** shall mean a yard extending across the full width of the lot between the front lot line and the nearest part of any main building or structure on the lot.
- **REAR YARD** shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of any main building or structure on the lot.
- **SIDE YARD** shall mean a yard extending from the front yard to the rear yard between the side lot line and nearest part of any main building or structure on the lot.
 - **EXTERIOR SIDE YARD** shall mean a side yard abutting a street.
 - **INTERIOR SIDE YARD** shall mean a side yard other than an exterior side yard.

ZONE shall mean:

- A land use category as defined and regulated in this By-law; or
- A designated area of land shown on the zoning schedules to this By-law.

ZONING shall mean the demarcation of an area into zones and the establishment of regulations to govern the use of the land within these zones and the location, bulk, height, shape, use and coverage of structures within each zone. The terms “zone provisions” and “zone requirements” shall have a corresponding meaning.

ZONING ADMINISTRATOR shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

SECTION 3 - GENERAL PROVISIONS

3.1 Accessory Uses

Except as otherwise set out in this section, accessory uses, buildings or structures shall be permitted in any zone, provided that:

1. Accessory buildings or structures other than sleeping cabins shall not be used for human habitation and shall not include kitchen or sanitation facilities (with the exception of a small wash sink), except as specifically permitted elsewhere in this By-law. (#2016-36 – July, 2016)
2. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions.
3. Marine facilities are permitted as accessory uses subject to the following provisions: (#2016-36 – July, 2016)
 1. The maximum height shall be 6m.
 2. The maximum floor area not including attached decks shall be 85m².
 3. The minimum side yard setback shall be 4.5m.
4. The minimum separation distance between a detached accessory building and any other building (main and/or accessory) shall be 1m. (#2016-36 – July, 2016)
5. Any building or structure that is attached, or within 1m, of the main building shall not be considered as accessory. (#2016-36 – July, 2016)
6. On a lot which both abuts a water body and is situated in a Residential or Rural zone, one sleeping cabin shall be a permitted accessory use, provided that: (#2016-36 – July, 2016)
 1. The maximum floor area, including attached decks, of a sleeping cabin shall be 25m². (#2011-42 – July, 2011)
 2. The minimum water setback of a sleeping cabin shall be 30 m or the water setback of the existing dwelling, whichever is greater.
7. In a Residential zone or a Rural zone of less than 1ha, buildings or structures accessory to a residential use shall be subject to the following special provisions: (#2016-36 – July, 2016)
 1. The lot coverage of all accessory buildings or structures shall not exceed 10%.
 2. The maximum height of an accessory building or structure shall be 6.0m.
 3. Notwithstanding the yard provisions of this By-law to the contrary, except as otherwise for a marine facility, an accessory building or structure other than a sleeping cabin may be located in a required interior side or rear yard, provided that the minimum yard shall be as follows:
 - 2m, where the accessory building or structure is less than 4 m in height and 5 m in length, measured parallel to the interior side or rear lot line, as applicable; (#2006-83 July, 2006)

- 3m, in all other cases. (#2006-83 – July, 2006)

8. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.
9. Notwithstanding the foregoing provisions, an outdoor woodburning furnace shall only be permitted in a Rural or Agriculture zone and all yards shall be a minimum of 100 m.

3.2 Existing Non-Complying Lots

Where, on the date of passing of this By-law, a lot exists with less than the minimum lot frontage, water frontage and/or lot area required by this By-law, or is increased in lot frontage, water frontage and/or lot area but is still undersized, such non-complying lot may be used and a building or structure may be erected, altered or used for a purpose permitted in the zone in which it is located on the date of the passing of this By-law without the requirement to obtain relief from the applicable lot frontage, water frontage and/or lot area provisions of this By-law. This provision shall also apply to reductions that occur for existing non-complying lots, as well as lots that become non-complying that have resulted from expropriates, government acquired lands and/or road widening provided the action was initiated by the Corporation, United Counties of Leeds and Grenville, the Government of Ontario or Canada, any agencies, boards, commissions or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. This provision shall not be construed as granting relief from any other provisions of this By-law. (#2016-36 – July, 2016)

3.3 Front Yard Reduction Within Villages and Hamlets

Notwithstanding any minimum front yard requirement of this By-law to the contrary, on a lot within the **Village and Hamlet** designation of the Official Plan, the front yard may be reduced to 3.0 m or the average of the front yards of existing main buildings located on the abutting lots, whichever is greater.

3.4 Frontage on an Improved Street

No lot shall be used and no building or structure shall be erected on a lot in any zone unless such lot has sufficient frontage on an improved street to provide driveway access. Notwithstanding the foregoing, this provision shall not apply to:

- A non-residential building or structure accessory to an agricultural or conservation use;
- A lot on a registered plan of subdivision and with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered on the title to the lot;
- A lot located in a Waterfront Residential (RW) zone.
- A waterfront lot located in a Rural (RU) zone, where development is restricted to that portion of the lot within 100 m of the high water mark and the use of the lot is restricted to those permitted in the RW zone. (#2006-83 – July, 2006)
- Lots created by an approved Plan of Subdivision or by Consent under the *Planning Act*. (#2006-83 – July, 2006)
- Concession 6, Part Lot 6, Ward of South Crosby (#2007-6 – January, 2007)
- Concession 1, Part Lot 4, RP 28R-135, Part 44, Ward of South Crosby (#2007-67 – August, 2007)
- Concession 1, Part Lot 4, RP 28R-135, Part 62, Ward of South Crosby (#2007- 92 – November, 2007)

- Concession 4, Part Lot 27, Plan 72, Lot 13, Ward of Newboro (#2009-66 – August, 2009)

3.5 **Group Homes**

Group homes shall be permitted in the General Residential, Rural and Institutional zones in accordance with the following:

1. The maximum number of group homes in the Township shall not exceed 1 per 1,000 permanent resident population.
2. The minimum separation distance between two group homes shall be 500 m.
3. A group home shall be located a minimum of 30 m from any dwelling on another lot.

3.6 **Height Exceptions**

The maximum height restrictions of this By-law shall not apply to the following:

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Belfry, spire or dome associated with a place of worship
- Chimney
- Clock tower
- Communications tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Flag pole
- Grain elevator
- Silo
- Solar collector
- Water tower
- Windmill

3.7 **Home-Based Businesses**

A home-based business shall be permitted as an accessory use to any dwelling or dwelling unit in accordance with the following provisions: (#2016-36 – July, 2016)

1. No more than 25% or 40 m² of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.
2. There shall be no visible indication from the exterior of the presence of the home-based business other than one non-illuminated sign not larger than 1 m².
3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.
4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.
5. With the exception of antique shops, there shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service

outlet home-based business. (#2016-36 – July, 2016)

6. Where instruction, respite care or day care is provided, there will be no more than six persons, other than the instructor or caregiver, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.
7. A maximum of one person in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.
8. Up to 40 m² of floor area within an accessory building may be used for the home-based business, provided that: (#2016-36 – July, 2016)
 1. The accessory building shall be located in accordance with the minimum yard setbacks applicable to the primary use on the property. (#2016-36 – July, 2016)
 2. The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 40 m².
9. Not more than one commercial vehicle related to the home based-business shall be kept on the premises.
10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

3.8 Loading Space Requirements

1. Number of Loading Spaces Required

Any commercial or industrial use which involves the transfer of goods, wares, merchandise or raw materials to and from the site shall provide and maintain loading facilities on the lot in accordance with the following regulations:

<u>Floor Area of Building</u>	<u>Number of Loading Spaces</u>
less than 200 m ²	0
200 m ² - 1,000 m ²	1
over 1,000 m ²	1 plus 1 additional loading space per each 1,000 m ² of floor area or part thereof

2. Loading Space Size

A required loading space shall be a minimum of 9.0 m long, 3.5 m wide and have a vertical clearance of at least 4.5 m.

3. Loading Area Surface

A loading area shall be maintained with a stable surface such as concrete, asphalt or crushed stone.

4. **Cumulative Loading Requirements**

Where a lot, building or structure accommodates more than one use, the loading space requirement shall be the sum of the requirements for the uses.

3.9 **Lots Containing More Than One Use**

Where a lot accommodates more than one use and the provisions of this By-law for the uses are different, the more restrictive provisions shall apply.

3.10 **Lots Divided Into More Than One Zone**

Where a lot is divided into more than one zone, each portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located.

3.11 **Moving of Buildings**

No building or structure shall be moved into the Township or onto any lot unless its use and location comply with this By-law.

Notwithstanding the provisions of Section 3.11, on the lands identified as 1121 North Shore Road, Ward of North Crosby (Concession 2 and 3, Part Lot 7, RP 28R320, Part 6 and RP 28R1497 Part 1 and Part 2), occupancy of one accessory building shall be permitted up to 360ft²; however shall comply with the interior characteristics of a sleeping cabin as prescribed by the By-law. No other sleeping cabin shall be constructed anywhere on the subject lands. (#2004-117 – June, 2004)

3.12 **Non-Conforming Uses and Non-Complying Uses, Buildings and Structures**

1. **Buildings Accessory to Non-Conforming Uses**

An accessory building may be erected for an existing legal non-conforming use, provided it complies with the provisions of this By-law.

2. **Change of Non-Conforming Use**

A non-conforming use may not be changed to another use unless it is to a permitted use in the zone in which it is located. Pursuant to the provisions of the *Planning Act* and the Official Plan, a non-conforming use may only be changed to another non-conforming use with the permission of the Committee of Adjustment.

