



## **ZONING BY-LAW N0.2011-29 OF THE TOWNSHIP OF ARMSTRONG**

Adopted by Council on July 13, 2011  
Amended and Consolidated to  
October 11, 2017

**TOWNSHIP OF ARMSTRONG  
35 – 10<sup>TH</sup> STREET  
EARLTON, ONTARIO  
P0J 1E0**

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**JLR 24354-42**



**THE TOWNSHIP OF ARMSTRONG  
BY-LAW NO. 2011-29, as amended**

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## **SECTION 1**

### **AUTHORIZATION AND ADMINISTRATION**

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#### **1.1 Title**

This By-law shall be known as the "Township of Armstrong Zoning By-law".

#### **1.2 Defined Area**

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

#### **1.3 Scope**

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

#### **1.4 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.

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

#### **1.5 Remedies**

Where any building, structure or use is in contravention of any provisions of this By-law, such contravention may be restrained by action at the instance of any ratepayer or by the Corporation.

#### **1.6 Effective Date**

This By-law shall come into full force and effect as of the date of passing by Council, subject to the provisions of the Planning Act.

#### **1.7 Validity**

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

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**1.8 Administrator**

This By-law shall be administered by a person designated by the Council of the Township of Armstrong as the "Zoning Administrator".

**1.9 Inspection of Premises**

The Zoning Administrator or any employee of the Corporation acting under his direction, may, at any reasonable hour, request entry to inspect a property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, the Zoning Administrator, By-law Enforcement Officer or other employee shall not enter into a dwelling unit without the consent of the occupant except under the authority of a search warrant.

**1.10 Licences and Permits**

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

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

**1.11 Certificate of Occupancy**

No change shall be made in the type of use of any land, building or structure within any zone, without first obtaining a Certificate of Occupancy, from the Municipality, in accordance with the Ontario Building Code, as amended.

**1.12 Applications and Plans**

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

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

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such proposed or existing building, structure or use conforms to the requirements of this By-law.

**1.13 Interpretation****(1) Definitions**

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

**(2) Singular and Plural Words and Genders**

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

- (a) words used in the singular include the plural;
- (b) words used in the plural include the singular; and
- (c) words used in the masculine gender include the feminine and neuter.

**(3) "Shall" is Mandatory**

In this By-law, the word "shall" is mandatory.

**(4) "Use" and "Occupy"**

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

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

**(5) Schedules to By-law which are attached hereto and described in this Section are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein. Schedules may be referred to as the Zoning Maps:**

Schedule A – Village of Earlton  
Schedule B – Rural Area

**(6) Interpretation of Zoning Boundaries**

- (a) Boundaries of zones shall be construed wherever possible, to be concurrent with lot lines of a registered plan, property boundaries, centre lines of streets, street allowances, closed street allowances, rights-of-way for railways, hydro-electric transmission corridors or pipelines, lot or concession boundaries, or high water marks, water courses, regulatory

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floodlines or other conservation authority regulation lines or boundaries of registered plans. In the event that a street, lane, right-of-way or any portion thereof is closed and where such street or right-of-way was a zone boundary, the new zone boundary shall be the former centre line of the closed street, lane, or right-of-way.

- (b) Where the boundary of a zone appears to be parallel to a lot line, property boundary, a street, highway, lane or a street allowance, a closed street allowance or the right-of-way of a railway, hydro-electric transmission corridor or pipeline, such boundary shall be construed as being parallel to such feature at the distance determined by the scale of the applicable Schedule.
- (c) Where a zone boundary is indicated as approximately following a natural feature such as a height of land, ridge or contour line, the boundary shall be the natural feature. Where a zone boundary is shown to follow a shoreline, the high water mark and any changes thereto shall be taken to be the boundary. Where the boundary of an environmental protection zone, hazard zone or wetland zone, watercourse, top of bank, high water mark or similar environmental feature as interpreted in the field to the satisfaction of the conservation authority or the Ministry of Natural Resources varies from the limit shown on Schedule "A" to this By-law, the refined limit as interpreted in the field, shall be deemed to be the zone boundary, without the requirement for an amendment to the By-law.
- (d) Where a zone boundary is indicated as passing through undeveloped land, the said boundary shall be scaled from the applicable Schedules.
- (e) Where a zone boundary is indicated as approximately following Township or Settlement Area limits, the limits shall be the same as the noted limit.
- (f) Where none of the foregoing provisions apply and where appropriate, the boundaries shall be scaled from the applicable Schedules.
- (g) Where the boundary of a zone is represented on Schedules showing varied levels of detail, and such boundary is contested due to conflict, the boundary shall be deemed to be that as shown on the more detailed or smaller scale schedule.

(7) Multiple Uses

Unless otherwise prohibited by this By-law and provided all the applicable requirements of this By-law are satisfied, a lot, structure or building may contain more than one use permitted in the designated zone. Where any land or building is used for more than one purpose, use or zone, all provisions of this By-law relating to each use shall be complied with except as otherwise provided for in this By-law. Where there is conflict between the requirements of such uses (e.g. lot size, lot frontage or yards), the more restrictive requirements shall prevail.

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## (8) Lot Coverage Requirements

Unless otherwise provided, the maximum lot coverage requirements of any individual zone shall include the total area of a lot that can be covered by both main buildings and accessory buildings contained on the lot.

## (9) Typographical Corrections

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

## (10) References to Other Legislation and Agencies

Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations therewith. Where this By-law makes reference to the jurisdiction of a public agency and where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency or legislation. Reference to MDS I or MDS II formulae shall be deemed to include the most current standards.

## (11) Compliance with Zoning Requirements

The extent and boundaries of all zones are shown on the Schedules attached hereto. For all such zones, both the general provisions and specific zone provisions shall be met. The provisions of this By-law shall be held to be the minimum (or maximum, where applicable) requirements adopted for the promotion of the public health, safety, convenience and general welfare of the public. Nothing shall prevent any person from erecting a building or structure or from undertaking any development which exceeds the minimum requirements of this By-law.

## (12) Zone Symbols

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

## (13) Lots Split By More Than One Zone

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

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**(14) Calculation of Numerical Requirements**

Where the application of this By-law results in a fraction, the more restrictive requirement shall apply such that the number is rounded up for minimum requirements, and rounded down for maximum requirements.

**(15) Lots Affected By Government Action**

Where a lot is reduced by a Government action such as road widening, property acquisition or expropriation and the resulting lot is below the minimum lot frontage or area for the zone, or a setback is no longer in conformity, or if any other provision of the By-law is no longer in conformity as a result of such action, the lot shall be deemed to be in conformity with the requirements provided all other applicable requirements of the zone and this By-law are satisfied.

**(16) Prohibited Uses**

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

**1.14 Repeal of Existing By-laws**

The following Zoning By-laws and all amendments thereto of the Township of Armstrong (2006-30) enacted pursuant to Section 34 of the *Planning Act*, as they may affect the lands which are governed by this By-law, are hereby repealed and such repeal shall come into effect upon the date that this By-law comes into force.

**1.15 Requests for Amendment**

Every request for an amendment to this Zoning By-law shall be accompanied by the required number of copies of the Corporation's "Application for Amendment to Zoning By-law" and all required information.

**1.16 Notes**

Where "notes" are included in this By-law, they are provided for explanation purposes and do not form a part of this By-law.

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## SECTION 2 DEFINITIONS

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For the purpose of this By-law, the definitions and interpretations given in this Section shall apply:

**Accessory** shall mean a use, building or structure customarily incidental and subordinate to the principal use and located on the same lot with such main use.

**Adult Entertainment Parlour** shall mean a place in which is provided pursuant of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and may include a restaurant as an accessory use.

**Adverse Effects** shall mean one or more of the following: impairment of the quality of the natural environment for any use that can be made of it, injury or damage to property or plant or animal life, harm or material discomfort to a person, an adverse effect on the health of any person, impairment of the safety of any person, rendering any property or plant or animal life unfit for human use, loss of enjoyment of normal use of property and interference with normal conduct of business.

**Agricultural Use** shall mean the use of land, building or structures for:

- (a) the growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and spreading, sludge application to land which complies with Ministry of the Environment guidelines, planting, spraying, irrigating, harvesting and also including the storage and sale of crops;
- (b) the raising, boarding, keeping and sale of all forms of domestic livestock, except dogs or exotic animals, including all related activities such as breeding, raising, training, feeding and grazing and including the breeding and raising of poultry, bees or fish;
- (c) the production of animal products such as milk, eggs, wool, fur or honey, including related activities such as the collection, storage and sale of products;
- (d) accessory greenhouse or nursery garden, including storage and sale of the products;
- (e) forestry activities including the planting, harvesting and sale of forest products, including a portable sawmill; and
- (f) the use and accessory maintenance and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

Unless allowed under the definition of a rural home occupation, an agricultural use shall not be construed to include commercial or industrial activities related to agriculture such as abattoirs, tanneries, grain drying sod farming and sale outlets, equipment sale or rental, manufacturing or processing activities involving farm crops or animal products.

**Agriculture-related uses** shall mean farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in

close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Alter** shall mean:

- (a) with reference to a building or part thereof, to change any one or more of the external dimensions of the building or to change the type of construction of the exterior walls or roof;
- (b) with reference to a lot, to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot or otherwise.

**Altered** and **alteration** shall have corresponding meanings.

**Alternative Energy System** shall mean sources of energy or energy conversion process that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional systems.

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

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

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

**Attic** shall mean that portion of a building immediately below the roof and wholly or partly within the roof framing.

**Auction Establishment** shall mean the offering for sale of new and used goods by means of request or invitation for bids, includes a livestock auction sales barn and vehicle or liquidation auction.

**Auditorium** shall mean a building, structure or part thereof where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, assembly hall, community centre, gymnasium, stadium, theatre or similar use.

**Automobile Body Shop** shall mean an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition

shall not include a salvage yard as defined herein.

**Automobile Service Station** shall mean a building where gasoline, propane, diesel fuel or oil is kept for sale including alternative sources of fuel, where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a commercial garage are carried on.

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

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

**Bakery** shall mean a building or portion of a building wherein baked foods are produced and processed for packaging, distribution and resale off the premises. A bake shop is a permitted accessory use in a bakery.

**Basement** shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.

**Bed and Breakfast** shall mean a private residence, limited to a single detached dwelling, which is operated to provide the travelling public with sleeping accommodations on a maximum of two (2) accessory guest units and other related services and facilities within the occupant's dwelling.

**Biomass Energy System** shall mean a renewable electrical generation facility using renewable biomass resources and/or waste products that produces electrical power for needs of a user or to feed into the transmission or local distribution grid. "Biomass" means any plant derived organic matter available on a renewable basis. A biomass energy system includes all components, supporting infrastructure, and outbuildings.

**Bio-solids** shall mean nutrient rich organic by-products of the anaerobic digested waste water treatment process.

**Boarding House** shall include a rooming house, and shall mean a building or portion thereof other than a hotel or motel where lodging with or without meals is provided for compensation and this definition shall include a lodging or rooming house.

**Building** shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and accommodation of persons, animals or goods:

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

- (c) **Main Building** shall mean the building serving the principal or primary uses for which the lot was purchased, leased or rented.
- (d) **Temporary Building** shall mean a building or structure intended for removal or demolition within a prescribed time, not exceeding two years, as set out in a building permit.

**Building By-law** shall mean any By-law of the Corporation passed pursuant to the *Building Code Act*.

**Building Envelope** shall mean the total horizontal area of a building calculated by perpendicular projection onto a horizontal plane. This definition shall not include:

- (a) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures unless such structure projects more than 1.0 m horizontally from an exterior wall of the building; or
- (b) unenclosed porches, balconies or steps unless such structure projects more than 2.25 m horizontally from an exterior wall of the building.

A swimming pool shall be considered as part of the building envelope.

**Building Line** shall mean a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

**Building Separation** shall mean the least horizontal distance permitted between the nearest portions of any building envelopes on a lot.

**Building Supply Centre** shall mean a building or part of a building or a place where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed or kept for sale at retail or wholesale.

**Built Heritage Resources** shall mean one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

**Bulk Storage Tank** shall mean a tank for the bulk storage of petroleum, petroleum products, chemicals, gases, flammable liquid or fluid, or similar substances. This definition shall not include a fuel storage tank which is accessory to another use on the lot where such tank is located (see Fuel Storage Tank).

**Bunkhouse** shall mean a building designed or used for the accommodation, during the planting, growing or harvesting season, of up to ten agricultural workers and consisting of at least one bathroom and not fewer than two rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

**Bus Depot** shall mean a building or premises where commercial motor vehicles pick up and discharge fare-paying intercity passengers. Accessory uses may include ticket offices, luggage checking facilities and similar uses.

**Campground** shall mean an open area provided for the use of outdoor camping in tents or similar facilities. This definition shall not include a tourist camp or mobile home park.

**Campsite** shall mean a parcel of land within a tent and trailer park occupied by a tent or recreational vehicle.

**Canteen** shall mean a snack bar or small cafeteria providing food and drink and could also include the sale of personal supplies.

**Carport** shall mean a covered parking area which is attached to a structure and open on at least two sides.

**Car Washing Establishment** shall mean a building or structure or part thereof containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.

**Catering Establishment** shall mean a building or part of a building where food is cooked or otherwise prepared for delivery to a location other than the zoned premises. Storage of supplies, equipment and parking of delivery vehicles shall be permitted as accessory uses. This definition shall not include a restaurant.

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

**Cemetery** shall mean a property used for interring dead persons or in which human bodies have been buried and as regulated by the *Cemeteries Act*, R.S.O. 1990, c.C.4. A cemetery may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments, but shall not include crematoriums or pet cemeteries.

**Cemetery (Pet)** shall mean a property used for the disposal of material consisting entirely of the remains of dead domestic pets.

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

**Child Care Centre** shall mean a premises operated by a person licensed under the Child Care and Early Years Act to provide temporary care for or supervision of children.

**Clinic** shall mean a building or part of a building wherein health services are provided to the public in the form of a medical, paramedical, dental, surgical, physiotherapeutic, or other human health services including associated technical and laboratory facilities, and may also include a pharmaceutical outlet for the sale of prescription and therapeutic drugs, medication, optical

equipment and similar drug store products.

**Club** shall mean a building or premises used as an athletic, recreational, service or social club. This definition may include the premises of a fraternal organization.

**Commercial Garage** shall mean a building or premises where vehicles owned by the general public are repaired or maintained.

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

**Commercial Patio** shall mean an outdoor area in association with a restaurant where food, beverages, wine, spirits or any combination of these are served to the public or to members of a private club or other similar organization.

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

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

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

**Conservation Authority** shall mean a Conservation Authority as defined by the *Conservation Authorities Act*.

**Conservation Use** shall mean a use related to the preservation of natural resources or the natural environment.

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

**Convenience Store** shall mean an establishment where food, tobacco, drugs, periodicals or similar items of household necessity are kept for retail sale to residents of the immediate neighbourhood or area.