3. **Repair, Restoration and Reconstruction of Non-Conforming Uses or Non-Complying Uses, Buildings or Structures**

1. A legal non-conforming use or non-complying use, building or structure may be repaired, restored or rebuilt provided that:

- Such repair, restoration or rebuild does not increase the height, size, volume or extent of non-conformity or non-compliance of the use, building or structure, except as is required in order to comply with the requirements of the *Ontario Building Code* and/or the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulations of the applicable Conservation Authority. (#2006-83 – July, 2006) (#2016-36 – July, 2016)

4. **Replacement of Non-Complying Sewage Disposal Systems**

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which

was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water and natural heritage setback provisions, may be replaced in accordance with the following:

- Where the sewage disposal system is located on a lot which is less than 45m in depth measured from the high water mark and/or natural heritage area, the water and/or the natural heritage setbacks for the replacement sewage disposal system shall be that of the existing sewage disposal system or as set out in the Ontario Building Code, whichever is greater. (#2006-119 – November, 2006) (#2016-36 – July, 2016)
- Where the sewage disposal system is located on a lot which is greater than 45m in depth measured from the high water mark and/or natural heritage area, the minimum water and/or natural heritage setbacks for the replacement sewage disposal system shall be 30m. (#2006-119 – November, 2006) (#2016-36 – July, 2016)

5. **Enlargements of Non-Conforming Uses**

A non-conforming use may not be enlarged or extended, except with the permission of the Committee of Adjustment for the Township, pursuant to the provisions of the *Planning Act* and the Official Plan.

6. **Enlargements of Non-Complying Uses, Buildings or Structures**

A non-complying use, building, or structure may not be enlarged, except in compliance with all applicable provisions of this By-law. (#2010-32 – April, 2010)

3.13 **Occupancy Restrictions**

None of the following shall be used as a dwelling or for the purposes of human habitation:

1. Any truck, bus, coach, railway or streetcar body;
2. Any marine facility or building or structure accessory to a residential use, other than a sleeping cabin;
3. Any recreational vehicle, travel trailer or tent trailer, except in a tourist campground or as a temporary use in accordance with Section 3.24 of this By-law.

3.14 **Open Storage**

Open storage shall be permitted as an accessory use to a permitted use within any zone other than a Residential zone, provided that:

1. No part of an open storage area shall be located within a minimum yard or water setback required by this By-law;
2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;
3. Where open storage is situated less than 30 m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

3.15 Parking Requirements

1. Number of Parking Spaces Required

In any zone, the owner or occupant of any lot or building or structure erected, enlarged or changed in use after the passing of this By-law, shall provide off-street parking in accordance with the following:

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
One and two-unit dwellings	2 parking spaces per dwelling unit, provided that 1 of the 2 required spaces may be in tandem
Dwellings of three units or more	1 parking space per dwelling unit
Mobile Home Park or Campground	1 parking space per site
Group home	1 parking space in addition to the applicable dwelling requirement
Home-based business	1 parking space in addition to the applicable dwelling requirement
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement
Tourist Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20m ² of floor area devoted to dining or meeting uses
Restaurant, banquet hall	1 parking space per 12 m ² of floor area
Place of worship or assembly	1 parking space per 12 m ² of floor area devoted to public assembly
Recreational use	1 parking space per 4 persons design capacity or 1 parking space per 20m ² of floor area, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 20 m ² of floor area
Clinic	1 parking space per 20 m ² of floor area
Marina	1 parking space per boat slip or 1 parking space per 20 m ² of floor area, whichever is greater
Commercial use not defined	1 parking space per 20 m ² of floor area
Professional or business office	1 parking space per 25 m ² of floor area
School - elementary	1.5 parking spaces per classroom

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
School - secondary	4 parking spaces per classroom
Institutional or public use	1 parking space per 40 m ² of floor area
Industrial, warehouse or storage use	1 parking space per 70 m ² of floor area

2. More than One Use on a Lot

Where a building or lot accommodates more than one use, the number of parking spaces required shall be the sum of the requirements for each of the uses.

3. Parking Space Size and Access

Each parking space shall have minimum dimensions of 2.75m by 6m, except that a parking space for the physically-disabled shall have minimum dimensions of 3.7m by 6m. A parking space shall have unobstructed access, except where tandem parking is specifically permitted by this By-law.

4. Parking for the Physically-Disabled

Where a required parking area contains 10 or more parking spaces, reserved parking spaces for the physically-disabled shall be provided at the rate of 1 parking space for the physically-disabled per 30 required parking spaces or fraction thereof, subject to the provision of a minimum of 1 parking space for the physically-disabled.

5. Driveway Access to Parking Areas

Driveways designated for two-way traffic shall have a minimum width of 6 m. One-way driveways and driveways serving only one dwelling unit shall have a minimum width of 3.0 m. For portions of a driveway that directly abut a parking space, the minimum driveway width shall be as follows:

<u>Angle of Parking Space to Driveway</u>	<u>Minimum Driveway Width</u>
0 degrees	3 m
30 degrees	3.4 m
45 degrees	3.7 m
60 degrees	5.4 m
90 degrees	6 m

6. Parking Area Surface

A parking area shall be maintained with a stable surface such as concrete, asphalt or crushed stone.

7. Parking Area Location

Required parking for any residential use or Residential zone shall be provided on the same lot as the dwelling unit.

Required parking for non-residential uses shall be provided within 150m of the building that it is intended to serve and no part of any parking area shall be permitted on lands not zoned for the use with which the parking is associated. Where required parking is not provided on the same lot, the lot on which the parking is located shall be under the same ownership and shall be retained for the duration of the use.

8. Parking Requirements for Additions to Existing Buildings

Where an existing building or structure has insufficient parking spaces to comply with the provisions of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, provided that no addition may be built and no change of use may occur within the existing building or structure, the effect of which would be to increase the extent of such deficiency.

3.16 Pits, Quarries, Wayside Pits, Wayside Quarries and Portable Asphalt Plants

No pit, quarry, wayside pit, wayside quarry or portable asphalt plant shall be permitted except in a zone where such uses are specifically listed as permitted.

3.17 Public Uses

Any land may be used and any building or structure erected or used for the purpose of a public use as defined in this By-law, provided that:

- Lot coverage, setback and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm and sanitary sewage and wired and wireless communications. Notwithstanding the foregoing there shall be no minimum water setback for waterfront structures such as decks, gazebos and other similar structures. (#2016-36 – July, 2016)
- Any building or structure erected or used shall be designed, maintained and used in a manner compatible with the buildings and structures permitted in the zone in which it is located.

3.18 Residential Separation Distances from Other Land Uses

Notwithstanding any other provisions of this By-law, any new sensitive land use shall be located minimum distances from certain zones or land uses on other lots as follows: (#2016-36 – July, 2016)

- From a Class “B” pit with no excavation below the water table 150 m
- From any other pit 300 m
- From a quarry, asphalt plant or concrete plant 500 m
- From land zoned Salvage Yard Industrial 300 m
- From land zoned Disposal Industrial 500 m
- From a kennel 300 m

- From livestock facilities As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture and Food, except that MDS I shall not apply to a new dwelling to be located on a lot of less than 2 ha in area if such lot was created prior to the implementation of this Zoning By-law. (#2016-36 – July, 2016)

3.19 Setbacks from Environmental Protection (EP) Zones in this By-law and Natural Heritage Designations in the Official Plan

Notwithstanding any other provisions of this By-law, the minimum setback of any building or structure, including sewage disposal systems, from lands zoned Environmental Protection in this By-law or designated Natural Heritage in the Official Plan shall be as follows: (#2016-36 – July, 2016)

- From the Environmental Protection – A (EP-A) zone or Natural Heritage A designation in the Official Plan 120 m
- From the Environmental Protection – B (EP-B) zone or Natural Heritage B designation in the Official Plan 50 m

or such lesser setback as recommended in an Environmental Impact Study undertaken to the satisfaction of the Township, provided that such lesser setback shall not be less than 30 m.

3.20 Sewage Disposal Systems and the Applicability of this By-law

Except in relation to water setbacks and natural heritage setbacks, sewage disposal systems shall not be subject to the provisions of this By-law. (#2016-36 – July, 2016)

3.21 Sight Triangles

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

- A building, structure or use which would obstruct the visions of motorists;
- A fence or any vegetation of a height which is more than 1 m above the elevation of the centrelines of abutting streets;
- A parking area.

3.22 Shoreline Area Occupancy

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 20% or 15 m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory buildings and structures. For the purposes of this section, the shoreline area shall include that portion of the lot lying within 3 m of the high water mark.

3.23 Street and Private Right-of-Way Setbacks

The following setbacks shall be required:

- County street 13 m from the centre line of the street plus the minimum required applicable yard for the appropriate zone (#2016-36 – July, 2016)
- Township street 10 m from the centre line of the street plus the minimum required applicable yard for the appropriate zone (#2016-36 – July, 2016)
- Private right-of-way 6 m from the edge of the right-of-way

3.24 Temporary Uses

The following shall be permitted in any zone, except Environmental Protection (EP) and Flood Plain (FP) zones:

- Construction facilities such as sheds, scaffolds and other structures incidental to the construction on the premises for so long as the work is in progress;
- A temporary real estate sales and/rental office;
- A travel trailer, tent trailer or recreational vehicle occupied on a temporary basis during the course of construction of a dwelling on the same lot, provided that:
 - An appropriate sewage handling system is provided; (#2016-36 – July, 2016)
 - A building permit for a dwelling has been issued and remains in force or the previous dwelling was damaged as a result of a natural occurrence/disaster and a building permit is obtained for the reconstruction of the dwelling within 6 months (extensions may be provided through review by Council's delegated authority) of such disaster; (#2016-36 – July, 2016)
 - The trailer or vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
 - In no event shall the trailer or vehicle be located on the lot for a period exceeding two years from the date of issuance of the building permit.
- Temporary event tents used on a temporary basis to not exceed a maximum of 5 days (120 hours) per any two months. (#2016-36 – July, 2016)

Notwithstanding Section 3.13, the following use shall be permitted in the Rural (RU) and Agricultural (A) Zones on a temporary basis: (#2012-39, June, 2012)

- A travel trailer, tent trailer or recreational vehicle may be temporarily occupied for the purpose of habitation by seasonal or migrant agricultural labour, provided that:
 - The temporary use is located on a property with an established dwelling, and that it is part of an active agricultural operation;
 - A minimum yard setback of 30m and a minimum water setback of 100m is maintained;
 - Appropriate access is provided to the location of the temporary use to allow for emergency access;
 - The period of habitation is limited to April 1st – November 30th of each calendar year;
 - An approved temporary connection to an on-site sewage system is provided, and a temporary building permit is gained for the connection/system;
 - During the period outside the permitted temporary use, the trailer or vehicle must be removed from the property or appropriately stored in accordance with the Zoning By-law's open storage provisions;
 - A copy of the Health Unit certificate of approval is supplied to the Township, as applicable;
 - The occupancy of the trailer or vehicle shall be in accordance with the manufacture's specifications;

- The trailer or vehicle must remain mobile and temporary in nature. No permanent connections or built structure additions are permitted; and
- Notwithstanding Section 34(9) of the Planning Act the temporary use does not gain legal non-conforming rights as a permanent use as the temporary nature of the use specifically constitutes a discontinuance of that use.

3.25 Through Lots

On a through lot, the minimum front yard requirement shall apply to each yard abutting a street.

3.26 Water Frontage and Water Setbacks

1. Except as otherwise provided by Section 3.2, the minimum water frontage for any lot shall be 60 m.
2. Except as otherwise permitted by Sections 3.1, 3.12 and 3.27 of this By-law, the minimum water setback shall be 30 m for all buildings and structures, including all sewage disposal systems but excluding the following:
 - Decks, gazebos and other similar structures such as hot tubs, which are unattached to a main building and which have a combined horizontal surface area of less than 14m². (#2016-36 – July, 2016)
 - Marinas, pump houses, marine facilities and stairs. (#2011-42 – July, 2011)

3.27 Yard and Water Setback Encroachments

Notwithstanding the yard and setback provisions of this By-law, the following encroachments are permitted: (#2011-42 – July, 2011)

- Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows and other ornamental features may project into any yard or water setback by not more than 0.6m;
- Attached decks and balconies may project from the main building into any minimum required yard setback by not more than 3m
- Attached decks and balconies may project from the main building into any water setback by a maximum of:
 - a. 1.2m where the main building is located less than 8m from the high water mark. This deck shall be limited to 2m² of horizontal surface area;
 - b. 2m where the main building is equal to or greater than 8m but less than 15m from the high water mark. This deck shall not be limited in horizontal surface area; or
 - c. 4m where the main building is equal to or greater than 15m. This deck shall not be limited in horizontal surface area.
- Awnings, clothes poles, flag poles, garden trellises, fences, plant materials, play structures under 10m², temporary event tents, stairs, ramps for accessibility, landings (as minimal as

required by the Ontario Building Code) and similar accessory structures shall be permitted in any required yard or water setback; (#2016-36 – July, 2016)

- Swimming pools may be located in a required interior side or rear yard, provided that the minimum yard shall be 3m. Swimming pools shall not encroach into the required water setback such that the water setback of the pool would be less than that of any existing non-complying dwelling or non-residential main building. For the purposes of this section, hot tubs shall not be considered to be swimming pools. (#2016-36 – July, 2016)
- For added clarity, an accessibility deck shall only encroach into the water setback when a main building has a water setback equal to or greater than 8m. An accessibility deck shall maintain the minimum required yard applicable to all other decks.

3.28 **Additional Lot Coverage and Floor Space Index Provisions for a Lot Abutting a Water Body**

In addition to the maximum lot coverage and floor space index provisions of this By-law, the following additional provision shall apply to any development within 60 m of the high water mark on a lot abutting a water body:

- The maximum lot coverage and floor space index requirements of this By-law shall also be complied with on the basis of including only that portion of the lot area situated within 60m of the high water mark for the purpose of the calculations. (#2006-83 – July, 2006)

SECTION 4 - ZONES

4.1 General

For the purposes of this By-law, the land area of the Township is divided into various generalized and specific zones to which the provisions and regulations herein shall apply.

4.2 Zones and Zone Symbols

<u>Zone Name</u>	<u>Symbol</u>
Residential Zones	
• General Residential	RG
• Waterfront Residential	RW
• Mobile Home Park Residential	RMH
Commercial Zones	
• General Commercial	CG
• Local Commercial	CL
• Tourist Commercial	CT
Industrial Zones	
• General Industrial	MG
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
Institutional Zones	
• Institutional	I
Open Space Zones	
• Open Space	OS
Parking Lot Zones	
• Parking Lot	PL
Rural Zones	
• Rural	RU
Agriculture Zones	
• Agriculture	A
Mineral Resource Zones	
• Mineral Aggregate Extraction	EX
Natural Heritage Zones	
• Environmental Protection - A	EP-A
• Environmental Protection - B	EP-B
Natural Hazard Zones	
• Flood Plain	FP

4.3 Boundaries of Zones

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on the maps hereto attached as Schedules A1, A2, A3, A4 and A5. Where any uncertainty as to the boundary of any zone as shown on the zoning schedules, the following provisions shall apply:

1. Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, right-of-way or watercourse.
2. Where a zone boundary is indicated as approximately following lot lines on a registered plan of subdivision, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on Schedules A1, A2 and A3 where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.
3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
4. Where a zone boundary as indicated follows the 1:100 flood line, the boundary shall be the 1:100 flood line.
5. Where any street, lane, right-of-way, railway right-of-way or watercourse as shown on the schedules is hereby closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.
6. Where any zone boundary is left uncertain after the application of clauses (1) through (5) above, the boundary shall be determined by scale from the original full size zoning schedules.
7. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.

4.4 Holding Zones

Where a zone symbol is followed by a hyphen and the letter “h”, this denotes a holding zone. Within such zones, only existing uses shall be permitted unless specifically stated otherwise in the by-law, until the “h” has been removed. The removal of the holding provision shall require an amendment to the By-law. Such amendment shall only be passed by Council when any applicable servicing, phasing or financial conditions or agreements for the lands have been satisfied in accordance with the requirements of the Official Plan.

4.5 Special Zones

Where a zone symbol is followed by a hyphen and a letter or a number other than “-h”, (for example, “-x” or “-1”), the lands so zoned shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of that zone.

4.6 Temporary Zones

Where a temporary zone is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a certain limited period of time. The zone symbol shall be followed by a hyphen, the letter “T” and a letter or a number other than “-h”, (for example, “-Tx” or “-

T1”).

Temporary zones in force and effect are as follows:

1. **RG-9-T5** (*Plan 1, Part Lots 12 – 15, RP 28R11413, Part 2, South Crosby*)
(#2013-17 - March, 2013)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-9-T5, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the passing of this By-law:

- Garden Suite

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RG-9-T5, the following site specific standard applies:

- Yards (minimum)
- Exterior Side 0m

Notwithstanding the provisions of Section 3.23 to the contrary, on the lands zoned RG-9-T5, the following site specific standard applies:

- Street and Private Right-of-Way Setbacks
- Township Street 15m

2. **RG-10-T6** (*Plan 88, Part Lot N and RP 28R13356, Part 9, South Crosby*)

Notwithstanding the provisions of Section 5.1 to the contrary, on the lands zoned RG-T, the following use shall be permitted on a temporary basis of up to 3 years commencing at the date of the passing of this By-law: (#2015-22 – April, 2015)

- Accessory structures/use without an established primary use on the property

SECTION 5 - RESIDENTIAL ZONES

5.1 General Residential (RG)

1. Permitted Uses

single dwelling
bed and breakfast

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots designated **Village and Hamlet**
in Official Plan or within a Plan of Subdivision 40 m
 - All other lots 60 m
- Yards (minimum)
 - Front
 - Lots designated **Village and Hamlet**
in Official Plan 6 m
 - All other lots 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum)
 - Lot abutting a water body 10%
 - All other lots 20%
- Floor Space Index for lot abutting
a water body (maximum)
(#2016-36 – July, 2016) 15%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. **RG-1** (*Part of Lots 22 & 23, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-1, the following provisions shall prevail: (#97-26 – December, 1997)

- Yards (minimum)
 - Front 7 m
 - Exterior Side 7 m
 - Interior Side 3 m
 - Rear 8 m
- Dwelling Unit Area (minimum) 135 m²
- Building Height (maximum) 12 m

2. **RG-2** (*Part of Lot 23, Concessions 1 & 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-2, the following provisions shall prevail: (#97-26 – December, 1997)

- Yards (minimum)
 - Front 7 m
 - Exterior Side 7 m
 - Interior Side 6 m
 - Rear 8 m
- Dwelling Unit Area (minimum) 135 m²
- Building Height (maximum) 8 m

3. **RG-3** (*Part Lot 13 and Part Lot 14, Ward of South Elmsley*)

- Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-3, the following provisions shall prevail: (#2007-7 – January, 2007)
- a reduced frontage and list of permitted uses

4. **RG-4** (*Part of Lot 27, Concession 4, Village of Newboro*)

Notwithstanding the provisions of Section 5.1.2, on the lands zoned RG-4, the following provisions shall prevail:

- a 576ft² storage building shall be allowed and access to the lot shall be acquired over an unopened Township road allowance (#2009-66 - August, 2009)