**Corporation** shall mean the Corporation of the Township of Armstrong.

**Council** shall mean the Council of the Corporation of the Township of Armstrong.

**Coverage** shall mean the percentage of lot area covered by the ground floor area of all principal buildings located thereon.

**Cultural Heritage Landscape** shall mean a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*, and the village, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

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

**Driveway** shall mean an unobstructed passageway used to provide vehicular access to a lot from a street or lane.

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

**Dry Cleaning or Laundry Plant** shall mean a building or part thereof where dry cleaning, dry dyeing, cleaning or pressing of fabric articles or goods is conducted in which solvents which emit no odours or fumes are, or can be, used, and in which no noise or vibration cause a nuisance or inconvenience without the premises. This definition may include a dry cleaning or laundry outlet.

**Dwelling** shall mean a building used or intended to be used for human habitation and in which all usual domestic functions may be carried on. For the purposes of this By-law, dwelling shall not include a mobile home as defined herein.

- (a) **Accessory Dwelling** shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therewith and is occupied either by the family of the owner of such non-residential use or by a family of a person employed on the lot where such dwelling is located.
- (b) **Apartment Dwelling** shall mean a building consisting of three or more independent dwelling units other than a row house dwelling.
- (c) **Boarding House** shall mean a dwelling or portion thereof containing not more than 4 guest rooms, used for the accommodation of the public in which the owner or head lessee supplies for compensation, lodging with or without meals but does not include any other establishment otherwise defined herein.

- (d) **Converted Dwelling** shall mean a dwelling altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a floor space of not less than 55.0 m<sup>2</sup>.
- (e) **Duplex Dwelling** shall mean a dwelling that is divided horizontally into two dwelling units.
- (f) **Four-Plex Dwelling** shall mean a building that is divided horizontally and/or vertically in four (4) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common entrance, but does not include a converted dwelling or row house / townhouse dwelling.
- (g) **Row House or Townhouse Dwelling** shall mean a dwelling that is divided vertically into three or more dwelling units.
- (j) **Semi-Detached Dwelling** shall mean a dwelling that is divided vertically into two dwelling units.
- (k) **Senior Citizens Apartment Dwelling** shall mean an apartment dwelling for the specific use of senior citizens.
- (l) **Single Detached Dwelling** shall mean a dwelling containing only one dwelling unit.

**Dwelling Unit** shall mean one or more rooms designed as a housekeeping unit, used or intended to be used as a domicile by one or more persons and in which separate cooking, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building. A dwelling unit shall contain only one full kitchen.

- (a) **Accessory Dwelling Unit** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building and is occupied by the family of the owner of the non-residential building or by the family of a full time employee on the lot where such dwelling unit is located.
- (b) **Accessory Apartment** shall mean a self-contained dwelling unit created through the conversion of part of or the addition on to an existing single detached, semi-detached, duplex dwelling, or row house.

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

**Dwelling – Modular Home** shall mean a single detached dwelling that is constructed by assembling, on a permanent foundation, at least two factory manufactured modular units each of

which comprises at least one room or living area and has been manufactured in a Canadian Standards Association (CSA) A277 certified factory. For the purposes of this By-law a modular home dwelling shall be considered as a single detached dwelling.

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

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

**Energy from Waste** shall mean the incineration of municipal solid waste (garbage) to produce electricity. Energy from waste is primarily to provide a means for waste reduction and disposal. Electrical generation is a secondary consideration of this process.

**Entrance** shall mean, when used with reference to a lot, means the area of intersection between a driveway and a street line.

- (a) **Entrance separation** shall mean the least horizontal distance permitted between the nearest portions of any entrances on the lot.
- (b) **Entrance setback** the least horizontal distance permitted between an intersection of street lines and the nearest portion of any entrance, measured along the street line.
- (c) **Entrance width** shall mean the horizontal distance permitted between the extremities of an entrance, measured along the street line.

**Erect** shall mean build, construct, reconstruct, remove 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 any work which requires a building permit. "Erected" and "erection" shall have corresponding meanings.

**Established Building Line, Rural** shall mean the average setback from the street line of existing buildings in either the Agriculture, Rural or Rural Residential Zones when at least five buildings have been erected on any one side of a continuous 200.0 m of land with frontage on an improved street.

**Established Building Line, Urban** shall mean the average setback from the street line of existing buildings in the Residential Zones (R1, R2,...) on one side of one block where more than one-half of the lots on the said side of the block have been built upon.

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

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

**Fairgrounds** shall mean lands where fairs, livestock shows, horseracing, demolition derbies,

other sports events, circuses or exhibitions are held primarily outdoors and includes any accessory and temporary buildings.

**Farm Equipment Dealer** shall mean an agency which offers for sale, and maintains and repairs machinery normally used in farming.

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

**Farmer's Market** shall mean an establishment or premises where the farm products of a local farming community are sold at retail by the grower from unenclosed or open air areas designated for individual retailers.

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

**Finished Grade** shall mean:

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

**Flea Market** shall mean an occasional or periodic market held in a building or in an open area where persons offer second hand goods, new articles or antiques for sale at retail but shall not include any other establishment defined herein.

**Floodline** shall mean the line which delimits the area that would be flooded with an expected average frequency of once in 100 years.

**Flood Plain** shall mean the area below the floodline, usually low lands adjoining a watercourse which has been or may be covered by flood water.

**Floor Area** shall mean:

- (a) for a dwelling or dwelling unit, the total area of the storeys contained within the outside walls of the dwelling or dwelling unit exclusive of any garage, carport, porch, verandah, sunroom, attic, basement or cellar;
- (d) for a building other than a dwelling or dwelling unit, the total area of all the floors contained within the outside walls of the building.

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

**Forestry Use** shall mean the planting, management and harvesting of timber resources in accordance with good forestry practices. This definition may include the establishment and occasional use of an accessory portable sawmill but shall not include the establishment of a permanent sawmill.

**Fuel Pump Island** shall mean a structure which is an accessory use intended to provide fuel for vehicles.

**Fuel Storage Tank(s)** shall mean a tank which is an accessory to a permitted use for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid.

**Funeral Home** shall mean a building or part thereof designed for the purpose of furnishing funeral services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

**Garage, Private** shall mean an accessory building or portion of a residential building which is fully enclosed and used for the storage of motor vehicles and household equipment incidental to the residential occupancy.

**Garden Centre** shall mean land, building, structure or part thereof or an outdoor area primarily used for the retail sale of gardening equipment, landscaping products and planting materials.

**Garden Suite** shall mean a temporary, detached portable housing unit intended for the use of an elderly member of the immediate family which is located on the same lot with an existing single detached dwelling where the family is residing and which shares the water supply and sewage disposal facilities with the single detached dwelling.

**Gasoline Retail Facility** shall mean an establishment or a lot where the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use such as a self serve facility in combination with a retail store. This definition shall not include an automobile service station or commercial garage.

**Golf Course** shall mean a public or private area operated for the purpose of playing golf.

**Gravel Pit** shall mean any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) any excavation incidental to the erection of a building or structure for which a building permit has been issued;
- (b) any excavation incidental to the construction of any public works;
- (c) any asphalt plant, cement manufacturing plant or concrete batching plant; and
- (d) any wayside pit as defined herein.

**Group Home** shall mean a single housekeeping unit in a residential dwelling in which up to eight unrelated residents, excluding supervisory staff or the receiving family, live as a family under

responsible supervision consistent with the requirements of its residents and only if licensed or approved under provincial statutes and in compliance with municipal By-laws, but excluding a Correctional Group Home.

**Habitable Room** shall mean a room commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closet, or bathroom or any room having floor space of less than 4.65 m<sup>2</sup>.

**Hauled Sewage** shall mean material removal from a holding tank (class 5 system) or from a septic tank (class 4 system).

**Height** shall mean when used in reference to a building, the vertical distance measured between finished grade and:

- (a) the highest point of the roof surface of a flat roof; or
- (b) the average (mean) level between eaves and ridge of any other type of roof.

**High Water Mark** shall mean the mark made by the action of water under natural conditions on the shore or bank of a waterbody which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

**Highway** shall mean a public thoroughfare intended for vehicular use by the general public.

**Hobby Farm** shall mean the keeping, breeding, raising and grazing of livestock, and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as defined herein which is operated for commercial purposes.

**Home for the Aged** shall mean an establishment operated under the *Homes for the Aged and Rest Homes Act*.

**Home Improvement Centre** shall mean an establishment engaged in the wholesale and/or retail sales, or installation of, home furnishings and building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.

**Home Industry** shall mean a use which is clearly incidental or secondary to the residential use of a single detached dwelling house and is conducted either entirely within a single detached dwelling house or in an accessory building to a single detached dwelling house, by an inhabitant thereof. Such use may include a carpentry shop, a craft shop, an electrical shop, a small engine repair shop, a welding shop, a blacksmith shop or other similar use.

**Home Occupation** shall mean an occupation, trade, business, profession or craft carried on as an accessory use to the use of the dwelling and shall include the following:

- (a) instruction in or business involving music, academic subjects, religion, dancing, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hairdressing or similar use;
- (c) business involving work conducted primarily in other locations, such as those operated

by electricians, plumbers, carpenters or operators of commercial vehicles, including school buses, provided that the storage of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;

- (d) business involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters, caterers or operators of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;
- (e) business involving the repair of small appliances, radios, televisions and similar items, skate or knife sharpening or similar uses;
- (f) an office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, or a person engaged in a similar professional occupation;
- (g) business involving catering; or
- (h) a bed and breakfast; or
- (i) a home or in-home child care centre.

**Home Occupation, Rural** shall mean an occupation, business, trade or craft which is accessory to a farming operation. This definition may include the servicing or repair of merchandise or equipment, the grading of produce, a retail outlet for farm supplies and machinery, a farm produce outlet or similar activities.

**Hospital** shall mean a Public or Private Institution as defined under the Public Hospitals Act and amendments thereto or under the Private Hospitals Act and amendments thereto.

**Hotel** shall mean a building designed or used for the accommodation of the travelling or vacationing public, containing therein more than five guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

### **Industrial Uses**

- (a) **Class I – Light Industrial Uses** shall mean a place of business for a small scale, self-contained plant, or building which produces, manufactures, assembles, or stores a product which is contained in a package and has a low probability of fugitive emissions, e.g. noise, odour, dust, and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package, and crafting services, small scale assembly, auto parts supply.
- (b) **Class II – Medium Industrial Uses** shall mean a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent

movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, contractor's yard.

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

**Intensive Livestock Operation** shall mean an agricultural operation as defined in a Nutrient Management Plan By-law adopted by Council.

**Kennel** shall mean a building or structure where dogs are bred, boarded, groomed or trained, given medical treatment or housed for similar purposes for which compensation is paid and shall include a Humane Society shelter or pound.

**Landscaped Open Space** shall mean open space comprised of a combination of shrubs, flowers, trees, grass, bushes and other landscaping materials and may include space occupied by paths, walks, courts, patios and pools, but shall not include parking areas, traffic aisles, driveways or ramps for vehicles, or any open space beneath or within a building or structure.

**Lane** shall mean:

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

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

**Library** shall mean a public building or structure where books, printed materials, electronic and other audio-visual resources may be read, consulted or borrowed.

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

**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, and which has unobstructed access to a street or lane.

**Lodging Camp** shall mean a temporary building, part of a building, or two or more detached buildings, designed to be used for the purpose of catering to the needs of students at a local educational facility or contractors working on local/regional projects on a temporary basis by furnishing temporary sleeping accommodation with or without kitchens, with or without supplying food, and may include meeting rooms, and dining rooms.

**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*.

- (a) Corner Lot shall mean a lot situated at the intersection of two streets having an angle of intersection of not more than 135 degrees.
- (b) Interior Lot shall mean a lot situated between adjacent lots and having access to one street.
- (c) Through Lot shall mean a lot having street frontage on two opposite sides.
- (d) Waterfront Lot shall mean a lot which has no street access, but has water access on one shoreline only.

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

**Lot Coverage** shall mean the percentage of lot area covered by the ground floor area of all buildings located thereon.

**Lot Frontage** shall mean the width of a lot measured between the intersection of the side lot lines with a line back from and parallel to the front lot line, at a distance equal to the minimum required front yard.

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

- (a) Front Lot Line shall mean in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot or a through lot where the lot lines abutting the streets are the same length, the lot line where the principal vehicular access to the lot is provided shall be deemed to be the front lot line. In the case of a corner lot where the street lines are joined by an arc, the shortest straight street line shall be deemed to be the front lot line. In the case of a corner lot where the street lines do not intersect at one single point, the shorter of the two street lines shall be deemed to be the front lot line. In the case of a waterfront lot, the shoreline shall be deemed to be the front lot line.
- (b) Rear Lot Line shall mean in the case of a lot having four or more lot lines, the lot line furthest from and opposite to the front lot line. If a lot has less than four lot lines, there shall be deemed to be no rear lot line.
- (c) Side Lot Line shall mean a lot line other than a front or rear lot line.
- (d) Exterior Side Lot Line shall mean a side lot line which is also a street line.

**Mini Warehouse and Storage** shall mean a building or part thereof wherein general merchandise, vehicles, furniture and household goods are stored in separately occupied, secured storage areas or lockers which are generally accessible by means of individual loading doors. Employees associated with such a use shall be limited to a facility manager and/or security personnel.

**Mobile Home Park** shall mean a lot developed and managed under single or corporate ownership which has been planned, divided into mobile home sites, improved and provided with approved water and sewer services and intended to be used for the placement of mobile homes for permanent residential use.

**Mobile Home Site** shall mean the space for the placement of one mobile home for the exclusive use of its occupants.

**Motel** shall mean a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein more than five guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

**Multi-Use Facility** shall mean a facility that offers a variety of programs of a recreational, cultural, day care, social, community service, informational, instructional, or municipal nature, and may include, as a portion of it, a medical facility.

**Municipal Yard** shall mean any land and buildings thereon owned by the Municipality, or any local board or commission, and used for the storage, maintenance and repair of equipment or for supplies and materials used in connection with civic works. This definition may include a business office used to plan, direct or administer any civic works.

**Municipality** shall mean the Corporation of the Township of Armstrong.

**Nameplate Generating Capacity** means the manufacturer's posted maximum generating capacity of a renewable energy system under optimal conditions.

**Non-Complying** shall mean a lot, building, or structure that does not meet the regulations of the Zone in which it is located as of the date of passage of this By-law.

**Non-Conforming** shall mean an existing use or activity on any land, building, or structure that is not a permitted use for the Zone in which it is located as of the date of passage of this By-law.

**Noxious Use** shall mean a use which, by its nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacturer, or a noxious use as defined in the Health Protection and Promotion Act, as amended.

**Nursery** shall mean lands used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.

**Nursing Home** shall mean a building used in accordance with the definitions in the *Nursing*

*Homes Act* and amendments thereto.

**Nutrient Management Plan** shall mean a report that evaluates the relationship between the land-based application of nutrients, management techniques, and agricultural land use.

**Office** shall mean a building or part of a building used or intended to be used in the performance and transaction of business including administrative and clerical activities as well as professional offices, but not including the use of manual labour.