5. **RG-5** (*Part of Lot 23, Concession 9, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-5, an antique shop shall be an additional permitted use. Furthermore, notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-5, two dwelling units shall be permitted. (#2010-8 – February, 2010)

6. **RG-7** (*Vacant Land Condominiums 1 [Units 2-4] & 2 [Units 1-4], Part of Lot 9, Concession 6, North Crosby*)

Notwithstanding the provisions of Section 5.1.2 to the contrary, on the lands zoned RG-7, the following site specific standards apply: (#2014-58 – September, 2014) (#2012-27 – April, 2012 Repealed)

- Lot frontage minimum: 15 metres
- Lot area minimum: 595m²
- Minimum front yard: 6 metres
- Minimum interior side yard: 2 metres
- Lot coverage maximum: 50%
- Floor Space Index maximum: 50%

7. **RG-8-h** (*Vacant Land Condominium 1 [Unit 1], Part of Lot 9, Concession 6, North Crosby*)

Notwithstanding the provisions above, a holding designation (h) shall be placed on the subject lands in order to restrict the land uses to existing uses, as well as to permit the placement of a single detached building for the purposes of a Model Home. The placement of a Model Home shall be subject to the following terms: (#2014-58 – September, 2014) (#2012-27 – April, 2012 Repealed)

- A Model Home shall be defined as representative house built and shown as an advertisement for prospective buyers, and shall not be used for residential occupancy;
- A Conditional Building Permit supported by the confirmation of the local slope stability shall be required prior to construction of a Model Home; and
- Required inspections are undertaken and written approval is provided by the Township's Chief Building Official to ensure that there are no health and safety concerns, prior to the use of the building as a Model Home for the general public.

The Holding designation shall remain in place until the following conditions have been met: (#2014-58 – September, 2014) (#2012-27 – April, 2012 Repealed)

- Services are provided in accordance with the Subdivision Agreement and the model home is issued an Occupancy Permit under the Building Code; or
- The Owner installs appropriate services for the Model Home in compliance with the Ontario Building Code, obtains an Occupancy Permit from the Township, and satisfies the Township and County's requirements with regard to entrances and the civic addresses for the Model Home to be used a residential dwelling.

8. **RG-9-T5** (*Plan 1, Part Lots 12 – 15, RP 28R11413, Part 2, South Crosby*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-9-T5, the following use shall be permitted on a temporary basis of up to 20 years commencing at the date of the passing of this By-law: (#2013-17 - March, 2013)

- Garden Suite

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RG-9-T5, the following site specific standard applies:

- Yards (minimum)
- Exterior Side 0m

Notwithstanding the provisions of Section 3.23 to the contrary, on the lands zoned RG-9-T5, the following site specific standard applies:

- Street and Private Right-of-Way Setbacks
- Township Street 15m

9. **RG-11** (*Part of Lot 19, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-11, a multiple dwelling shall be an additional permitted use.

Notwithstanding the provisions of Section 5.1.1 to the contrary, on the lands zoned RG-11, two single dwellings shall be additional permitted uses. (#2016-25 – May, 2016)

5.2 Waterfront Residential (RW)

1. Permitted Uses

single dwelling

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 10%
- Floor Space Index (maximum) 15%
(#2016-36 – July, 2016)
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. RW-1 (*Part of Lot 3, Concession 7, South Crosby*)

On the lands zoned RW-1, the following additional provision shall apply: (#99-87 – September, 1999)

- The minimum setback from the top of slope, as identified by an Ontario Land Surveyor, shall be 10 m.

2. RW-2 (*Part of Lot 4, Concession 4, North Crosby*)

Notwithstanding the provisions of Section 3.7, on the lands zoned RW-2, the following provision shall prevail in relation to a home-based business: (#2000-61 – June, 2000)

- A maximum of 250m² within an accessory building may be used for the purposes of a home-based business;
- A maximum of 1500m² of open storage shall be permitted, as shown on an approved site plan;
- Accessory sales of materials used in the home-based business shall be permitted.

3. **RW-3** (*Part of Lot 7, Concession 2 & 3, North Crosby*)

Notwithstanding the provisions of Section 3.1.1, on the lands zoned RW-3, a 34 m² portion of an existing accessory building may be used for human habitation, provided that it shall not be occupied as a dwelling unit. (#2004-117 – June, 2004)

4. **RW-4** (*Part of Lot 5, Concession 1, North Crosby*)

Notwithstanding the provisions of Section 5.2.2, to the contrary, on lands zoned RW-4, the following provisions shall prevail: (#2004-118 – June, 2004)

- Interior Side Yard (minimum) 2.4 m
- Lot Coverage (maximum) 20%

5. **RW-5** (*Part of Lot 7, Concession 3, North Crosby*)

Notwithstanding the provisions of Section 5.2.2. to the contrary, on the lands zoned RW-5, the minimum water setback shall be 40m. (#2010-25 – March, 2010)

6. **RW-6** (*Part of Lot 20, Concession 2, North Crosby*)

Notwithstanding the provisions of Section 5.2.2 and Section 3.26.2 to the contrary, on lands zoned RW-6, the following provisions shall prevail: (#2010-121 – December, 2010)

- Dwelling Unit Area (Minimum) 19.3m
- Water Setback 40m

7. **RW-7** (*Part Lot 26, 27 and 28, Concession 8, Part Lot 28, Concession 9, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.2.2, to the contrary, on lands zoned RW-7, the following provisions shall prevail: (#2011-10 – February, 2011)

- Rear Yard 5.6m
- Private Right-of Way Setback 5.6m

8. **RW-8** (*Part Lot 6, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 3.26 and 3.22 to the contrary, on lands zoned RW-8 the following provisions shall prevail: (#2011-11 – February, 2011)

- Water Setback 65m
- Shoreline Area Occupancy 0% or 0m

9. **RW-9** (*Part of Lot 15, Concession 10, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.2.2, to the contrary, on lands zoned RW-9, the following provisions shall prevail: (#2011-54 – July, 2011)

- Lot Coverage (maximum) 2.3%
- Floor Space Index (maximum) 2.3%

10. **RW-10** (*Part of Lot 7 and 8, Concession 2, North Crosby*)

Notwithstanding the provisions of Section 5.2.2 to the contrary, on the lands zoned RW-10, the following site specific standards apply: (#2012-74 – November, 2012)

- A setback of 10m beyond the top of the bank or a water setback of 40m whichever is greater.

11. **RW-11** (*Part of Lot 19, Concession 4, South Elmsley*)

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned RW-11, the following uses apply: (#2013-63 – September, 2013)

- Without a listed permitted use established accessory structures/uses are permitted in accordance with the provisions in Section 3.1.

12. **RW-12** (*Part Lot 9, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-12, the following site specific standards apply: (#2013-57 – August, 2013)

- Lot Frontage (minimum) 47.49m
- Yards (minimum)
 - Interior Side (North-East) 1.52m

13. **RW-13** (*Part Lot 9, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-13, the following site specific standard applies: (#2013-57 – August, 2013)

- Lot Frontage (minimum) 48.23m

14. **RW-14** (*Part Lot 1, Concession 10, North Crosby*)

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-14, the following site specific standard applies for an indefinite amount of time and does not expire with the temporary provision: (#2013-77 – October, 2013)

- The minimum setback for all development from the undesignated wetland at the rear of the property identified on Schedule A shall be 15m

15. **RW-15** (*Part Lot 27, Concession 8, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 5.2, 3.22, 3.26 & 3.27 to the contrary, on the lands zoned RW-15, the following restrictions shall apply: (#2014-17 – March, 2014)

- Shoreline occupancy shall be limited to the area indicated as joint/common access on Schedule A
- No buildings or structures shall be permitted within 30m of the high water mark, other than docks and pump houses located within the area indicated as joint/common access on Schedule A'

16. **RW-16** (*Part of Lot 13, Concession 8, Ward of North Crosby*)

Notwithstanding the provisions of Section 5.2.1 to the contrary, on the lands zoned RW-16, the following permitted uses apply (#2015-6 – February, 2015)

- Without a listed permitted use established accessory structures/uses are permitted in accordance with the provisions in Section 3.1.

Notwithstanding the provisions of Section 5.2 to the contrary, on the lands zoned RW-16, the following site specific standard applies:

- Yards (minimum)
 - Interior Side (East) 3.05m

Notwithstanding the provisions of Section 3.23 to the contrary, on the lands zoned RW-16, the following site specific standards apply (#2015-6 – February, 2015)

- Private right-of-way (Accessory Structure) (South) 1.52m from the edge of the right-of-way
- Private right-of-way (Accessory Structure) (East) 5.07m from the edge of the right-of-way
- Private right-of-way (Dwelling) (West) 2.44m from the edge of the right-of-way

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands zoned RW-16, the following site specific applies:

- From a quarry, asphalt plant or concrete plant 370m

17. **RW-17** (*Part of Lots 28 & 29, Concession 9, Ward of Bastard & South Burgess*)

Notwithstanding the provisions of Section 3.19 to the contrary, on the lands zoned RW-17, a minimum setback of 33m shall be required from the EP-A zone. (#2016-37 – June, 2016)

Notwithstanding the provisions of Section 3.26.3 to the contrary, on the lands zoned RW-17, a minimum water setback of 3m shall be required.