**Open Space** shall mean a use whereby the land remains unoccupied by buildings and is used for purposes such as hiking trails, nature trails, parks, wildlife sanctuaries and similar uses.

**Open Storage** shall mean the storage of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof, including such uses as automobile and trailer sales lots, building materials supply yards but does not include the outdoor display of a limited number of samples of the goods, merchandise or equipment for the purpose of sales and advertisement. This definition shall not include the open storage of goods or equipment which are incidental to the residential occupancy of a lot.

**Outdoor Recreational Facility** shall mean an establishment which provides recreational activities primarily located outside of a building such as a golf driving range, miniature golf, lawn bowling, tennis courts, or similar activities. A go cart track is not included within this definition.

**Park** shall mean an area of land consisting mainly of open space which may include a recreational area, playground, playfield or similar use.

- (a) Public Park shall mean a park owned and maintained by the Municipality or other public authority;
- (b) Private Park shall mean a park other than a public park.

**Park Model Trailer** shall mean a manufactured building used or intended to be used as seasonal recreational building or residential occupancy. It is deemed to comply with the Ontario Building Code if it is designed and constructed in conformance with CAN/CSA-Z241 Series-M standards.

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

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

**Parking Space** shall mean a portion of a parking area exclusive of driveways or aisles, used for the temporary parking or storage of motor vehicles.

**Person** shall include an individual, an association, a chartered organization, a firm, a

partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Establishment/Shop** shall mean a business which is associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories, and may include a barber shop, beauty parlour, shoe repair shop, self-service laundry or dry cleaning distribution station or similar uses.

**Pet Shop** shall mean a building where domestic animals or birds and pet food and supplies are kept for sale. Accessory services such as grooming and training may be included but overnight boarding or breeding are specifically excluded.

**Pit** shall mean land or land under water licensed by the Ministry of Natural Resources from which unconsolidated aggregate is being or has been excavated and that has not been rehabilitated but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public work. This definition includes all activities which are normally associated with the operation of a pit such as crushing, stockpiles, screening, processing, washing, weighing scales, offices and open and enclosed storage and also includes a wayside pit as defined herein.

**Place of Entertainment** shall mean an establishment where amusement facilities are provided such as an arcade, auditorium, billiard room, bowling alley, skating rink, dance hall, music hall, or motion picture or other theatre operated for gain or profit.

**Place of Worship** shall mean a building owned or occupied by a religious congregation or religious organization dedicated exclusively to worship or other religious activities. Accessory uses may include a hall, auditorium, or Sunday school. This definition does not include a day nursery or school, as defined herein.

**Planting Strip** shall mean an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 m high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.

**Point of Reception** refers to the Ministry of Environment publication "Interpretation for Applying MOE NPC Technical Publications to Wind Turbine Generators" (V1) which defines a point of reception as any point on the premises of a person within 30.0 m of a dwelling or camping area, where sound or vibration originating from other than those premises is received.

**Portable Asphalt Plant** shall mean a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Private Road** shall mean a private right-of-way over private property which affords access to at least two (2) abutting lots and which is not maintained by a Public Authority.

**Public Authority** shall mean the Township of Armstrong, a Conservation Authority and any

department of the Governments of Ontario or Canada, including any Boards or Commissions thereof.

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

**Quarry** shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated but shall not include an excavation incidental to the erection of a building or structure or an excavation incidental to the construction of any public works. This definition includes all activities which are normally associated with the operation of a quarry such as crushing, stockpiles, screening, washing, offices and open and enclosed storage and also includes a wayside quarry as defined herein.

**Recreational and Athletic Facility** shall mean a place, building or parcel of land designated and equipped with facilities such as a swimming pool, squash or tennis courts, gymnasium, weight-lifting and exercise rooms and used for recreational fitness or athletic pastimes, and may include an ancillary sports field or sports arena.

**Recreational Vehicle** shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of persons, notwithstanding that its running gear is or may be removed. This definition includes motor homes, travel trailers, tent trailers, campers, and park model trailers bearing a CSA-Z241 approval but shall not include a mobile home.

**Recycling Depot** shall mean a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system.

**Renewable Energy System** shall mean the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**Rental Establishment** shall mean a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures.

**Restaurant** shall mean a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the premises or off the premises.

- **Cart** shall mean a mobile structure or a converted vehicle where food products and beverages are prepared and sold to the public for consumption onsite or offsite.

**Retail Store** shall mean a building or part of a building in which goods, wares, merchandise, substances or articles are stored and offered for sale to the general public and may include the storage of such goods, wares, merchandise, substances or articles, but does not include any establishment otherwise defined or classified in this By-law.

**Retirement Home** shall mean premises where lodging is provided primarily for retired persons and may include common facilities for eating, recreation and other such activities and may also

include limited medical care.

**Salvage Yard** shall mean a place where goods, wares, merchandise, articles or things are kept, repaired or processed for further use and offered for sale and may include a junk yard or a scrap metal yard.

**School** shall mean a school under the jurisdiction of a Board as defined in the *Education Act*.

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

**Sensitive Land Uses** shall mean buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built-up environment. Examples of sensitive land uses may include residences, education or health facilities.

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

**Setback** shall mean:

- (a) with reference to a road, the distance between the centre line of a street allowance and the nearest building line.
- (b) with reference to a waterbody, the distance between the high water mark or the flood plain and the nearest building line.
- (c) with reference to a wind energy turbine, the distance between the closest edge of the turbine base and the lot line or feature.

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

**Shoreline** shall mean any lot line or portion thereof which abuts a waterbody.

**Sight Triangle** shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 6.0 m from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**Sign, Legal** shall mean a name, identification, description, device, display or illustration which is

affixed to or represented directly or indirectly upon 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 or the County, or any Regulation of the Government of Ontario or Canada.

**Site Alteration** shall mean activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**Sludge** shall mean stabilized organic soil conditioning material produced by a sewage treatment plant.

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

**Solar Energy System** shall mean a renewable electrical generation facility that produces power from the sun using photovoltaic technology to provide all, or a portion of, the electrical power needs for a user or to feed into the transmission or local distribution grid. A solar energy system includes all arrays, supporting infrastructure, and outbuildings.

**Storey** shall mean that portion of a building, between the surface of any floor and the surface of the floor, ceiling or roof next above it.

(a) **First Storey** shall mean the lowest storey of a building, wherein the floor is generally at grade elevation and having its finished ceiling at least 1.8 m above finished grade.

**Street** shall mean a public thoroughfare under the jurisdiction of either the Corporation, the United Counties or the Province of Ontario. This definition shall not include a lane, or private or registered right-of-way.

(a) **Improved Street** shall mean a Provincial Highway (Highway No. 11), Secondary Highway (Highway Nos. 562 and 571), or a Township Street which is maintained on a regular year-round basis.

(b) **Unimproved Street** shall mean a street defined herein as a "Township Street" which is not maintained on a year-round basis.

**Street Line** shall mean the boundary of the right-of-way of the street.

**Structure** shall mean anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground.

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

**Tavern** shall mean a building with a bar that is licensed to sell alcoholic drinks.

**Temporary** shall mean anything that is not intended to be permanent, and is intended for removal or demolition within a prescribed time.

**Tourist Lodging Establishment** shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a hotel, motel, cabin, lodge or bed and breakfast, including accessory uses such as dining, meeting and beverage rooms and similar uses.

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

**Truck Terminal** shall mean a location where more than one (1) commercial motor vehicle with a gross weight exceeding 4,500 kg is parked for any period of time and may include a warehouse for the storing or transferring of any goods or materials, brought to that location, for distribution elsewhere. This definition excludes any other use or location defined herein.

**Turbine Height** shall mean the measurement from the base of the structure to the highest point of the structure. For instance, in the case of a typical horizontal axis wind turbine, the height is measured from the average ground level upon which the base/foundation sites to the tip of the rotor blade at its highest point.

**Use** shall mean the purpose for which any land, building, structure or any combination thereof is designed, arranged, occupied or maintained.

**Utility** shall mean a Public Utility as defined by the Public Utilities Corporation Act.

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

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

**Veterinary Establishment** shall mean a building or part of a building used by a veterinary surgeon for treating domestic animals, birds or other livestock but shall not include a commercial kennel.

**Warehouse** shall mean a building used or intended to be used for the bulk storage of goods, commodities, wares, merchandise or materials.

**Waste Management Site** shall mean a place where ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse is stored, processed, recycled, transferred, composted or disposed of. This definition shall not include a sewage treatment plant or lagoon.

**Waterbody** shall mean any bay, lake, natural watercourse, canal, municipal or other drain but does not include an irrigation channel.

**Waterbody/Watercourse Setback** shall mean the straight line horizontal distance from the top

of the bank or the high watermark, whichever is greater, to the nearest part of any excavation, building, structure, or open storage use on the lot.

**Water Frontage** shall mean the horizontal distance defined by a straight line between the two most widely separated points on any one shoreline of a lot.

**Watt** shall mean a unit to describe the size of an electrical generation system. One megawatt (1,000 kilowatts or 1,000,000 watts), of electrical energy can supply the power needs of about 500 homes for a year. Watts of energy is the amount of electricity produced.

**Wayside Pit or Wayside Quarry** shall mean a temporary pit or a temporary quarry opened and used for the purpose of a particular project of road construction or maintenance and not located on the road right-of-way.

**Wetlands** shall mean lands that are seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either hydrophilic or water tolerant plants. The four major categories of wetlands are swamps, marshes, bogs and fens.

**Wholesale Establishment** shall mean a building used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.

**Wind Energy System** shall mean a renewable electrical generation facility that produces power from wind primarily to provide all or a portion of the electrical power needs for a user or to feed into the transmission or local distribution grid. A wind energy system includes all supporting infrastructure, outbuildings and access roads.

**Winery** shall mean the use of land, buildings or structures for the processing of fruit, fermentation, production, aging and storage of wine and wine related products as a secondary use to the vineyard, where the fruit used in the production of the wine shall be predominately from the vineyard located on the same land as the winery.

**Wrecking Yard** shall mean an establishment or premises where derelict, discarded, abandoned or inoperable motor vehicles or other equipment are stored wholly or partly in the open and may include a salvage yard. A wrecking yard may also include an area for recycling of tires.

**Yard** shall mean an open, uncovered space appurtenant to a building or structure.

- (a) **Front Yard** shall mean the space extending across the full width of a lot between the front lot line and the nearest part of any main building or structure on the lot.
- (b) **Rear Yard** shall mean a space extending across the full width of a lot between the rear lot line and the nearest part of any building or structure on the lot.
- (c) **Side Yard** shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest part of any main building or structure on the lot.

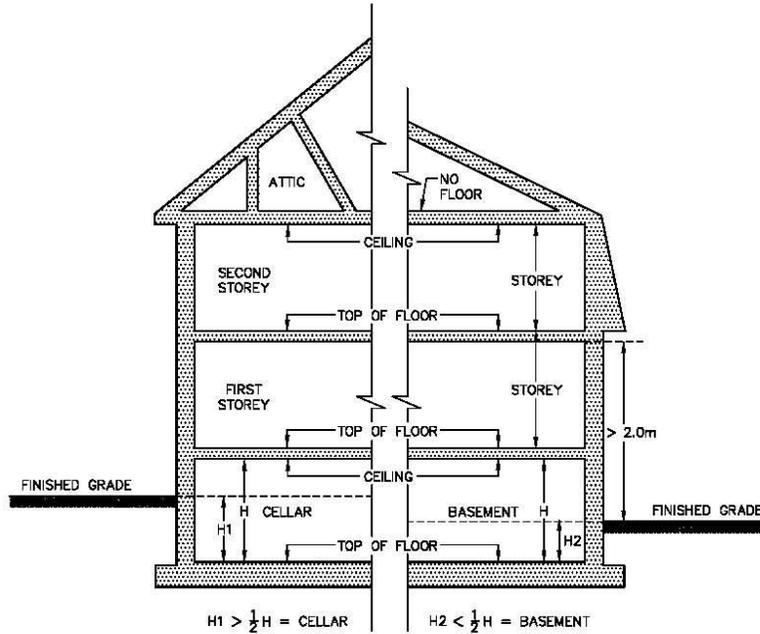
- (d) **Exterior Side Yard** shall mean a side yard immediately adjacent to a street.
- (e) **Interior Side Yard** shall mean a side yard other than an exterior side yard.

**Zone** shall mean:

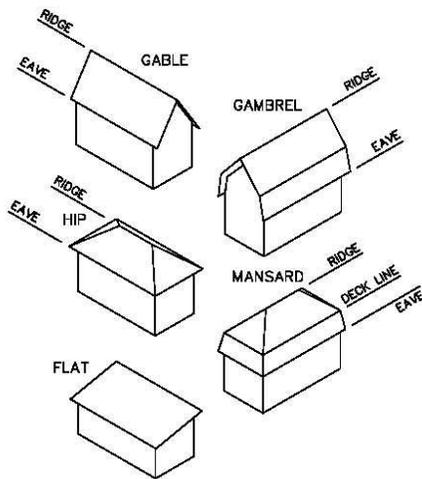
- (a) a land use category as defined and regulated in this By-law; or
- (b) a designated area of land use shown on the Schedule of this By-law.