18. **RW-18** (*Part of Lots 29 & 30, Concession 2, Ward of South Elmsley*)

The application is related to consent application B-97-14. The By-law changes the zoning classification of the severed lands from Rural (RU) to Waterfront Residential Special Exception (RW-18). The special exception requires a minimum 20m setback from the

unevaluated wetland located on the property. (#2016-55 – October, 2016)

5.3 Mobile Home Park Residential (RMH)

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 mobile home
 mobile home park
 mobile home park management office
 recreational facilities accessory to a mobile home park

2. Zone Provisions

1. Mobile Home Park

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 15 m
 - Exterior Side 10 m
 - Interior Side 10 m
 - Rear 15 m
- Dwelling Unit Area (minimum) 75 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

2. Mobile Home Site

- Site Area (minimum) 700 m²
- Site Frontage (minimum) 20 m
- Site Yards (minimum)
 - Front 7.5 m
 - Exterior Side 7.5 m
 - Interior Side 3.0 m
 - Rear 4.5 m
- Site Coverage (maximum) 30%
- Mobile Homes per Site (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 6 - COMMERCIAL ZONES

6.1 General Commercial (CG) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 automobile service station
 bank
 building supply centre
 clinic
 commercial parking lot
 community service
 custom workshop
 equipment rental outlet
 garden centre
 hotel
 motel
 open market (#2016-36 – July, 2016)
 personal service
 place of assembly
 private park
 professional or business office
 service outlet
 recreational establishment
 retail store
 restaurant
 single dwelling
 tradesperson's establishment
 vehicle sales or rental establishment
 veterinary clinic

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots designated **Village and Hamlet** in Official Plan 40 m
 - All other lots 60 m
- Yards (minimum)
 - Front
 - Lots designated **Village and Hamlet** in Official Plan 6 m
 - All other lots 10 m
 - Exterior Side 6 m
 - Interior Side
 - Lots designated **Village and Hamlet** in Official Plan 6 m
 - All other lots 10 m

- Rear
 - Lots designated **Village and Hamlet** in Official Plan 7.5 m
 - All other lots 10 m
- Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum) (#2016-36 – July, 2016)
 - Single dwelling use for lot abutting a water body 10%
 - For single dwelling use not abutting a water body 20%
 - All other uses on lots designated Village and Hamlet in Official Plan 50%
 - All other uses on all other lots 30%
- Floor Space Index for single dwelling use on a lot abutting a water body (maximum) (#2016-36 – July, 2016) 15%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

4. **Special Exception Zones**

1. **CG-1** (*Part of Lot 4, Concession 5, North Crosby*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-1, a self-storage facility and a warehouse shall be additional permitted uses. (#2004-136 – August, 2004)

2. **CG-2** (*Part of Lot 6, Concession 5, North Crosby*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-2, a self-storage facility and a warehouse shall be additional permitted uses. (#2004-164 – November, 2004)

3. **CG-3** (*Plan 88, Part of Lot 8, South Crosby*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-3, a mixed-use building consisting of an office unit as well as three apartment units shall be permitted uses. (#2005-26 – April, 2005) (Repealed by #2009-31 – May, 2009)

4. **CG-4** (*Part Lot 4, Concession 2, South Elmsley*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-4, self storage facilities shall be and additional permitted use. (#2005-43 – June, 2005)

5. **CG-5** (*Part of Lot 21, concession 5, South Elmsley*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-5 the following uses are permitted: (#2011-98 – November, 2011)

- single dwelling
- self-storage facility

6. **CG-6-h** (*Part of Lot 5, Concession 4, South Elmsley*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-6-h, the following provisions shall prevail: (#2012-38 – June, 2012)

The holding designation requires:

- Permits are obtained and required works are completed and approved to convert the existing residential structure to a commercial structure.
- A commercial entrance permit is confirmed by the proper authorities.

7. **CG-7** (*Part of Lot 10, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-7, the following additional uses shall be permitted: (#2014-32 – May, 2014)

- self-storage facility

8. **CG-8** (*Part of Lot 14, Concession 6, Ward of North Crosby*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-8, the following additional uses shall be permitted: (#2015-47 – October, 2015)

The special exception is to limit the permitted uses on the property to the following:

- Accessory dwelling
- Accessory dwelling unit
- Community service
- Custom workshop
- Equipment rental outlet
- Garden centre
- Private park
- Professional or business office
- Service outlet
- Recreational establishment
- Tradesperson's establishment
- Automobile service station – Notwithstanding the definition of an automobile service station it shall not include pumps for the selling of gasoline and other petroleum fuels.

9. **CG-9** (*Part of Lot 4, Concession 5, North Crosby*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned CG-9, a self-storage facility and a warehouse shall be additional permitted uses. (#2004-136 – August, 2004)

Notwithstanding the provisions of Section 6.1.1 and Section 6.1.4.1 to the contrary, on the lands zoned CG-9, an additional permitted use shall be a Duplex Dwelling. (#2017-20 – April, 2017)

6.2 Local Commercial (CL) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 bank
 bed and breakfast
 clinic
 community service
 custom workshop
 open market (#2016-36 – July, 2016)
 personal service
 professional or business office
 retail store
 restaurant
 single dwelling

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots designated **Village and Hamlet** in Official Plan 40 m
 - All other lots 60 m
- Yards (minimum)
 - Front
 - Lots designated **Village and Hamlet** in Official Plan 6 m
 - All other lots 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear
 - Lots designated **Village and Hamlet** in Official Plan 7.5 m
 - All other lots 10 m
- Commercial Floor Area (maximum) 250 m²
- Building Height (maximum) 10 m
- Lot Coverage (maximum) (#2016-36 – July, 2016)
 - Single dwelling use for lot abutting a water body 10%
 - For single dwelling use not abutting a water body 20%
 - All other uses on lots designated **Village and Hamlet** in Official Plan 50%
 - All other uses on all other lots 40%
- Floor Space Index for single dwelling use on a lot abutting a water body (maximum) (#2016-36 – July, 2016) 15%
- Dwelling Unit Area (minimum) 60 m²

- Dwellings or Dwelling Units per Lot (maximum) 1

3. **Additional Provisions**

1. **General Provisions**

In accordance with Section 3 hereof.

4. **Special Exception Zones**

1. **CL-1** (*Part Lot 20, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-1, an automobile service station would be a permitted use. (#2006-66 – June, 2006)

2. **CL-2** (*Part Lot 20, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-2, an automobile body shop and vehicle sales or rental establishment would be a permitted use. (#2006-67 – June, 2006)

3. **CL-3** (*Part Lot K, Plan 72, Village of Newboro*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-3, a tourist lodging establishment would be a permitted use. (#2006-68 – June, 2006) (#2006-69 – June, 2006)

4. **CL-4** (*Part Lot 21, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-4, a tradesperson's establishment would be a permitted use. (#2008-5 – January, 2008)

5. **CL-5** (*Part of Lot 12, Concession 2, South Crosby*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-5, a maximum of four apartment units would be a permitted use. (#2009-31 – May, 2009)

6. **CL-6** (*Part of Lots 13 & 14, Concession 2, South Crosby*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-6 the construction of a medical centre and 6 apartments on the 2nd floor of the centre would be a permitted use. The existing accessory unit would be retained and the proposed new apartments would have a maximum of three bedrooms each. (#2009-57 – August, 2009)

7. **CL-7** (*Part Lot 20, Concession 3, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned CL-7 the following site specific standards shall apply:

- The required Open Storage setback be a minimum of 10m with a minimum buffer strip of 2m in height to be located along the setback. The buffer strip shall be composed of a solid fence that is opaque in nature. This special provision

shall apply to any shared lot line with a residential use. (#2012-51 – July, 2012)

8. **CL-8** (*Plan 72, Part Lot 11, Drummond St; E Bay St., Village of Newboro*)

Notwithstanding the provisions of 6.2.1 to the contrary, on the lands zoned CL-8 the following additional use shall be permitted: (#2015-27 – May, 2015)

- Open Market

9. **CL-9-h** (*Plan 153, Block A, Part Lot 3, Part Lot 28, 61 King Street ES, Bastard & South Burgess*)

Notwithstanding the provisions of 6.2.1 to the contrary, on lands zoned CL-9-h the following additional use shall be permitted: (#2015-51 – October, 2015)

- The conversion of the existing dwelling to a multiple dwelling allowing three or more dwelling units. The holding designation will require a Hydrogeological Report and a Servicing Options Report to be completed if the daily effluent Exceeds 4500 litres as a result of the development.

6.3 Tourist Commercial (CT) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 antique shop
 bed and breakfast (#2016-36 – July, 2016)
 community service
 golf course
 marina
 marine facility
 open market (#2016-36 – July, 2016)
 park
 restaurant
 tourist campground
 tourist lodging establishment

2. Zone Provisions

- Lot Area (minimum)
 - Tourist Campground 2 ha
 - Other uses 4050 m²
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 10 m
 - Rear 15 m
- Accessory Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 10 m
- Tourist Campground Site (#2016-36 – July, 2016)
 - Site Area (minimum) 60m²
 - Open Deck (maximum) 30m²
 - Accessory Structures (maximum) 1
 - Accessory Structure Size (maximum) 10m²
- Lot Coverage (maximum) 30%
(#2016-36 – July, 2016)
- Accessory Dwellings or Dwelling Units
per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. CT-1 (*Part of Lots 4 & 5, Concessions 6 & 7, South Crosby*)

On the lands zoned CT-1 the following additional provision shall apply:

- Any new building shall be flood proofed such that the minimum elevation of any opening shall be 99.16 m geodetic.

2. **CT-2** (*Grindstone Island, Part of Lots 18 & 19, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 6.3.1 to the contrary, on the lands zoned CT-2 the following provisions shall prevail:

- Permitted uses shall be restricted to a conference/seminar facility;
- A conference/seminar facility shall be defined as a complex of buildings used for the purposes of conferences and/or seminars in which a maximum of 15 pre-registered participants and 10 staff/presenters may participate and be temporarily accommodated.