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

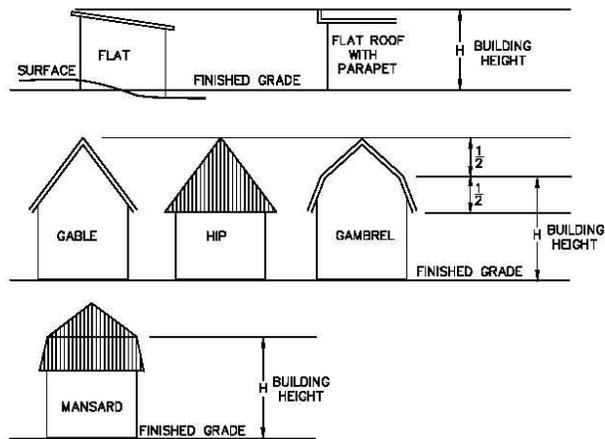
**ILLUSTRATION OF BUILDING DEFINITIONS**



**ILLUSTRATION OF DEFINITION OF ATTIC, CELLAR AND BASEMENT**



**ILLUSTRATION OF COMMON ROOF TYPES**



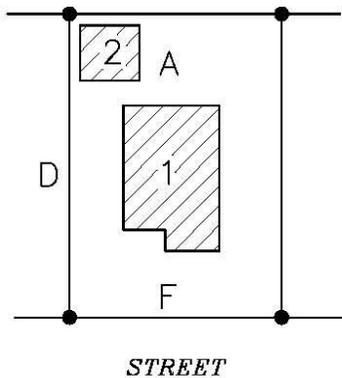
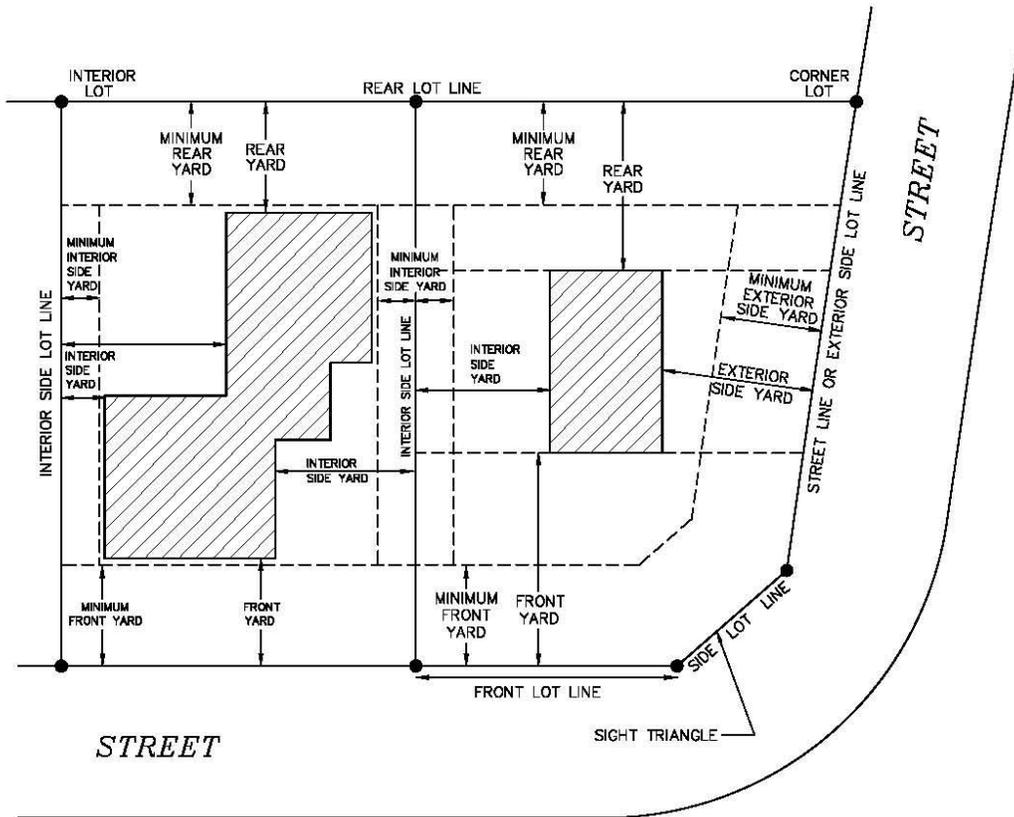
**ILLUSTRATION OF HOW THE BUILDING HEIGHT IS ESTABLISHED FOR COMMON ROOF TYPES**

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





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



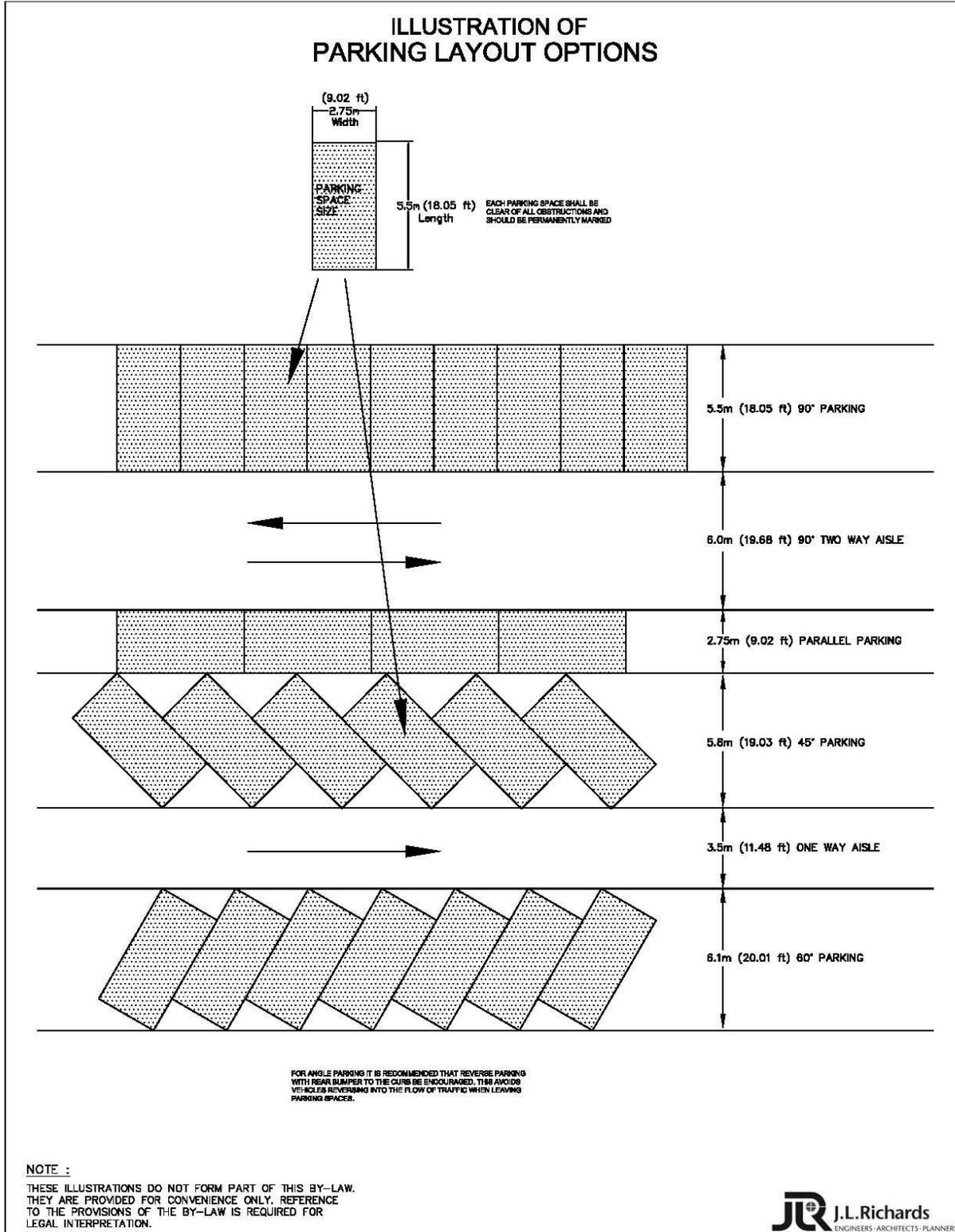
A TOTAL AREA OF LOT = F x D

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

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

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





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## SECTION 3 GENERAL PROVISIONS

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### 3.1 Accessory Uses

Accessory uses, buildings or structures shall be permitted in any zone in accordance with the relevant provisions of this By-law and the following:

- (a) Where this By-law permits an accessory use, such use shall only be permitted provided the main use is already in existence on the lot;
- (b) In a Residential Zone or on a lot in another zone, having a residential use, the following provisions will apply for buildings and structures which are accessory to the residential use:
  - accessory buildings or structures shall not be located within any minimum Front Yard or minimum Exterior Side Yard, except as specifically permitted in this By-law;

Lot coverage, all accessory structures (maximum)	10%
Building Height (maximum)	4.5 m
Interior side yard setback (minimum)	1.5 m
Rear Yard setback (minimum)	1.5 m

- (c) In all other zones, accessory buildings and structures shall conform to the requirements of the particular zone.
- (d) Any building or structure which is attached to the main building will not be considered accessory for the purposes of this By-law.
- (e) None of the following accessory uses shall be permitted in any zone unless such accessory use is listed as a permitted use in such zone: a building or portion thereof used for human habitation; a disposal site; a fuel pump island; a livestock facility; a manufacturing use; any occupation for gain or profit conducted within or accessory to a dwelling unit or accessory to a farm; an open storage use; and a private fuel pump island.

#### 3.1.1 Accessory Dwelling Units

- (a) Accessory dwelling units shall conform to the requirements of the R1 zone where municipal services are available and the RR zone where services are private.
- (b) Where dwelling units are permitted on the same lot as non-residential uses, pedestrian access to each dwelling unit shall be from an adjacent street and for the sole use of the dwelling unit or units.

### 3.1.2 Swimming Pools

#### (a) General

Notwithstanding any other provisions of this By-law to the contrary, in association with a permanent residential use, a swimming pool and structures in conjunction with such a swimming pool may be erected and used in the Side or Rear Yard provided that:

- no interior wall surface of any such swimming pool shall be located closer than 1.5 m to any rear lot line or side lot line, nor closer than 3.0 m to that portion of a rear lot line which adjoins a side lot line of the adjoining lot.
- no water circulating or treatment equipment such-as pumps or filters shall be located closer than 3.0 m to any side lot line or rear lot line.

#### (b) Fencing

Fences shall be provided around all swimming pools in compliance with the bylaws of the Corporation regulating swimming pool fences.

### 3.2 Bulk and Fuel Storage Tanks

No bulk or fuel storage tank shall be permitted unless it is double walled or is placed in an impervious containment facility which is capable of containing the entire contents of the fuel storage tank in the event of a spill or in accordance with the current provisions of *the Technical Standards and Safety Act*. This provision shall not apply to domestic fuel oil tanks located inside a dwelling.

### 3.3 Commercial Patios

Notwithstanding any provisions of this By-law, an outdoor commercial patio accessory to a permitted restaurant use may be permitted and shall comply with the following:

- (a) The outdoor patio shall not provide more than fifty percent (50%) of the seating accommodation permitted under the Liquor License Act to the restaurant or seating accommodation or more than fifty (50) persons.
- (b) No outdoor patio shall be permitted on a lot where the lot line abuts a Residential Zone or residential use.
- (c) That portion of a lot on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
- (d) Parking requirements for seating in the outdoor patio area shall be satisfied unless a variance has been obtained from the Committee of Adjustment or alternative arrangements have been made through the Parking or Cash-in-Lieu By-law.
- (e) No part of the outdoor patio shall be located on a public right-of-way or sidewalk unless the permission of the Municipality has been obtained.

### 3.4 Corner Lot Sight Lines

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

- (a) a building, structure or use which would obstruct the vision of drivers of motor vehicles;
- (b) a fence or tree, hedge, bush or other vegetation, other than agricultural crops, the top of which exceeds 1.0 m in height above the elevation of the centreline of abutting streets;
- (c) a parking area;
- (d) a finished grade which exceeds the elevation of the centreline of abutting streets by more than 0.5 m.

### 3.5 Cumulative Standards

Where more than one use is permitted on any lot, the requirements of this By-law with regard to parking and loading requirements shall be cumulative.

### 3.6 Dwelling Unit Location

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

- (a) any private detached garage or other building which is accessory to a residential use;
- (b) any cellar of any Non-Residential building. No part of any dwelling unit, except a bedroom, furnace room, laundry room, recreation room, storage room, washroom or similar room, shall be located in the cellar of a Residential building.

Notwithstanding the above paragraph, a dwelling unit shall be permitted in the cellar of the dwelling house known locally as 78 Tenth Street West, being Lot 83, on Plan M-113-NB.

- (c) any basement of a Non-Residential building. A dwelling unit may be located in the basement of a Residential building, provided that the finished floor level of such basement is not below the level of any sanitary sewer system or storm sewer system serving the building in which such basement is located and provided further that the finished floor of such basement is not more than 1.0 m below finished grade.
- (d) any truck, bus, recreational vehicle, coach or streetcar body whether or not the same is mounted on wheels;
- (e) any building or structure before the main walls and roof have been erected and the kitchen, heating and sanitary conveniences have been installed, provided all other minor works shall be completed within one (1) year of the date of occupancy inspection;
- (f) any trailer.

### 3.7 Dwelling Unit Minimum Sizes

Where a dwelling unit is proposed in any zone, the dwelling must comply with the following minimum sizes:

Duplex or Semi-Detached Unit	55.0 m <sup>2</sup>
Bachelor Dwelling Unit	40.0 m <sup>2</sup>
1 Bedroom Dwelling Unit	55.0 m <sup>2</sup>
2 Bedroom Dwelling Unit	70.0 m <sup>2</sup>
3 + Bedroom Dwelling Unit	80.0 m <sup>2</sup>
Rowhouse / Townhouse Unit	70.0 m <sup>2</sup>
Other Dwelling Unit not specified above	70.0 m <sup>2</sup>

### 3.8 Entrances

See Section 3.27 Parking Requirements, (e) Access to Parking Areas and Aisles.

### 3.9 Established Building Line in Built-Up Area

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

### 3.10 Frontage on an Open and Maintained Road

No building or structure shall be erected in any zone for any purpose other than a non-residential building or structure accessory to a permitted agricultural, forestry or conservation use unless the lot on which such building or structure is located has the minimum frontage on an open and maintained road. This provision shall not apply to a lot on a registered plan of subdivision where an agreement between the owner and the Corporation which includes provisions for the construction and maintenance of the streets is registered in the Registry Office or Land Titles Offices.

### 3.11 Garden Suites

Where permitted by this By-law, a garden suite shall be subject to the following provisions:

- (a) Driveway access to both the main dwelling and the garden suite shall be limited to one access, so that no new entrance from the street shall be created.
- (b) The siting of a garden suite shall be in accordance with the provisions for accessory uses.
- (c) The maximum gross floor area shall be ninety-three square metres (93.0 m<sup>2</sup>).

- (d) The maximum height shall be one storey, and shall not exceed four and one-half metres (4.5 m).
- (e) No garden suite shall be located closer than three metres (3.0 m) to the main residence on the lot or any building on an abutting property.
- (f) Only one garden suite may be established per lot.
- (g) All garden suites shall be provided with adequate water supply and sewage disposal systems. Services shall be connected to the service lines of the host dwelling unit to Township specifications.
- (h) All garden suites shall be established as a temporary use pursuant to Section 39 of the Planning Act. An agreement may be required between the applicant and the Township dealing with such conditions, and the removal of the structure.
- (i) Mobile homes are not permitted as Garden Suites.

### 3.12 Gravel Pits and Stone Quarries

No gravel pit or stone quarry shall be established or made in any portion of the Zoned Area, except in a zone where such use is a permitted use. No gravel pit or stone quarry shall be established or made in any landscaping area or planting strip required by this Bylaw.

### 3.13 Group Homes

Notwithstanding any other provisions of this By-law to the contrary, Group homes as defined in this By-law shall be permitted in Single Detached Dwellings in accordance with the following:

- (a) Group home - Type A includes group homes other than those for young offenders or adult offenders.  
  
Group home - Type B includes group homes for young offenders or adult offenders.
- (b) Group homes - Type A shall be permitted in the following zones:  
  
any Residential Zone,  
Institutional Zone; and  
Rural Zone  
  
Group homes - Type B shall be permitted in the Institutional Zone.
- (c) The number of Group homes in the municipality shall not exceed one per 1000 population.
- (d) Not more than one Group home – Type B shall be permitted in the municipality.
- (e) No Group home shall be permitted within 500.0 m of another Group home.

### 3.14 Height Exceptions

Where height limitations are set forth in this By-law, such limitations shall not apply to aids to navigation or aviation, antennae, barns, belfries, bridges, bulk storage tanks, chimneys, church steeples, clock towers, communications facilities, corn cribs, electrical supply facilities, farm implement sheds, fire towers, flagpoles, grain elevators, forestry towers, lighting standards, lightning rods, mechanical equipment penthouses, railroad signals, silos, skylights, solar panels, stacks, water tanks, and windmills. Notwithstanding the foregoing, limitations prescribed by the Federal Ministry of Transport or practices recommended by the Ministry with respect to height limitations and appropriate lighting in the vicinity of airfields shall prevail.

### 3.15 Home Industries and Rural Home Occupations

Home Industries and Rural Home Occupations shall only be permitted in the Agricultural Zone (A), and in the Rural Zone (RU) in accordance with the following provisions:

- (a) No more than three persons, other than an occupant of the premises, shall be employed in a home industry or rural home occupation.
- (d) There shall be no external display or advertising other than a legal sign, not more than 1.0 m<sup>2</sup> in area to identify the Home Industry.
- (e) The activity shall not create or become a nuisance in regard to noise, odour, vibration, interference with television or radio reception, traffic, or parking.

### 3.16 Home Occupations and Home Professions

Home Occupations and Home Professions shall be permitted accessory to any permitted residential zones in accordance with the following provisions:

- (a) No person, other than an occupant of the dwelling unit containing the home occupation or home profession use, shall be engaged in a home occupation or home profession use, except that one person, other than an occupant of a dwelling unit containing a home profession use shall be permitted.
- (b) Not more than 25% of the total floor area of the dwelling shall be used for such purposes.
- (c) No accessory building shall be erected, altered or used for the purpose of carrying on a home occupation or home profession use, and no part of any lot containing a home occupation or home profession shall be used as an open storage area accessory to the home occupation or home profession.
- (d) On any lot containing a home occupation use, there shall be no goods, wares or merchandise, other than those which are part of the home occupation, offered or exposed for sale or rent on such premises.
- (e) There shall be no external display or advertising other than a legal sign, indicating to persons outside, that a part of the dwelling house, dwelling unit, or lot is being used for a purpose other than residential.

- (f) The activity shall not interfere with television or radio reception and shall not create or become a nuisance, in regard to noise, odour, vibration, traffic, or parking.
- (g) One parking space per 20.0 m<sup>2</sup> of floor area used for the Home Occupation and one parking space for an employee shall be provided in addition to the required parking for the residential use.

### 3.17 Illumination

Lighting fixtures, which are not public uses and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9.0 m above ground and no closer than 4.5 m to any street line.

### 3.18 Intensive Livestock Operations

- (a) General

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

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

- (b) Nutrient Management Plan

No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed to the satisfaction of the Municipality.

### 3.19 Keeping of Livestock

The keeping of livestock shall only be permitted in the Rural (RU) Zone, or Agricultural (AG) Zone subject to Minimum Distance Separation Requirements and other applicable provisions of this By-law.

### 3.20 Landscaped Open Space

- (a) The following landscaping requirements shall apply:

Zone	Required Landscaped Open Space
Low Density Residential (R1)	30%
Medium Density Residential (R2)	35%
Highway Commercial (C2)	20%

Zone	Required Landscaped Open Space
Institutional (I)	
Fronting on 10 <sup>th</sup> St between 10 <sup>th</sup> Ave and 12 <sup>th</sup> Ave	Nil
Otherwise	35%
Industrial Zones (M1, MR)	10%
Waste Management (WM)	10%
Mineral Zones (MM, MA, MAR)	10%

Where a zone is not listed above, the landscaping requirement shall be “nil.”

- (b) Where, in a yard in any zone, a required parking area providing more than four (4) parking spaces abuts a lot in a Residential Zone, then a continuous strip of landscaped open space a minimum width of 3.0 m shall be provided along the abutting lot line.
- (c) Where, in any yard in any zone, a required parking area providing more than four (4) parking spaces abuts a street, then a strip of landscaped open space a minimum width of 3.0 m shall be provided along the lot line abutting the street and the landscaped strip shall be continuous except for driveways required for access to the parking area.
- (d) In any zone, any portion of any front yard which is not used for any other permitted purpose shall be devoted to landscaped open space.
- (e) Any land used for landscaped open space shall be included in the calculations of lot area, yard requirements, etc. as set forth in this By-law.
- (f) Planting Strips
  - Where required, a planting strip shall be at least 3.0 m wide and have a vertical dimension of at least 1.5 m unless otherwise specifically set out in a zone.
  - A planting strip referred to in this subsection may form part of any landscaping area required by this By-law.

### 3.21 Lots Divided into more than One Zone

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

### 3.22 Minimum Distance Separation (MDS)

- (a) Dwellings, buildings, or structures erected outside of the Village of Earlington Settlement Area shall be required to satisfy the MDS requirements through the application of the MDS I formulae.
- (b) The Township shall treat cemeteries in compliance with the Minimum Distance Separation Implementation Guidelines.

- (c) Notwithstanding, the Township does not require compliance with the MDS I requirements in the following situations:
1. proposed non-agricultural uses within the Earltown Settlement Area land use designations;
  2. surplus farm dwelling severances;
  3. construction of a new dwelling that is replacing a dwelling that is destroyed in whole or in part by a catastrophe, provided that the new dwelling is located no closer to a livestock facility than prior to the catastrophe;
  4. where there are four, or more, existing non-farm uses closer to the subject livestock facility and in immediate proximity to the development application;
- (d) The Township shall require compliance with MDS II requirements for any expansion to an existing livestock facility, including within the Earltown Settlement Area land use designations. Within the Earltown Settlement Area land use designations, construction of a livestock facility that is replacing a former livestock facility destroyed by a catastrophe is permitted provided that the new livestock facility does not result in increases for values of Factor A, B, or D, compared to what existed at the livestock facility prior to the catastrophe.

### 3.23 Municipal Services

No person shall hereafter erect and use in whole or in part any main building for any purpose in any zone within the limits of the Village of Earltown, unless it is connected to the municipal water supply and sanitary sewer systems.

### 3.24 Non-Complying Uses

- (a) Alterations to Non-Complying Buildings and Structures

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation, repair or replacement of an existing, non-complying building or structure provided such enlargement, reconstruction, renovation, repair or replacement shall not:

- increase the number of dwelling units in the replacement building over those of the original number of dwelling units if the original number of dwelling units exceeds the applicable maximum number of dwelling units permitted herein;
- increase the portion of the lot area covered by building envelopes if such coverage exceeds the applicable maximum building area permitted herein;
- reduce the size of any yard adjoining that portion of such building or structure which is less than the applicable minimum building setback required herein;
- reduce the distance between building envelopes if such distance is less than the applicable minimum building separation required herein;
- increase the overall vertical dimension of such building or structure if such dimension exceeds the applicable maximum building height permitted herein;

- reduce the dwelling unit area of any dwelling unit if it is less than the applicable minimum dwelling unit area required herein;
- reduce the gross floor area of any building or structure if it is less than the applicable minimum gross floor area required herein;
- increase the net floor area of any building or structure if it exceeds the applicable maximum net floor area permitted herein;
- reduce the portion of the lot used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein;
- reduce the size of any planting strip required herein; or
- contravene any other zone provisions.

(b) Use of Undersized Vacant Lots

Nothing in this By-law shall prevent the use of a vacant lot which has a lesser lot area and/or lot frontage than the applicable minimum lot area and/or minimum lot frontage required herein provided: such lot is an existing lot as defined herein; the proposed use of such lot is a permitted use; and the- proposed use shall not contravene any other zone provisions.

### 3.25 Non-Conforming Uses

(a) Continuance of Existing Uses

Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, so long as it continues to be used for that purpose. If a non-conforming building should be damaged by any cause beyond the owner's control, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height and bulk are not increased and provided that reconstruction or restoration is commenced within 24 months of the date on which the damage took place.

(b) Repair of Existing Buildings

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

(c) Less than Minimum Yard Requirements

Where a building or structure which is a permitted use in the zone has been erected prior to the date of passing of this By-law on a lot having less than the minimum Front, Side or Rear Yard required by this By-law, the building or structure may be enlarged, reconstructed, repaired or renovated provided that:

- such addition does not increase the building area of such building or structure by more than 10%;
- the enlargement, reconstruction, repair or renovation does not further reduce the Front, Side or Rear Yard having less than the minimum required by this By-law; and
- all other applicable provisions of this By-law are complied with.

## (d) Prior Building Permits

Nothing in this By-law shall prohibit the erection of a building or structure for which a building permit has been issued prior to the date of passing of the By-law, provided that the erection of such building or structure is commenced within two (2) years and such building or structure is completed within a reasonable time after the erection thereof is commenced.

## (e) Undersized Lots

Where a lot having less than the minimum Frontage or Area required by this By-law, exists on the date of passing of the By-law is increased in Frontage or Area but still does not meet the minimum Frontage or Area requirements of this By-law, or has the Lot or Frontage reduced by expropriation after the date of passing of this By-law, such lot may be used for a purpose permitted in the zone in which it is located provided that all other applicable provisions in this By-law are met.

## (f) Accessory Buildings

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

## (g) Less than Required Floor Area

Nothing in this By-law shall prevent an extension or addition being made to a permitted dwelling which existed at the time of passing of this By-law but which has a floor area or dwelling unit area less than that required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

## (h) Change of Use

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

## (i) Severance of Lots

Nothing in this By-law shall prevent the lawful severance of a lot, or the registration of more than one declaration and description pursuant to the Condominium Act, upon which is erected any building or buildings shall be deemed to conform with the provisions of this

By-law, as amended, or any predecessor thereof, and the building(s) shall be deemed to be erected on one lot for the purpose of construing and administering this By-law.

The above shall not apply if the severed lots comply with this By-law or if any minor variances are granted and all other provisions pertaining to the lots are met. The owners of each part of the lot referred to above shall be required to concur in any application for relief from municipal By-laws and regulations applicable to the said lot.

Note: This clause is to be used to permit the severance and sale of individual dwellings in a semi-detached, row dwelling or in condominium developments where the individual dwelling does not meet the requirements of the zone, but the complete development does meet the requirements (i.e., the two units that make up a semi-detached conforms to the By-law, but one of the units on its own does not meet the tests for Frontage, Area or Setbacks).

### 3.26 Obnoxious Uses

No person shall within the Zoned Area use any lot or erect, alter or use any building or structure for an animal or fish glue manufacturing use, a blood boiling use, a gas manufacturing use, a noxious use, a salvage yard, or a tannery.

### 3.27 Parking Requirements

In all zones, the owner or occupant of any 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 provisions:

(a) Number of Spaces Required:

Use of Building or Lot	Parking Required
Any building containing 1 or 2 dwelling units	1 space per unit
Any building containing more than 2 dwelling units	1.5 parking spaces per dwelling unit, except for Senior Citizens' Housing which shall require 0.25 parking spaces per dwelling unit
Group Homes	1 space for every 2 residents according to the facility's licensed capacity
Home occupations, professions, or industries	the greater of: 2 parking spaces per lot, or 1 parking space per 20.0 m <sup>2</sup> of floor area
Offices, including professional offices, shopping centres and financial services	1 parking space for each 20.0 m <sup>2</sup> of floor area, or fraction thereof
Schools	1 parking space for each teaching classroom
Daycare	1 parking space for every 10 children according to maximum permitted capacity
Convenience stores, retail stores and service outlets	1 parking space for every 20.0 m <sup>2</sup> of floor area; minimum 3.0 parking spaces
Restaurant, beverage room, or dining room	1 parking space for every 4 persons to be accommodated according to maximum permitted capacity
Hotels and motels	1 parking space per guest room or suite

Religious institutions, theatres, arenas, halls, clubs, recreational establishments, and other places of assembly	Where there are fixed seats, 1 parking space for every 6 seats or 6.0 m of bench space; where there are no fixed seats, 1 parking space for each 20.0 m <sup>2</sup> of floor area devoted to public use
Nursing homes	1 parking space for each 5 beds
Clinic	1 parking space per 1 treatment room
Industrial uses	1 parking space for every 40.0 m <sup>2</sup> of floor area
Waste Management uses	2 parking spaces per use
Park / Conservation Use	10 parking spaces per hectare or fraction thereof in excess of 0.2 ha
Mineral Mining or Aggregate Uses	5 parking spaces per lot or 1 parking space per 100.0 m <sup>2</sup>
Any use other than those specified	1 parking space for each 30.0 m <sup>2</sup> of floor area

## (b) Size of Parking Space

Every parking space shall have dimensions of at least 3.0 m by 6.0 m, with a vertical clearance of at least 2.0 m, and be provided with unobstructed access to a street by a driveway, aisle, or lane. Notwithstanding this provision, for residential uses vehicles may be parked in tandem.

## (c) Cumulative Standards

Where two or more uses are permitted in any one building or on any one lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use and the total number of off-street parking spaces so calculated shall be provided.

## (d) Location

The required parking area shall not form part of any street or lane. The required parking area shall be provided on the lot occupied by the building, structure or use for which the said parking area is required. No part of any parking space shall be located closer to any front lot line than 1.5 m, provided such parking area complies with the provisions of Section 3.37 Sight Triangles herein, and to any side lot line for the lesser of any driveway setback or any required side yard setback for that zone.

## (e) Access to Parking Areas and Aisles

The number of driveways shall be limited to 1 in the R1 and C1 zones, and 2 in all other zones. Where two driveways are provided, they shall be located no closer together than 15.0 m.

The parking area and approaches shall be surfaced with concrete or asphalt or crushed stone in order to prevent the raising of dust or loose particles.

Access driveways and aisles designated for one-way traffic shall be not less than 3.5 m in width.

Access driveways and aisles designated for two-way traffic shall be not less than 6.0 m in width.

Driveways shall be no wider than 6.0 m in residential zones, 10.0 m in commercial and institutional zones, and 15.0 m in industrial zones.

Driveways shall be located no closer to an intersection than 1.5 m in the I and C1 zones, and 10.0 m in the OS, MA, MM, and MAR zones.

Driveways shall be located no closer to a lot line than 1.5 m in the R1, R2, C2, and I zones and 10.0 m in the M1, MR, and OS zones.

(f) **Restrictions in Residential Zones**

No person shall use any parking area or parking space in a Residential zone to park a vehicle, unless such vehicle bears a vehicle license plate, or sticker, which is currently valid.

**3.28 Public Uses**

(a) **Streets and Installations**

Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipeline, lighting fixture, overhead or underground electrical or telephone line or other supply line or communication line or structure clearly ancillary to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation. Notwithstanding the generality of the foregoing, this approval by the Corporation shall not be required for any public works project which has been authorized pursuant to the Environmental Assessment Act, as amended.

(b) **Public Parks**

A public park is permitted in all zones.

(c) **Zones Where Permitted**

Except as provided in clauses (a) and (b) hereof, the only public uses permitted in a specific zone shall be those public uses listed as permitted uses in the said zone.