3. **CT-3** (*Part of Lots 20 & 21, Concession 2, North Crosby*)

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-3 the following provisions shall prevail: (Repealed by #2010-121 – December, 2010)

- Permitted uses shall be restricted to a tourist campground;
- A maximum of 30 tourist campground sites shall be permitted.

4. **CT-4** (*Part of Lots 10, Concession 10, North Crosby*)

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-4 the following provisions shall prevail:

- Permitted uses shall be restricted to:
 - Tourist lodging establishment;
 - Temporary facilities such as a marquee or tent, but not including a structure, for receptions catering to a maximum of 300 persons.
- Yards (minimum)
 - Front 61 m
 - Interior Side and Rear 30.5 m

5. **CT-5** (*Part of Lot 25, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 6.3.1 and 6.3.2 to the contrary, on the lands zoned CT-5 the following provisions shall prevail:

- Permitted uses shall be restricted to a tourist campground;
- A maximum of 94 tourist campground sites shall be permitted.

6. **CT-6** (*Part of Lot 17, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 6.3.1 to the contrary, on the lands zoned CT-6, a single dwelling shall be an additional permitted use. (#2002-172 – December, 2002)

7. **CT-7** (*Part of Lot 26 and 27, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 6.3 to the contrary, on the lands zoned CT-7 the following additional provisions apply:

- The number of trailers or recreational vehicles permitted within the CT zoned shall not exceed 91;
- The number of accommodation units permitted within the Tourist Lodging Establishment shall not exceed 8;
- An existing trailer or recreational vehicle that encroaches within a required yard or setback is permitted in its current location, but shall not be expanded, enlarged, or replaced except on an approved site in compliance with CT-7 zone standards;
- The interior side yard requirement shall be in accordance with the CT zone standard except the standard shall be 5 metres for that portion of the subject lands described as Part 18 on Plan 28R-5037 adjacent to the eastern side of the adjacent waterfront residential property, and 25m from the property line running between Parts 12 (on the subject lands) and Part 11 (on the adjacent waterfront residential property) on Plan 28R-5037;
- No constructed additions shall be permitted to the trailers except for those specifically manufactured as an attachment to a trailer. These permitted attachments shall comply to all standards of the CT-7 zone. A deck shall not be considered an addition; and
- Each trailer site shall be permitted one accessory building not to exceed 9.3m² (100ft²). (#2009-3 – January, 2009)

8. **CT-8** (*Part of Lot 14, Concession 10, North Crosby*)

Notwithstanding the provisions of Section 6.3.1 to the contrary, on the lands zones CT-8, accessory buildings (i.e. sugar shack and storage shed) as well as agricultural use shall be additional permitted uses. (#2016-21 – April, 2016)

9. **CT-9** (*Part of Lot 15, Concession 10, North Crosby*)

Notwithstanding the provisions of Section 6.3 to the contrary, on the lands zoned CT-9, the Tourist Campground use shall be prohibited. (#2016-21 – April, 2016)

SECTION 7 - INDUSTRIAL ZONES

7.1 General Industrial (MG) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural products processing facility
 automobile body shop
 automobile service station
 building supply centre
 contractor's yard
 custom workshop
 equipment rental outlet
 feed supply outlet
 fuel storage facility
 garden centre
 heavy equipment sales or rental establishment
 kennel
 printing establishment
 self-storage facility
 service outlet
 tradesperson's establishment
 transportation depot
 vehicle sales or rental establishment
 veterinary clinic
 warehouse
 wholesale establishment

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 10 m
 - Interior Side 10 m
 - Rear 15 m
- Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. **Automobile Service Station Pump Islands and Canopies**

Notwithstanding any other provisions of this By-law to the contrary, the minimum front or exterior side yard for an automobile service station pump island or canopy shall be 4.5 m.

3. **Minimum Separation Distance for a Kennel**

- From a residential use on another lot or a Residential zone 300 m

4. **Special Exception Zones**

MG-1 (*Part Lot 9, Concession 1, South Crosby*)

Notwithstanding the provisions of Section 7.1.1 to the contrary, on the lands zoned MG-1, only the following uses are permitted: (#2011-22 – April, 2011)

- Agricultural products processing facility
- Wholesale establishment

7.2 Salvage Yard Industrial (MS) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
salvage yard

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front and Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m
- Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Salvage Yard

- From a residential use on another lot or a Residential zone 300 m
- From a non-residential use on another lot 100 m
- From a watercourse or water body 300 m

4. Special Exception Zones

(reserved)

7.3 Disposal Industrial (MD) Zone

1. Permitted Uses

portable asphalt plant
waste disposal site
waste recycling facility
waste transfer facility
wayside pit
wayside quarry

2. Zone Provisions

- Lot Area (minimum) 2 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front and Exterior Side 30 m
 - Interior Side 30 m
 - Rear 30 m
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance for a Waste Disposal Site

- From a residential use on another lot or a Residential zone 500 m
- From a non-residential use on another lot 200 m
- From a watercourse or water body 500 m

4. Special Exception Zones

(reserved)

SECTION 8 – INSTITUTIONAL ZONES

8.1 Institutional (I) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 cemetery
 community service
 day nursery
 park
 place of assembly
 place of worship
 school
 residential care home

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum)
 - Lots designated **Village and Hamlet** in Official Plan 40 m
 - All other lots 60 m
- Yards (minimum)
 - Front
 - Lots designated **Village and Hamlet** in Official Plan 6 m
 - All other lots 10 m
 - Exterior Side 6 m
 - Interior Side 10 m
 - Rear 10 m
- Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. I-1 (*Part of Lot 9, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned I-1, an aerodrome shall be an additional permitted use.

2. **I-2** (*Part of Lot 37, Plan 88, South Crosby*)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned I-2, professional or business office would be a permitted use. (#2006-65 – June, 2006)

3. **I-3** (*Part of Lot 9, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 8.2 to the contrary, on the lands zoned I-3, the following site specific standards apply: (#2012-70 - November, 2012)

Yards (minimum)

- Interior & Exterior Side 6m
- Rear 7.5m

4. **I-4** (*Part of Lot B, Plan 88, South Crosby*)

Notwithstanding the provisions of Section 8.1.2 to the contrary, on the lands zoned I-4, a minimum interior side yard setback of 4.57m from the existing place of worship shall be permitted. (#2016-38 – June, 2016)

Notwithstanding the provisions of Section 8.1.2 to the contrary, on the lands zoned I-4, minimum interior side yard setbacks of 1.52m and 3.04m from the existing accessory structure (hall) shall be permitted.

SECTION 9 - OPEN SPACE ZONES

9.1 Open Space (OS) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural use, excluding buildings
 conservation use
 golf course
 marine facility
 park

2. Zone Provisions

- Yards (minimum) 15 m
- Dwelling Unit Area (minimum) 60 m²
- Building Height (maximum) 12 m
- Lot Coverage (maximum) 20%
- Accessory Dwellings or Dwelling Units per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

1. OS-1 (*Part of Lot 17, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-1 and measuring approximately 45 m in length and 6 m in width, permitted uses shall be restricted to an access driveway and boat launch ramp as accessory uses to uses permitted in the CT-6 zone. (#2002-172 – December, 2002)

2. OS-2 (*Part of Lot 17, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-2 and measuring approximately 45 m in depth from the shore, permitted uses shall be restricted to a conservation use with buffer planting as detailed on an approved site plan and to the existing private access road along the northern property boundary. (#2002-172 – December, 2002)

3. OS-3 (*Part of Lot 23, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-3, the following provisions shall prevail: (#97-26 – December, 1997)

- Permitted uses shall be restricted to a park, a conservation use and a marine facility for the exclusive use of lots in the RG-1 zone;
- For each RG-1 lot, 1 boat slip having a maximum length of 6.1 m shall be permitted;
- No asphalt shall be used for the construction or repair of any boat launch ramps.

4. **OS-4** (*Various Rideau Waterway Land Trust lands*)

Notwithstanding the provisions of Sections 9.1.1 to the contrary, on the lands zoned OS-4, the following provision shall prevail:

- Permitted uses shall be restricted to a park, a conservation use and a marine facility.

5. **OS-5** (*Part Lot 26 and 27, Concession 2, Bastard & South Burgess*)

Notwithstanding the provisions of Section 9.1 to the contrary, on the lands zoned OS-5 the following additional provisions apply: (#2009-3 – January, 2009)

- Permitted uses shall be restricted to a park and a conservation use.

6. **OS-6** (*Part Lot 15, Concession 10, Bastard & South Burgess*)

Notwithstanding the provisions of Section 9.1 to the contrary, on the lands zoned OS-6 the following uses are permitted: (#2011-53 – July, 2011)

- conservation use
- park
- marine facility

7. **OS-7** (*Part Lot 3, Concession 4, South Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-7, only the following uses are permitted: (#2012-24 – April, 2012)

- conservation use

8. **OS-8** (*Part Lot 3, Concession 4, South Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-8, only the following uses are permitted: (#2012-25 – April, 2012)

- conservation use

9. **OS-9** (*Vacant Land Condominium Elements, Part Lot 9, Concession 6, North Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-9, only the following uses are permitted: (#2014-58 – September, 2014) (#2012-27 – April, 2012 Repealed)

- conservation use
- park
- water, sanitary services and access road

10. **OS-10** (*Part Lot 21, Concession 8, South Crosby*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-10, the following permitted uses apply: (#2013-14 – February, 2013)

- Conservation Use
- Marine Facility

Notwithstanding the provisions of Section 3.26.1 to the contrary, on the lands zoned OS-10, the minimum water frontage shall be 41.1m.