(d) **Requirements in Residential Zones**

Any above-ground, non-residential, public use which is located in a Residential zone shall be enclosed in a building designed, located and maintained in general harmony with the Residential buildings permitted in such zone.

**3.29 Railway Crossings and Sight Distance**

Where any road or street crosses a railway at the same grade, no building or structure shall hereafter be erected closer to the point of intersection of the centre line of both the railway and

the road or street than 30.0 m where automatic signal protection is provided and 45.0 m where no automatic signals are provided.

### 3.30 Renewable Energy Systems

3.30.1 For the purposes of this By-law, and notwithstanding any other provisions of this By-law, Renewable Energy Systems are defined as follows:

(a) Wind Energy Systems

- A wind energy system with a nameplate generating capacity that does not exceed 3 kilowatts and has a maximum turbine height, including the blades, of 17.0 m. A micro scale wind energy system is generally ancillary to the principal permitted use.
- The electricity produced by micro scale wind energy systems may be used on site or credited into the Provincial electricity grid to offset the electricity consumption costs incurred by the principal use on the property.
- Does not require a Renewable Energy Approval.

Note: An example of a micro scale system includes a turbine mounted on a freestanding pole, with or without guy wire support that supplements the electricity needs of the principal use.

(b) Solar Energy Systems

- Solar energy systems are ground installed facilities that cover less than 20,000.0 m<sup>2</sup> of land or facilities that are incorporated into existing or proposed buildings used principally for another use. Building mounted facilities can be unlimited in size.
- The electricity produced by small scale solar energy systems may be used on site or credited into the Provincial electricity grid to offset the electricity consumption costs incurred by the principal use on the property.
- Does not require a Renewable Energy Approval.

Note: An example of a small scale solar energy system includes a photovoltaic array that supplements the electricity needs of the principal use.

**3.30.2 For the purposes of this By-law the installation of a renewable energy system shall be in accordance with the following provisions:**

- (a) Wind turbines shall demonstrate that the shadow flicker experienced at any point of perception, which shall be considered to be a residential use within 30.0 m will not exceed 30 hours per year or 30 minutes per day (based on worst case scenario) as a result of the operation of a wind turbine energy system.
- (b) Building permits for all renewable energy systems shall be referred to NAV Canada to ensure the size and siting of the proposed facility does not impact on radar installations
- (d) Building permits for renewable energy systems within 1.0 km of the boundary at an

- airport shall be referred to Transport Canada for obstacle and lighting, including reflection clearance.
- (e) Building permits for all renewable energy systems within 1.0 km of the boundary of any airport shall refer to the airport operator in order to ascertain specific aeronautical requirements as a result of Canadian Aviation Regulations and any applicable Airport Zoning Regulation.
  - (f) No advertising sign or logo shall be visible on any renewable energy system.
  - (g) Wind energy systems must be set back from a Provincial Highway or controlled access highway a minimum distance equal to 1.25 times the height of the turbine.
  - (h) Building permits for renewable energy systems shall be referred to the Ontario Ministry of Transportation, whose area of permit control extends 45.0 m from the limit of a Provincial Highway or controlled access highway or within 395.0 m of the centre point of an intersection with a Provincial Highway.
  - (i) Wind Energy Systems will be set back a minimum 1.25 times the Turbine Height from any road and public right-of-way and one times the Turbine Height from properties not part of the development.
  - (j) Any renewable energy system will be removed if it ceases producing power for more than one year.
  - (k) All parts of a renewable energy system will be contained within the setbacks for main buildings of the zone, or in accordance any other provision of this by-law, whatever is greater.
  - (l) Wind Energy Systems are to be consistent with Ministry of Environment Publications 4709e (Interpretation for Applying MOE NPC Technical Publications to Wind Turbine Generators, Version 1) or any future amendment thereof.
  - (m) Solar energy systems shall be building mounted in all residential zones.
  - (n) Solar energy systems shall be building mounted in all zones in settlement areas.
  - (o) Building mounted renewable energy systems shall not extend greater than 3.0 m off an existing structure in any direction and shall not encroach into a required yard.
  - (p) Maximum lot coverage: 10% more than the maximum site coverage established in the existing zone.
  - (q) Maximum height: For all zones except Residential, 3.0 m more than the maximum height permitted in the underlying zone. For Residential zones, 1.0 m more than the maximum height permitted in the underlying zone.
  - (r) Setbacks to all property lines: Setbacks already established in the applicable zone plus 1.0 m.

- (s) Freestanding Wind Energy Systems (including those using guy wires) are permitted in all zones.
- (t) Building Mounted Wind Energy Systems (including those using guy wires) are permitted in all zones.
- (u) Building Mounted Solar Energy Systems shall be permitted in all zones.
- (v) Freestanding Solar Energy Systems shall be permitted in all zones.

### **3.31 Satellite Dishes, Television and Radio Antennae**

A satellite signal broadcast or receiving dish, television and radio antennae and their supporting towers are permitted in all zones.

#### **(a) Location**

Radio and television antennae and their supporting towers may be located in all parts of rear and side yards, but no part of any such structure may be extended beyond the limits of the lot upon which it is erected.

A satellite signal broadcast or receiving dish shall be permitted in all yards, provided such dishes are not located closer to any lot line than a distance equal to the greater of, the diameter of the satellite signal broadcast or receiving dish or the minimum yards required for the zone. Notwithstanding this provision, when a satellite signal broadcasting or receiving dish is to be located in the front yard of a Residential zone, the dish shall be located so as to be attached to the front wall of the building.

#### **(b) Height**

When located on lands in or abutting a Residential zone, satellite signal broadcast or receiving dishes may be located on the roof of a building, but the height may not exceed the height limits of the Residential zone in which the building is located, or the height limits of the abutting Residential zone to which the building is located. This restriction shall not apply to federally licensed installations

### **3.32 Secondary Dwelling Unit**

- (a) A secondary dwelling unit is permitted in any detached, semi-detached or duplex dwelling, in any zone within a settlement area that permits any one or more of these dwelling types provided:
  - it does not change the streetscape character along the road on which it is located;
  - it is not a standalone, principal unit capable of being severed;
  - it must be located on the same lot as its principal dwelling unit; and
  - it only exists along with, and must be contained within the same building as, its principal dwelling unit.
- (b) A maximum of one secondary dwelling unit is permitted per principal dwelling unit in the case of a detached and semi-detached dwelling, and a maximum of one secondary

dwelling unit is permitted in the whole of a duplex dwelling.

- (c) Where an attached garage is converted to create the secondary dwelling unit or a portion of the secondary dwelling unit, such attached garage is included in the calculation of the gross floor area of the dwelling.
- (d) Except in the case of a secondary dwelling unit within a duplex dwelling, no parking is required for a secondary dwelling unit, but where provided, parking must be in conformity with the parking provisions of the By-law, and must not be located in the front yard.
- (e) Despite subsection (m), a parking space for a secondary dwelling unit may be located in a driveway that passes through a front yard to a garage, carport or other parking space, and may be in tandem in the driveway.
- (f) The creation of the secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit.
- (g) Where a secondary dwelling unit is located on a lot, neither a garden suite nor any rooming units are permitted on that lot.
- (h) Secondary dwelling units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts.

### 3.33 Separation Distances – Dwellings

Notwithstanding any provision of this By-law to the contrary, new dwellings will be prohibited in the following locations:

- within 30.0 m of a railway right-of-way
- above the 30 Noise Exposure Forecast (NEF) contour of the Earlton-Temiskaming Regional Airport
- within 45.0 m of the limit of a Provincial Highway
- within 3.0 m of the TransCanada right-of-way
- within 150.0 m of any land zoned Wrecking Yard or for wrecking yard purposes
- within 500.0 m of any land zoned Waste Management

Notwithstanding any provision of this By-Law to the contrary, new non-agricultural uses shall be prohibited within a minimum distance separation as determined by the current Minimum Distance Separation One (MDS I) formula.

### 3.34 Setbacks

- (a) From Pipeline Rights-of-Way

No building, structure or excavation shall be allowed within 3.0 m of a pipeline right-of-way. All permanent buildings, structures and excavations shall be set back 7.0 m from the right-of-way. In addition, no person shall undertake activities such as excavation, blasting or movement of heavy equipment within 30.0 m of a pipeline right-of-way or any works connected therewith, unless approved by TransCanada.

## (b) From Rail Rights-of-Way

No use of any land adjacent to a rail right-of-way shall be permitted for sensitive land use, as determined by the Ministry of the Environment, within 30.0 m of the right-of-way.

## (c) From Streets

The following setbacks shall be the minimum required:

Street	Setback
Township streets (unimproved)	10.0 m from the centreline of road allowance, plus the minimum front yard depth required for such use in the zone where it is located.
Provincial or Secondary Highway	45.0 m from the limit of a Provincial Highway and 23.0 m plus the minimum front yard depth required for such use in the zone where it is located for a Secondary Highway.

## (d) From Water

No building or structure with the exception of a sewerage treatment facility; a building or structure accessory to flood or erosion control; a building or structure normally associated with watercourse protection works or bank stabilization projects; or a hydro electric project, shall be built within 30.0 m of the highwater mark of a waterbody.

**3.35 Sight Triangles**

The distance from the point of intersections of the streetlines shall be 10.0 m.

## (a) Uses Prohibited

Within any area defined as a sight triangle, the following uses shall be prohibited: a building, structure or use which would obstruct the vision of a driver of a vehicle; a fence, a tree, a hedge, a bush or other vegetation, the top of which exceeds 1.0 m in height above the elevation of the street; any portion of a parking space; a berm or other ground surface which exceeds the elevation of the street by more than 0.5 m; and a sign, other than a pole sign, the body of which is not less than 2.0 m above the elevation of the centreline of the street.

**3.36 Signs**

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided that such sign complies with the provisions of this By-law regarding sight triangles and home occupations.

**3.37 Storage of Special Vehicles**

## (a) Recreation Vehicles Permitted

No person shall use any lot in any Residential zone for the purpose of parking or storing more than: two boats; three snowmobiles; one tourist vehicle; and one tourist trailer.

(b) Commercial Vehicles Permitted

No person shall use any lot in any Residential zone for the purpose of parking or storing more than one commercial motor vehicle as defined by the Highway Traffic Act, as amended.

(c) Yards Where Permitted

In any Residential zone, the storage of special vehicles shall only be permitted in a garage, a carport or other building and not in any parking space or sight triangle, however, a permitted vehicle may be parked in any interior side yard or rear yard, but no closer than 1.5 m to any lot line.

### 3.38 Temporary Construction Uses

In any zone, temporary construction facilities such as a shed, scaffold or sales office, storage container, construction garage, temporary accommodation such as a mobile home and equipment incidental to building on the premises shall be permitted for a maximum period of two years and only while a valid building permit for such construction remains in force. Temporary accommodation will only be permitted in the case when an existing dwelling is damaged to the extent that it becomes uninhabitable and for the time period while reconstruction or new construction is in progress.

### 3.39 Through Lots

Where a lot which is not a corner lot has Frontage on more than one (1) street, the requirements for Front Yards contained in this By-law shall apply to each yard abutting the street, save and except for accessory uses in accordance with Section 3.1.

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## **SECTION 4 ZONES**

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### **4.1 Zone Classifications**

For the purpose of this By-law, all lands within the Township of Armstrong are divided into the following zones which are identified on the attached Schedules by the accompanying symbols:

#### Zone Classifications

Residential First Density	R1
Residential Second Density	R2
Residential Rural	RR
General Commercial	C1
Highway Commercial	C2
Rural Commercial	CR
Institutional	I
General Industrial	M1
Rural Industrial	MR
Open Space	OS
Agricultural	AG
Agricultural – Related	AR
Rural	RU
Waste Management	WM
Mineral Mining	MM
Mineral Aggregate	MA
Mineral Aggregate - Reserve	MAR
Environmental Protection	EP
Development Reserve	DR

### **4.2 Schedules**

The attached Schedules A and B form part of this By-law.

### **4.3 Streets and Rights-of-Way**

A street, lane, railway right-of-way or other right-of-way shown on the attached Schedules shall be included, unless otherwise indicated, with the zone of adjoining property on either side thereof.

### **4.4 Holding Zones**

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

- (b) Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law, which shall only be passed by Council when any applicable services, financial arrangements and conditions for the development of the lands affected by the amendment have been determined to the satisfaction of Council.

#### **4.5 Special Exception Zones**

Where a zone classification is followed by a dash and a number (e.g. R1-2), this denotes a special exception zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the classification except as otherwise provided by the special exception provisions of the zone. These special exception provisions are listed separately under the appropriate zone in the text of the By-law.

#### **4.6 Temporary Use Zones**

Temporary uses may be authorized from time to time by Zoning By-law amendment pursuant to Section 38 of the Planning Act. These are listed separately at the end of the appropriate zone category and as shown on the Zoning Schedule and are identified with the symbol "-T" because of their temporary nature.

#### **4.7 Unstable Slopes**

Where a zone classification is followed by the suffix '-ss', the lands in question have been determined to have development constraints relating to unstable slopes. Any building or structure to be erected on any lands affected by the suffix "ss" (including a septic tank, tile bed, swimming pool or underground structure) shall be set back from the top of the slope and shall not be located on the flank of the slope. The setback distances are shown on the applicable Schedules to this By-law.

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## SECTION 5 RESIDENTIAL ZONES

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

### 5.1 Residential Low Density (R1) Zone

#### (1) Permitted Uses:

Single detached dwelling  
Semi detached dwelling  
Duplex dwelling  
Garden suite, accessory to a single detached dwelling only  
Group homes with no more than 10 residents  
Home occupation  
Accessory apartment  
Secondary dwelling unit  
Bed and Breakfasts with no more than 2 guest units  
Private home child care centre

#### (2) Zone Requirements:

##### (a)

Lot Area (minimum)	
Single detached dwelling or group home	460 m <sup>2</sup>
Duplex dwelling	550 m <sup>2</sup>
Semi-detached dwelling	650 m <sup>2</sup>
Lot Frontage (minimum)	20 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	10.5 m
Exterior Side	3.0 m
Interior Side	1.5 m
Building Height (maximum)	9.0 m
Lot Coverage (maximum)	35%
Gross Floor Area per Dwelling Unit (minimum)	
Duplex and semi-detached unit	55 m <sup>2</sup>
Other dwelling unit	70 m <sup>2</sup>
Dwellings per lot (maximum)	2

##### (b) Additional Setback from Highway 11:

Notwithstanding any other provision herein, where any yard abuts Highway 11, the required yard shall be the greater of 7.5 metres or the yard as provided herein above.

**(3) Special Exception Zones:****R1-1 (Pt. Lot 6, Con. III)**

Notwithstanding the provisions of Section 5.1 (2) to the contrary, for the lands zoned R1-1, the following zone requirements shall apply:

Yard Requirements (minimum)		
Exterior Side		
Between existing single detached dwelling with attached garage or attached carport and lot line		1.2 m
Between other accessory buildings with an existing single detached dwelling house		1.0 m
Between other residential dwelling houses and accessory buildings relating to those dwelling houses		3.0 m

**R1-2 (Pt. Lot 7, Con. III)**

Notwithstanding the provisions of Section 5.1 (2) to the contrary, for the lands zoned R1-2, the following zone requirements shall apply:

Lot Frontage (minimum)		12.0 m
Yard Requirements (minimum)		
Interior Side		
One Side		1.5 m
Other Side		0.01 m

**R1-3 (Pt. Lot 6, Con. IV; By-law 95-21)**

Notwithstanding the provisions of Section 5.1 (2) to the contrary, for the lands zoned R1-3, the following zone requirements shall apply:

Building Height (maximum):		
Main building		9.0 m
Accessory building		5.6 m

**R1-4 (Pt. Lot 6, Con. III)**

Notwithstanding the provisions of Section 5.1 (2) to the contrary, for the lands zoned R1-4, the following zone requirements shall apply:

Yard Requirements (maximum)		
Rear		
Main Building		3.0 m
Accessory Building		0.8 m
Exterior Side		

Main Building	10.5 m
Accessory Building	1.1 m

**R1-5** (Pt. Lot 6, Con. IV; By-law 2007-26)

Notwithstanding the provisions of Section 5.1 (2) to the contrary, for the lands zoned R1-4, the following zone requirements shall apply:

Yard Requirements (minimum)	
Interior Side	
One Side	0.9 m
Other Side	1.5 m

**(4) Holding Zones****(5) Temporary Zones**

**5.2 Residential Second Density (R2) Zone****(1) Permitted Uses:**

R1 uses in accordance with the provisions thereof  
 Residential building containing multiple dwelling units (i.e. Triplex, Fourplex)  
 Apartment building  
 Townhouse  
 Secondary dwelling unit

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	925.0 m <sup>2</sup>
Lot Frontage (minimum)	27.0 m
Yard Requirements (minimum)	
Front	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	9.0 m
Rear	7.5 m
Exterior Side	9.0 m
Interior Side	5.0 m
Building Height (maximum)	9.0 m
Lot Coverage (maximum)	35%
Gross Floor Area per Dwelling Unit (minimum)	
Bachelor unit in an apartment building	40.0 m <sup>2</sup>
Other dwelling unit in an apartment building	50.0 m <sup>2</sup> plus 12.0 m <sup>2</sup> for each bedroom
Dwelling unit in a townhouse	80.0 m <sup>2</sup>

**(b) General Provisions:**

In accordance with the provisions of Section 3 hereof.

**(3) Special Exception Zones:****R2-1 (Pt. Lot 6, Concession III)**

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-1, the following zone requirements shall apply:

Yard Requirements (minimum)	
Rear	0.3 m
Exterior Side	1.0 m

**R2-2** (Pt. Lot 7, Concession IV)

In addition to the permitted uses in Section 5.2 (1) for the lands zoned R2-2, the following uses shall also apply:

Personal service shop

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-2, the following zone requirement shall apply:

Lot Area (minimum)	750.0 m <sup>2</sup>
Lot Frontage (minimum)	20.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	4.5 m
Interior Side	1.2 m
Building Separation (maximum)	
Between main building and detached accessory building	1.8 m
Between detached accessory buildings	1.2 m
Gross Floor Area per Dwelling Unit (minimum)	
Bachelor unit	40.0 m <sup>2</sup>
One-bedroom dwelling unit	55.0 m <sup>2</sup>
Two-bedroom dwelling unit	70.0 m <sup>2</sup>
Three-bedroom dwelling unit	80.0 m <sup>2</sup>
Landscaped Area (minimum)	20 %
Parking Spaces (minimum)	
Residential uses	1.5 per dwelling unit
Non-residential uses	2.0 per lot

**R2-3** (Pt. Lot 6, Concession III)

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-3, the following zone requirements shall apply:

Yard Requirements (minimum)	
Interior Side	
One Side	5.0 m
Other Side	nil

**R2-4** (50-52-54 11<sup>th</sup> Avenue, Pt. Lot 6, Con III, By-law 2014-\_\_\_)

In addition to the permitted uses in Section 6.1 (1) and zone requirements of Section 6.1 (2) Downtown Commercial, for the lands zoned R2-4, the following additional uses shall also apply:

Residential building containing multiple dwelling units  
 Apartment building  
 Townhouse

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-4, the following zone requirements shall apply:

Lot Area (minimum)	750.0 m <sup>2</sup>
Lot Frontage (minimum)	20.0 m
Yard Requirements (minimum)	
Exterior Side	6.0 m
Landscaped Area (minimum)	20 %
Parking Spaces (minimum)	
Residential uses	1.0 per dwelling unit
Non-residential uses	3.0 per lot

#### R2-5 (Pt. Lot 6, Concession IV)

In addition to the permitted uses in Section 5.2 (1) for the lands zoned R2-5, the following uses shall also apply:

Secondhand building supply shop

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-5, the following zone requirements shall apply:

Lot Area (minimum)	3,000.0 m <sup>2</sup>
Lot Frontage (minimum)	60.0 m
Parking Spaces (minimum)	
Residential uses	4.0 per lot
Non-residential uses	4.0 per lot

#### R2-6 (Pt. Lot 6, Concession IV)

Notwithstanding the provisions of Section 5.2 (2) to the contrary, for the lands zoned R2-6, the following zone requirements shall apply:

Yard Requirements (minimum)	
Front	nil
Interior Side	
One Side	2.0 m
Other Side	0.5 m

#### R2-7 (18 10<sup>th</sup> Street West; Lot 7, Con IV; **By-law 2015-XX**)

Notwithstanding the zone requirements of Section 5.2 (2) to the contrary, for the lands zoned R2-7, the following zone requirements shall apply:

Lot Area (minimum)	800.0 m <sup>2</sup>
Lot Frontage (minimum)	20.0 m
Yard Requirements (minimum)	
Front	4.5 m
Rear	4.5 m

Exterior Side	6.0 m
Interior Side	1.8 m
Lot Coverage (Maximum)	47.5%
Landscaped Open Space (Minimum)	35%
Driveway Width (Maximum)	5.0 m

**(4) Holding Zones****(5) Temporary Zones**

**R2-T1** (Jules Gravel Crescent; Lot 7, Con III; **By-law 2016-XX**)

In the R2 Temporary One Zone (R2 - T1) the following uses shall be permitted in addition to those allowed in the R2 Zone:

- Lodging Camp
- Uses Accessory to the Foregoing

Notwithstanding any provisions of the Zoning By-law, the site development requirements will be in accordance with a Council-approved Site Plan.

This Temporary Use By-law shall be in effect for a period which shall not exceed two years from the date of passing of this By-law being the \_\_\_\_ day of \_\_\_\_\_, 2018. **[date to be inserted after Council enactment of the By-law and used in the Notice of Passing]**

**5.3 Residential Rural (RR) Zone****(1) Permitted Uses:**

Single detached dwelling

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	2.0 ha or 20,000 m <sup>2</sup>
Lot Frontage (minimum)	90.0 m
Yard Requirements (minimum)	
Front	12.0 m
Rear	12.0 m
Exterior Side	12.0 m
Interior Side	6.0 m
Building Height (maximum)	10.5 m
Lot Coverage (maximum)	15%
Gross Floor Area per Dwelling Unit (minimum)	75.0 m <sup>2</sup>
Dwelling Units per Lot (maximum)	1.0

**(3) Special Exception Zones****RR-1** (Pt. Lot 3, Concession IV)

Notwithstanding the provisions of Section 5.3 (2) to the contrary, for the lands zoned RR-1, the following zone requirements shall apply:

Lot Area (minimum)	1.2 ha
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**RR-2** (Pt. Lot 1, Concession IV)

Notwithstanding the provisions of Section 3.2(a) to the contrary, for the lands zoned RR-2, an existing machine shed is permitted to be located within the minimum required front yard and is permitted to be located up to 0.5 m from the interior side lot line.

**(4) Holding Zones****(5) Temporary Zones**

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## **SECTION 6**

### **COMMERCIAL ZONES**

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

#### **6.1 Downtown Commercial (C1) Zone**

##### **(1) Permitted Uses:**

- accessory dwelling unit
- animal hospital
- antique shop
- bakery
- boarding house
- bus depot, as part of another C1 use
- business office
- clinic
- convenience store
- dwelling unit in the form of apartments in the upper storeys of a non-residential building or to the rear of a non-residential store front use
- dry cleaning or laundry outlet or laundromat
- farmers= market
- financial service or bank
- fitness centre
- funeral home
- hotel
- library
- municipal office
- museum
- office
- parking area
- personal service establishment/shop
- place of entertainment
- printing shop
- rental storage building
- restaurant
- retail store
- second hand shop
- service outlet
- shopping centre
- tavern
- taxi stand
- wholesale use, as part of another C1 use

**(2) Zone Requirements:**

(a)

Lot Area (minimum)	
Lot Frontage (minimum)	
Yard Requirements (minimum)	
Front	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	nil
All other locations	3.0 m
Rear	5.0 m
Exterior Side	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	3.0 m
Interior Side	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	3.0 m
Building Height (maximum)	10.5 m
Lot Coverage (maximum)	50 %
Building Separation (minimum)	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	5.0 m
Gross Floor Area per Dwelling Unit (minimum)	
Bachelor unit	55.0 m <sup>2</sup>
Other dwelling unit	55.0 m <sup>2</sup> plus 15.0 m <sup>2</sup> for each bedroom
Dwelling Units Per Lot (maximum)	
Within a non-residential building	4.0 units
Within an apartment building	6.0 units

**(3) Special Exceptions****C1-1 (Pt. Lot 6, Concession III)**

Notwithstanding the provisions of Section 6.1(2) to the contrary, for the lands zoned C1-1, the following zone requirements shall apply:

Yard Requirements (minimum)	
Rear	1.0 m
Building Separation (minimum)	0.5 m
Parking Spaces (minimum)	6.0 per lot

**C1-2 (Pt. Lot 7, Concession III)**

Notwithstanding the provisions of Section 6.1(2) to the contrary, for the lands zoned C1-2, the following zone requirements shall apply:

Yard Requirements (minimum)	
Interior Side	1.5 m
Except when a side lot line abuts a laneway	4.0 m
Parking Spaces (minimum)	5.0 per lot

**C1-3 (Pt. Lot 6, Concession III)**

Notwithstanding the provisions of Section 6.1(2) to the contrary, for the lands zoned C1-3, the following zone requirements shall apply:

Parking Spaces (minimum)	10.0 per lot
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**C1-4 (Pt. Lot 6, Concession IV)**

Notwithstanding the provisions of Section 6.1(2) to the contrary, for the lands zoned C1-4, the following zone requirements shall apply:

Yard Requirements (minimum)	
Rear	3.0 m
Gross Floor Area per Dwelling Unit (minimum)	
Bachelor dwelling unit	38.0 m <sup>2</sup>
One-bedroom dwelling unit	54.0 m <sup>2</sup>
Two-bedroom dwelling unit	63.0 m <sup>2</sup>
Non-residential Unit Net Floor Area (minimum)	35.0 m <sup>2</sup>

**Non-residential Space Location:**

That portion of the building interior on the ground floor, closest to Tenth Street, shall only be used for a non-residential use. Residential uses shall be located to the rear of the non-residential use on the ground floor or above the ground floor.

**C1-5 (Pt. Lot 6, Concession III)**

Notwithstanding the provisions of Section 6.1(2) to the contrary, for the lands zoned C1-5, the following zone requirements shall apply:

Gross Floor Area per Dwelling Unit (minimum)	
Bachelor dwelling unit	30.0 m <sup>2</sup>
Other dwelling unit	85.0 m <sup>2</sup>

**C1-6 (9, 9<sup>th</sup> Street West; Part of Lot 7, Concession III; By-law 2015-XX)**

In addition to the permitted uses in Section 6.1 (1) and zone requirements of Section 6.1 (2) Downtown Commercial, for the lands zoned C1-6, uses from the Institutional (I) zone, and zone requirements, shall also be permitted.

**(4) Holding Zones**

**(5) Temporary Zones**

**6.2 Highway Commercial (C2) Zone****(1) Permitted Uses:**

accessory dwelling unit  
 automobile service station, as part of another C2 use  
 bakery, as part of another C2 use  
 building supply outlet  
 business office, as part of another C2 use  
 catering business  
 commercial garage  
 convenience store, as part of a service station  
 dining room, as part of another C2 use  
 food catering business  
 fuel pump island  
 maintenance garage, as part of another C2 use  
 motel  
 personal service shop, as part of another C2 use  
 retail store  
 restaurant  
 service outlet  
 tourist establishment  
 vehicle sales or rental establishment  
 warehouse  
 wholesale use, as part of another C2 use  
 woodworking shop, including a factory outlet store

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	
Lot Frontage (minimum)	
Yard Requirements (minimum)	
Front	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	7.5 m
All other locations	9.0 m
Rear	5.0 m
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	1.0 m
All other locations	3.0 m
Exterior Side	9.0 m
Interior Side	1.5 m
Building Height (maximum)	11.0 m
Lot Coverage (maximum)	30 %
Building Separation (minimum)	3.0 m

Gross Floor Area per Dwelling Unit (minimum)	50.0 m <sup>2</sup> , plus 15.0 m <sup>2</sup> for each bedroom
Dwelling Units Per Lot (maximum)	1.0

(b) Fuel Pump Island Location:

No part of any fuel pump island shall be located closer than 6.0 m to any streetline, 4.5 m to any other lot line, or 3.0 m to any sight triangle.

**(3) Special Exception Zones**

**C2-1** (reserved for future use)

**(4) Holding Zones**

**(5) Temporary Zones**

**6.3 Rural Commercial (CR) Zone****(1) Permitted Uses:**

auction barn  
 bakery  
 commercial garage  
 commercial greenhouse  
 communications facility  
 custom workshop  
 farm equipment dealer  
 farm produce outlet  
 farm supply centre  
 garden centre  
 laundromat  
 nursery  
 transportation depot  
 veterinary establishment  
 retail accessory to any of the above uses  
 accessory dwelling unit

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	4,000.0 m <sup>2</sup>
Lot Frontage (minimum)	45.0 m
Yard Requirements (minimum)	
Front	12.0 m
Rear	12.0 m
Exterior Side	12.0 m
Interior Side	6.0 m
Building Height (maximum)	9.0 m
Lot Coverage (maximum)	30 %

**(3) Special Exception Zones:****(4) Holding Zones****(5) Temporary Zones**

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## SECTION 7 INSTITUTIONAL ZONE

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

### 7.1 Institutional (I) Zone

#### (1) Permitted Uses:

administrative office of a Public Authority  
 auditorium, accessory to another I use  
 cemetery  
 club  
 community centre  
 day nursery  
 electrical supply facility  
 group home  
 hospital  
 nursing home, including rest homes, retirement homes and homes for the aged  
 place of worship  
 public use  
 recreational facility, accessory to a school  
 retirement home  
 school  
 accessory dwelling house, accessory to a daycare, a funeral home, or a place of worship  
 accessory dwelling unit, accessory to a place of worship

#### (2) Zone Requirements:

##### (a)

Lot Area (minimum)	400.0 m <sup>2</sup>
Lot Frontage (minimum)	15.0 m
Yard Requirements (minimum)	
Front	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	3.0 m
Rear	3.0 m
Exterior Side	3.0 m
Interior Side	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	2.0 m
Building Height (maximum)	10.5 m
Lot Coverage (maximum)	50%
Building Separation (minimum)	

Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	3.0 m
Landscaped Open Space (minimum)	
Fronting on Tenth Street between Tenth Avenue and Twelfth Avenue	Nil
All other locations	30%
Gross Floor Area per Dwelling Unit (minimum)	70.0 m <sup>2</sup>
Dwelling Units Per Lot (maximum)	1

## (b) Cemeteries

Cemeteries shall not be governed by the foregoing standards but shall conform to the *Cemeteries Act*.