11. **OS-11** (*Part Lot 1, Concession 3, South Elmsley*)

Notwithstanding the provisions of Section 9.1.1 to the contrary, on the lands zoned OS-11, the following additional use shall be permitted: (#2015-50 – October, 2015) (#2013-61 – September, 2013 Repealed)

- Off-Leash Dog Park

SECTION 10 – PARKING LOT ZONES

10.1 Parking Lot (PL) Zone

1. Permitted Uses

Uses accessory to residential uses located on island lots or waterfront lots with no road access, and restricted to the following:

- parking of licensed vehicles
- storage of equipment and supplies within a building
- marine facility

2. Zone Provisions

- Lot Area (minimum) 4050 m²
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear 7.5 m
- Lot Coverage (maximum) 10%

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Special Yard and Water Setback Provisions

Notwithstanding any provisions of this By-law to the contrary, parking spaces and accessory buildings and structures, excluding marine facilities, shall be located in accordance with the yard and water setback provisions of Sections 10.1.2 and 3.26, respectively.

4. Special Exception Zones

1. PL-2 (*Plan 72, Part Lot A and Part Lot B, Village of Newboro*)

Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-2, a reduced minimum setback of 2m for all yards would be permitted. The parking lot shall not exceed a maximum of three vehicles. (#2006-74 – June, 2006)

2. PL-3 (*Part Lot 7, Concession 6, Ward of North Crosby*)

Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-3, the construction of a garage for storage of boats, vehicles and accessories on a waterfront property without road frontage would be a permitted use. (#2006-102 – August, 2006)

3. **PL-4** (*Part Lot 12, Concession 5, Ward of South Crosby*)

Notwithstanding the provisions of Section 10.1 to the contrary, on the lands zoned PL-4, a parking lot be a permitted use. This Parking Lot Zone shall be limited to a maximum of three vehicles. (#2008-80 – October, 2008)

SECTION 11 - ZONES

11.1 (RU) Zone

1. Permitted Uses

accessory dwelling
 accessory dwelling unit
 agricultural use
 bed and breakfast
 conservation use
 existing cemetery
 kennel
 place of worship
 portable asphalt plant
 single dwelling
 wayside pit
 wayside quarry

2. Zone Provisions

- Lot Area (minimum)
 - Single dwelling 4050 m²
 - Other permitted uses 1 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear 7.5 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 10 m
- Lot Coverage (maximum)
(2016-36 – July, 2016)
 - Area within 60m of a water body 10%
 - All other lots/areas 20%
- Floor Space Index for area within
60m of a water body (maximum)
(#2016-36 – July, 2016) 15%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance of a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture and Food.

3. **Minimum Separation Distance for a Kennel**

- From a residential use on another lot or a Residential zone 300 m

4. **Special Exception Zones**

1. **RU-1** (*Part of Lot 13, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-1, a multiple dwelling shall be an additional permitted use, and shall be subject to the following provision:

- Dwelling units (maximum) 4 units

2. **RU-2** (*Part of Lot 6, Concession 9, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-2, a butcher shop shall be an additional permitted use.

3. **RU-3** (*Part of Lot 10, Concession 3, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-3, a golf driving range shall be an additional permitted use, and shall be subject to the following provision:

- Parking spaces (minimum) 1 space per tee box plus 1 additional space

4. **RU-4** (*Part of Lot 23, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-4, the use of the existing barn for the housing of livestock is precluded. (#2006-3 – January, 2006)

5. **RU-5** (*Part of Lot 12 and Part Lot 13, Concession 1, South Crosby*)

(Amended to General Commercial (CG), as per By-law #2012-52 – July, 2012)

6. **RU-6** (*Part Lot 8, Concession 3, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-6, a custom workshop and contractors yard shall be permitted uses. (#2006-72 - June, 2006)

7. **RU-7** (*Part Lot 13 and Part Lot 14, Concession 2, South Elmsley*)
(*Part Lot 8 and Part Lot 9, Concession 2, South Elmsley*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-7, a golf course shall be a permitted use. (#2006-76 and #2006-77 - June, 2006)

8. **RU-8** (*Part Lot 23 and 24, Concession 2, RP 28R-6663, Bastard & South Burgess*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-8, the storage of vehicles and boats shall be a permitted use. (#2007-81 – October, 2007)
9. **RU-9** (*Part Lot 21 and 22, Concession 1, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-9, storage units shall be a permitted use. (#2008-57 - July, 2008)
10. **RU-11** (*Part Lot 6, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-11, a live steam track and associated uses shall be permitted uses. (#2008-39 – May 5, 2008)
11. **RU-12** (*Part Lot 14, Concession 6, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-12, a tradesperson's establishment shall be an additional permitted use. (#2008-54 – July, 2008) (Repealed by #2015-47 – September, 2015)
12. **RU-13** (*Part Lot 14, Concession 10, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-13, accessory buildings (i.e. a sugar shack and steel storage shed) shall be permitted uses and no development shall occur within 100m of the adjacent barn. (#2008-69 – September, 2008) (Repealed by #2016-21 – April, 2016)
13. **RU-14** (*Part Lot 18, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands identified as RU-14, the construction of a dwelling within 203 metres of the adjacent barn is precluded and a sugar shack would be a permitted use. (#2009-90 – November, 2009)
14. **RU-15** (*Part of Lot 20, Concession, South Elmsley*)

Notwithstanding the provisions of 11.1.2 to the contrary, on the lands identified as RU-15, a minimum 258 metre setback shall be required between any future dwelling and the nearest adjacent livestock facility. (#2010-24 – March, 2010)
15. **RU-16** (*Part of Lot 4, Concession 7, North Crosby*)

Notwithstanding the provisions of Section 11.1.2 to the contrary. On the lands zoned RU-16, a minimum 160-metre setback shall be required between any future dwelling and the neighbouring livestock facility north of the subject lands. (#2010-42 – May, 2010)
16. **RU-17** (*Part Lot 18, Concession 9, South Crosby*)

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands identified as RU-17, the required 500m development setback surrounding a Disposal Industrial Zone (MD) (i.e. landfill) shall be reduced to 150m. (#2010-60 – June, 2010)

17. **RU-18** (*Part of Lot 23, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands zoned RU-18, Custom Workshop and Tradespersons Establishment shall be considered permitted uses. This Special Exception Zone shall only encompass the first 60m of the property from Old Kingston Road and west of private road R9. (#2010-80 – August, 2010)

18. **RU-19** (*Part of Lot 15, Concession 9, North Crosby*)

Notwithstanding the provisions of Section 3.18 to the contrary, on the lands zoned RU-19, a minimum 232 metre setback shall be required between any future dwelling and the nearest adjacent livestock facility. The future construction of a dwelling shall occur within the “buildable envelope” as identified by By-law 2011-4. (#2011-4 – February, 2011)

19. **RU-20** (*Part of Lot 15, Concession 2, South Elmsley*)

Notwithstanding the provisions of 11.1 to the contrary, on the lands zoned RU-20, no dwelling shall be established within 150 metres of the identified Mineral Aggregate Resource as indicated in Schedule A 5 of the Township’s Official Plan. (#2011-19 – March, 2011)

20. **RU-21** (*Part Lot 18 and 19, Concession 9, Bastard & South Burgess*)

Notwithstanding the provisions of 11.1.2 to the contrary, on the lands zoned RU-21, the following is permitted: (#2011-31 – May, 2011)

- Lot Frontage (minimum) 34m

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-21, no structure, as existing on the day of the passing of this By-law, shall be used as a livestock facility. (#2011-31 – May, 2011)

21. **RU-22** (*Part of Lot 13, Concession 1, South Crosby*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-22, a professional or business office shall be an additional permitted use. (#2011-33 – May, 2011)

22. **RU-25** (*Part of Lot 6, Concession 1, Bastard & South Burgess*)

Notwithstanding the provisions of Section 11.1.1 to the contrary, on the lands zoned RU-25, the following use shall be permitted: (#2012-86 – December, 2012)

- Dry Land Marina
 - **Dry-Land Marina:** an establishment not located on a waterbody that contains facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers’ vehicles, may be provided.

Notwithstanding the provisions of Section 11.2 to the contrary, on the lands zoned RU-25, the following site specific standards apply:

- Yards (minimum)
 - Exterior Side 10m
 - Interior Side 10m
 - Rear 10m

23. **RU-26** (*Part of Lot 7, Concession 8, South Crosby*)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-26, the following additional uses shall be permitted: (#2013-54 – December, 2013)

- Contractor's Yard
- Transportation Depot

24. **RU-27** (*Part of Lot 21, 22, 23 and 24, Concession 7, South Crosby*)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-27, the following additional uses shall be permitted: (#2013-85 – December, 2013)

- Agricultural Products Processing Facility
- Feed Supply Outlet
- Wholesale Establishment

25. **RU-28** (*Part Lot 6, Concession 9, North Crosby*)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-28, the following additional uses shall be permitted: (#2015-56 – November, 2015)

- Custom Workshop
- Personal Service limited to a maximum area of 93m² (1000ft²)

26. **RU-29** (*Part Lot 3, Concession 3, South Elmsley*)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-29, the permitted uses shall be restricted to a Custom Workshop.

Notwithstanding the provisions of Section 3.15 to the contrary, on the lands zoned RU-29, two parking spaces in tandem shall be permitted. (#2016-66 – November, 2016)

27. **RU-30-h** (*Part Lot 18, Concession 2, South Elmsley*)

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-30-h, the following additional uses shall be permitted: (#2017-1 – March, 2017)

- Winery

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-30-h, the following definition shall apply to the Winery on the lands to which this By-law applies:

Winery: Shall mean buildings or structures, or parts thereof, secondary to the agricultural use of a vineyard and/or fruit farm, where wines are produced and include display, processing of fruit, fermentation, production, bottling, aging and storage of wine and wine

related products for use in on-site tasting areas, retail, administrative facilities, and indoor events and outdoor events but shall not include an on-site restaurant. Wine tasting and the offering for sale of locally-grown product samples is considered part of the Winery activity.

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-30-h, the following provisions shall also be permitted for the Winery on the lands to which this By-law applies:

- i. The retail sale of wine produced on-site shall be permitted subject to the following regulations:
 - a. It shall not conflict with any minimum floor area requirement for licensing approval by the Province of Ontario;*
 - b. On-site tasting room and retail floor space shall not exceed the lesser of 75m²/800ft² or 25% of the total winery floor area (excluding any below ground floor area); and*
 - c. The on-site retail floor space for non-agricultural items and products shall not exceed 5% of the total retail floor space**
- ii. As an accessory use to the Winery, a separate area shall be permitted where food and beverages are offered for consumption for event purposes by the general public under license from the Alcohol and Gaming Commission of Ontario, provided that such use is secondary and accessory to the Winery use.*
- iii. Temporary overnight accommodation shall be permitted on site in an area not to exceed 2,000 square feet. Such temporary overnight accommodation shall be intended to support events held on the property directly related to the production and serving of wines and related products produced on-site.*
- iv. Lands zoned for Winery uses shall be placed in a holding designation until such time that any required supportive studies are completed to the satisfaction of the Township and other commenting agencies.*

Notwithstanding the provisions of Section 11.1 to the contrary, on the lands zoned RU-30-h, the development of the Winery on the lands to which this By-law applies shall be implemented in the following phases:

Phase 1 includes:

- Establishment of the vineyards on-site for future production and winery activity
- Obtaining a commercial license for wine production
- Relocating the barn and stone house to the property
- Obtaining any required building permits to erect the two structures
- Completing and structural, not interior, renovations on the stone house and barn

Phase 2 includes:

- Interior renovations to the stone house to accommodate the winery, tasting and production areas
- Renovating the barn to function as an events facility
- Obtaining the required approvals for the proposed septic system
- Establishing the driveways and parking areas to accommodate vehicular traffic

- Establishing temporary accommodations on-site with a maximum area of 2000sqft

The property is hereby placed into a holding designation. The holding designation requires:

- A supportive Hydrogeological Report and a Servicing Options Report to be completed if the daily litres of effluent exceed 4500 litres in either of the proposed phases;
- The completion of studies, which may include, but are not limited to, a traffic impact study, a stormwater brief (and if required a stormwater management report), a grading and drainage plan, and a noise study prior to the implementation of Phase 2.

Notwithstanding the provisions of section 11.1 to the contrary, on the lands zoned RU-30-h, existing agricultural use within 30m of the adjacent Provincially Significant Wetland will be permitted.

28. **RU-31** (*Part of Lot 14, Concession 4, South Elmsley*)

Notwithstanding the provisions of Section 3.7.1 to the contrary, on the lands zoned RU-31, no more than 83.6 square metres of the floor area of the dwelling unit shall be used for the home-based business.

Notwithstanding the provisions of Section 3.7.6 to the contrary, on the lands zoned RU-31 where instruction is provided, there shall be no more than twelve persons, other than the instructor, in attendance at any one time. (#2017-32 – May, 2017)

SECTION 12 - AGRICULTURE ZONES

12.1 Agriculture (A) Zone

1. Permitted Uses

accessory dwelling
accessory dwelling unit
agricultural use
bed and breakfast
conservation use
portable asphalt plant
single dwelling
wayside pit
wayside quarry

2. Zone Provisions

- Lot Area (minimum) 40 ha
- Lot Frontage (minimum) 60 m
- Yards (minimum)
 - Front 10 m
 - Exterior Side 6 m
 - Interior Side 6 m
 - Rear 10 m
- Dwelling Unit Area (minimum) 75 m²
- Dwelling Height (maximum) 10 m
- Lot Coverage (maximum) 20%
- Dwellings per Lot (maximum) 1

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 12.1.2 to the contrary, where a lot is severed for residential purposes, such lot may be used for a single dwelling in accordance with the zone provisions of Section 5.1.2 and the retained lot shall be exempt from the lot area provision of Section 12.1.2.

3. Minimum Separation Distance for a New or Expanding Livestock Facility from a Dwelling

Notwithstanding any other provisions of this By-law, new or expanding livestock facilities shall comply with the Minimum Distance Separation II (MDS II), as issued by the Ministry of Agriculture and Food.

4. **Special Exception Zones**

A-1 (*Part Lot 1 and 2, Concession 1, South Elmsley*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands identified as A-1, the construction of a new residential dwelling is prohibited. This zoning shall apply to the enlarged lot created by Consent Application B-161-08.
(#2009-46 – June, 2009)

SECTION 13 – MINERAL RESOURCE ZONES

13.1 Mineral Aggregate Extraction (EX) Zone

1. Permitted Uses

aggregate processing operation
agricultural use, excluding buildings
asphalt plant
concrete plant
conservation use, excluding buildings
pit
portable asphalt plant
quarry
wayside pit
wayside quarry

2. Zone Provisions

- Yards (minimum)
 - Front 30 m
 - Exterior Side 15 m
 - Interior Side 15 m
 - Rear 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Minimum Separation Distance From a Dwelling on Another Lot

- Class “B” pit, with no excavation below the water table 150 m
- All other pits 300 m
- Quarry, asphalt plant or concrete plant 500 m

4. Special Exception Zones

(reserved)

SECTION 14 – NATURAL HERITAGE ZONES

14.1 Environmental Protection (EP-A) Zone

1. Permitted Uses

existing agricultural use
conservation use, excluding buildings

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Special Provisions

No building or structure shall be erected, altered or used.

4. Special Exception Zones

(reserved)

14.2 Environmental Protection (EP-B) Zone

1. Permitted Uses

existing use
conservation use
public park

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

2. Special Provisions

No building or structure shall be erected, altered or used except in accordance with the recommendations of an Environmental Impact Study undertaken to the satisfaction of the Township.

4. Special Exception Zones

1. EP-B-1 (*Part of Lots 1 & 2, Concessions 6 & 7, South Crosby*)

Notwithstanding the provisions of Section 14.2.1 to the contrary, on the lands zoned EP-B-1, a seasonal camp shall be an additional permitted use. (#2003-112 – September, 2003)

2. EP-B-2 (*Part Lot 24, Concession 5, South Elmsley*)

Notwithstanding the provisions of Section 14.2.1 to the contrary, on the lands zoned EP-B-2, an accessory building shall be a permitted use. (#2008-74 – October, 2008)

SECTION 15 - NATURAL HAZARD ZONES

15.1 Flood Plain (FP) Zone

1. Permitted Uses

agricultural use
conservation use
golf course
marine facility
park

2. Zone Provisions

1. No fill shall be placed except with the written approval of the relevant Conservation Authority.
2. No building or structure shall be erected, altered or used except with the written approval of the relevant Conservation Authority.
3. Where permission under Section 45 of the Planning Act are gained for legal non-conforming structures/buildings the zoning provisions of an applicable zone shall apply. For waterfront properties used for residential purposes the Waterfront Residential (RW) zone shall apply. For non-waterfront properties used for purposes as permitted in the Rural (RU) zone, the RU zone provisions shall apply. For commercial/institutional/industrial uses the applicable commercial/institutional/industrial zoning shall apply. (#2016-36 – July, 2016)

3. Additional Provisions

1. General Provisions

In accordance with Section 3 hereof.

4. Special Exception Zones

(reserved)

SECTION 16 - APPROVAL

This By-law shall become effective on the date of approval hereof.

This By-law given its first reading on January 17, 2005.

This By-law given its second reading on January 17, 2005.

This By-law given its third and final reading and passed under the Corporate Seal on January 17, 2005.

CORPORATE SEAL OF TOWNSHIP

(original signed by)

Ron Holman
Mayor

(original signed by)

Dianna Bresee
Clerk

Metric Conversion Chart

Imperial Units	Multiplied By	Equals Metric Units	Metric Units	Multiplied By	Equals Imperial Units
L E N G T H					
Inches	2.54	Centimetres	Centimetres	0.3937	Inches
Feet	0.3048	Metres	Metres	3.2808	Feet
A R E A					
Square feet	0.0929	Square metres	Square metres	10.764	Square feet
Acres	0.4047	Hectares	Hectares	2.471	Acres

Sample Conversions

<u>AREA</u>		<u>LENGTH</u>	
<u>Metric</u>	<u>Imperial</u>	<u>Metric</u>	<u>Imperial</u>
10 m ²	107.6 sq ft	1 m	3.28 ft
12 m ²	129.2 sq ft	2.75 m	9.02 ft.
14 m ²	150.6 sq ft	3 m	9.84 ft
20 m ²	215.3 sq ft	4.5 m	14.76 ft
25 m ²	269.1 sq ft	6 m	19.69 ft
40 m ²	430.6 sq ft	7.5 m	24.61 ft
70 m ²	753.5 sq ft	9 m	29.53 ft
75 m ²	807.3 sq ft	10 m	32.81 ft
200 m ²	2,152.8 sq ft	15 m	49.21 ft
230 m ²	2,475.7 sq ft	20 m	65.62 ft
700 m ²	7,534.7 sq ft	30 m	98.43 ft
4050 m ²	43,593.8 sq ft	45 m	147.64 ft
1 ha	2.47 acres	60 m	196.85 ft
2 ha	4.94 acres	120 m	393.7 ft
40 ha	98.84 acres	150 m	492.1 ft
		300 m	984.3 ft
		500 m	1,640.4 ft

The foregoing metric conversion chart and sample conversions provide approximate conversions for the convenience of the reader and do not form part of the Zoning By-law.