(3) **Special Exception Zones:**

(Reserved)

(4) **Holding Zones**(5) **Temporary Zones**

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## SECTION 8 INDUSTRIAL ZONES

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

### 8.1 General Industrial (M1) Zone

#### (1) Permitted Uses:

auction house  
body shop  
building supply outlet  
bulk storage tank  
business office, as part of another M1 use  
commercial garage  
communications equipment sales and service  
contractor's yard  
equipment rental, service, or storage establishment  
factory outlet  
fuel pump island  
maintenance garage, as part of a transport terminal  
manufacturing plant  
municipal yard  
office  
public use  
railroad use  
recycling depot  
rental establishment  
restaurant  
service outlet  
stockyard  
transportation terminal  
vehicle sales, service, or storage establishment  
warehouse  
welding shop

#### (2) Zone Requirements:

Lot Area (minimum)	2,000.0 m <sup>2</sup>
Lot Frontage (minimum)	15.0 m
Yard Requirements (minimum)	
Front	9.0 m
Rear	10.0 m
Exterior Side	9.0 m
Interior Side	3.0 m

Building Height (maximum)	12.0 m
Lot Coverage (maximum)	35%
Building Separation (minimum)	3.0 m
Landscaped Area (minimum)	10%

**(3) Special Exception Zones:****M1-1**

(Reserved for future Use)

**M1-2**

(Reserved for future Use)

**M1-3**

(Reserved for future Use)

**M1-4 (Pt. Lot 6, Con. IV and Pt. Lot 6, Con. III)**

Notwithstanding the permitted uses of Section 8.1(1) to the contrary, for the lands zoned M1-4, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M1-4 uses, namely:

- water pumping station
- water storage tank
- water supply plant

**M1-5**

(Reserved for future Use)

**M1-6**

(Reserved for future Use)

**M1-7**

(Reserved for future Use)

**M1-8**

Notwithstanding the permitted uses of Section 8.1(1) to the contrary, for the lands zoned M1-8, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M1-8 uses, namely:

Trade shop specific and restricted to the manufacture of polyurethane products used with the mining industry

Any change of use from the operation as proposed by the applicant will require a further amendment to this bylaw. To assist Council in determining any future change of use the description of the process and production as described by the applicant shall remain on the Townships Files.

Notwithstanding the provisions of Section 8.1(2) to the contrary, for the lands zoned M1-8, the following zone requirements shall apply:

Yard Requirements (minimum)	
Front	3.5 m
Rear	3.5 m
Exterior Side	5.5 m
Interior Side	1.0 m
Lot Coverage (maximum)	65%
Building Separation (minimum)	1.0 m

No additions to the building are permitted which would increase the footprint.

Parking:

No additional parking or loading spaces are required but the owner must maintain the existing four parking spaces and the one loading space.

All other provisions are to be in accordance with the provisions of Section 3 and Section 8.1(2).

**(4) Holding Zones****(5) Temporary Zones**

**8.2 Rural Industrial (MR) Zone****(1) Permitted Uses:**

all uses permitted in the Rural Commercial Zone plus  
 agri-food processing  
 auction barn  
 brick making plant  
 butcher shop  
 cedar oil production/extraction  
 commercial greenhouse  
 concrete batching and mixing plant  
 custom workshop  
 farm equipment dealer  
 feed and seed dealer  
 fertilizer plant  
 fuel storage tank/supply yard  
 greenhouse  
 livestock sales establishment  
 lumber yard  
 manufacturing industry  
 recycling depot  
 sawmill  
 tile drainage operation  
 transportation depot  
 well-drilling establishment  
 woodworking establishment

**(2) Zone Requirements:**

Lot Area (minimum)	4,000.0 m <sup>2</sup>
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
Front	15.0 m
Rear	15.0 m
Exterior Side	15.0 m
Interior Side	12.0 m
Building Height (maximum)	12.0 m
Lot Coverage (maximum)	35%

**(3) Special Exception Zones:****MR-1** (Pt. Lots 7, 8, 9, and 10, Cons. II and III)

Notwithstanding the permitted uses of Section 8.2(1) to the contrary, for the lands zoned MR-1, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following MR-1 uses, namely:

aircraft hangar;  
 airstrip;  
 business office, as part of another MR-1 use;  
 equipment storage building;  
 fuel pump island;  
 maintenance garage, as part of another MR-1 use;  
 open storage area;  
 private fuel pump island;  
 restaurant, as part of another MR-1 use;  
 warehouse.

The following uses are strictly prohibited on lands zoned MR-1:

residential uses

**MR-2** (Pt. Lot 4, Con. III)

Notwithstanding the provisions of Section 8.2(2) to the contrary, for the lands zoned MR-2, the following zone requirements shall apply:

Lot Area (minimum)	2.0 hectares or 20,000.0 m <sup>2</sup>
Lot Frontage (minimum)	250.0 m
Lot Coverage (maximum)	5%
Parking Spaces (minimum)	
An auction house	20 per lot
A business office	1 for each 15.0 m <sup>2</sup> of gross floor area, or fraction thereof

Planting Strip Location:

A planting strip shall be required along the lot line on the north side of the lot.

**MR-3** (Pt. Lot 1, Con. III)

Notwithstanding the permitted uses of Section 8.2(1) to the contrary, for the lands zoned MR-3, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following MR-3 uses, namely:

accessory dwelling  
 business office, as part of another MR-3 use  
 manufacturing plant  
 retail store, as part of another MR-3 use  
 warehouse  
 wholesale use, as part of another MR-3 use

Notwithstanding the provisions of Section 8.2(2) to the contrary, for the lands zoned MR-3, the following zone requirements shall apply:

Gross Floor Area per Dwelling Unit (minimum)	85.0 m <sup>2</sup>
Dwelling Units per Lot (maximum)	1.0

**MR-4 (Pt. Lot 4, Con. III)**

Notwithstanding the provisions of Section 8.2(2) to the contrary, for the lands zoned MR-4, the following zone requirements shall apply:

Yard Requirements (minimum)	
Interior Side	3.0 m
Building Separation (minimum)	nil

Notwithstanding this provision herein to the contrary, an accessory building, existing as of 10 September 1997, may continue to be sited on the southern lot line of this property creating a nil side yard depth relative to the accessory building.

Planting Strip Location:

no planting strip shall be required

**MR-5 (Pt. Lot 3, Con. III; By-law 2014- XX)**

In addition to the permitted uses in Section 8.2(1) for the lands zoned MR-5, the following uses shall also apply:

Warehouse, accessory

Notwithstanding the provisions of Section 8.2(2) to the contrary, for the lands zoned MR-5, the following zone requirements shall apply:

Yard Requirements (minimum)	
Warehouse, accessory – Interior Side	3.0 m

**(4) Holding Zones:**

**(5) Temporary Zones:**

### **8.3 Additional Provisions for Industrial Zones**

#### **(1) Fuel Pump Island Location**

No part of any fuel pump island shall be located closer than:

In the M1 zone: 15.0 m to any street line, or 10.0 m to any other lot line.

#### **(2) Increased Yard Requirements**

Where all Industrial Zones abut any Residential or Institutional Zone, the minimum Yard requirement for any yard so abutting shall be increased to 15.0 m.

#### **(3) Special Provision Adjacent to Railways**

Where a lot line or part of a lot line in an Industrial Zone abuts a railway right-of-way, no minimum Yard shall be required on the portion so abutting provided that any building is in accordance with the sight distances set out in Section 3.35.

#### **(4) Open Storage Area Regulations**

No open storage area shall be permitted except in accordance with the following provisions:

- (a) no open storage shall be permitted in a front yard or a flank yard;
- (b) no open storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- (c) no open storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;
- (d) every open storage area or lot having an open storage area situated thereon shall be enclosed by a wall or fence not less than 1.8 metres in height and constructed of uniform material; and
- (e) no portion of any open storage area for combustible materials shall be located closer than:

In the M1 zone: 15.0 metres to any lot line

#### **(5) Wastewater limitations**

Where development occurs in areas that are not fully serviced, only dry industries that generate less than 4,500 litres of wastewater a day may be permitted.

**(6) Other General Provisions**

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

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# SECTION 9

## OPEN SPACE (OS) ZONE

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

### 9.1 Open Space (OS) Zone

#### (1) Permitted Uses:

- auditorium
- club, as part of a recreational facility
- conservation use
- cultural heritage resource site
- public park
- recreational facility
- recreational trail

#### (2) Zone Requirements:

##### (a)

Lot Area (minimum)	
Lot Frontage (minimum)	
Yard Requirements (minimum)	
Front	15.0 m
Rear	7.5 m
Exterior Side	15.0 m
Interior Side	7.5 m
Building Height (maximum)	10.5 m
Lot Coverage (maximum)	30%
Building Separation (minimum)	3.0 m

#### (3) Special Exception Zones:

**OS-1** (Pt. Lot 3, Concession III)

Notwithstanding any other provision herein to the contrary, the MTO park site located on Highway No. 11 in the south half of the south half of Lot 3, Concession III, shall be permitted without the provision of a public water system and a public sanitary sewer system.

#### (4) Holding Zones

#### (5) Temporary Zones

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## SECTION 10 AGRICULTURAL ZONES

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### 10.1 Agricultural (AG) Zone

#### (1) Permitted Uses:

accessory dwelling house  
 agricultural use  
 apiaries  
 aquaculture uses  
 bed and breakfast  
 commercial greenhouse  
 conservation use  
 craft shop  
 custom meat shop  
 farm equipment storage building  
 farm produce outlet  
 farm produce storage  
 forestry use  
 garden suite  
 home industry  
 kennel  
 livestock facility  
 open storage use  
 pick-your-own operations  
 produce building or market  
 recreational trail  
 single detached dwelling  
 tree nursery  
 wayside pit or wayside quarry  
 woodlot

#### (2) Zone Requirements:

##### (a)

Lot Area (minimum)	40.0 ha
Lot Frontage (minimum)	200.0 m
Yard Requirements (minimum)	
Front	9.0 m
Rear	
Residential uses	5.0 m
Non-residential uses	9.0 m
Exterior Side	9.0 m
Interior Side	
Residential uses	5.0 m
Non-residential uses	15.0 m
Building Height (maximum)	12.0 m

Lot Coverage (maximum)	20%
Building Separation (minimum)	
Between residential and non-residential uses	5.0 m
Between residential uses	3.0 m
Between non-residential uses	3.0 m
Gross Floor Area per Dwelling Unit (minimum)	
Accessory dwelling house	65.0 m <sup>2</sup>
Other detached dwelling house	85.0 m <sup>2</sup>

## (b) Private Fuel Pump Island Location:

No part of any private fuel pump island shall be located closer than 10.0 metres to any street line, or 15.0 metres to any other lot line.

## (c) Open Storage:

No open storage area shall be permitted except in accordance with the following provisions:

- no open storage area shall be permitted in a front yard or an exterior side yard;
- no open storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- no open storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;
- no portion of any open storage area for combustible materials shall be located closer than 20.0 metres to any lot line; and
- no open storage area shall be permitted on a lot wherefore Section 15(2)(0) herein applies.

## (d) Consent for Residence Surplus to a Farming Operation:

Notwithstanding any provisions of Section 10(1) and 10(2), to the contrary, where a consent is given to create a residential lot as a result of farm consolidation, such lot may be used for an existing single detached dwelling house, a home occupation, a home profession or a private home day care, and the following zone requirements shall apply:

Lot Area (minimum)	2,000.0 m <sup>2</sup>
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	20%

## (3) Special Exception Zones:

**AG-2 (Pt. Lot 1, Concession IV)**

On any lands designated AG-2 on Schedule "B" hereto, the lands have been rezoned as a result of farm consolidation where a severance of a surplus farm dwelling has occurred and no person shall use any lot or erect, alter or use any building or structure for the following uses:

- accessory dwelling house
- bed and breakfast
- garden suite
- home industry
- single detached dwelling

**(4) Holding Zones**

**AG-1-h** (Pt. NE1/4, N1/2 Lot 11, Con. V)

On any lands designated AG-1-h on Schedule "B" hereto, no person shall use any lot or erect, alter or use any building within 25 years of the closure of the waste disposal site without the required approval under s.46 of the *Environmental Protection Act*.

**(5) Temporary Zones**

**10.2 Agricultural - Related (AR) Zone****(1) Permitted Uses:**

abattoirs  
 agri-businesses  
 agri-tourism uses  
 agriculture-related use  
 animal husbandry services  
 butcher shop  
 custom machinery operators  
 feed mill  
 grain drying  
 livestock assembly points  
 pick-your-own operations  
 produce handling facility  
 seed cleaning plants  
 storage for farm produce

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	4.0 ha or 4,000 m <sup>2</sup>
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
Front	9.0 m
Rear	
Residential uses	5.0 m
Non-residential uses	9.0 m
Exterior Side	9.0 m
Interior Side	
Residential uses	5.0 m
Non-residential uses	15.0 m
Building Height (maximum)	12.0 m
Lot Coverage (maximum)	35%
Building Separation (minimum)	
Between residential and non-residential uses	5.0 m
Between residential uses	3.0 m
Between non-residential uses	3.0 m
Gross Floor Area per Dwelling Unit (minimum)	
Accessory dwelling house	65.0 m <sup>2</sup>
Other detached dwelling house	85.0 m <sup>2</sup>

(b) Private Fuel Pump Island Location:

No part of any private fuel pump island shall be located closer than 10.0 metres to any street line, or 15.0 metres to any other lot line.

(c) Open Storage:

No open storage area shall be permitted except in accordance with the following provisions:

- no open storage area shall be permitted in a front yard or a flank yard;
- no open storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- no open storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;
- no portion of any open storage area for combustible materials shall be located closer than 20.0 metres to any lot line; and
- no open storage area shall be permitted on a lot wherefore Section 15(2)(0) herein applies.

**(3) Special Exception Zones:**

**(4) Holding Zones**

**(5) Temporary Zones**

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# SECTION 11

## RURAL (RU) ZONE

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

### 11.1 Rural Zone

**(1) Permitted Uses:**

- accessory dwelling house
- agricultural use
- bunkhouse, related to a farm operation
- commercial greenhouse
- conservation use
- equipment storage building
- farm produce outlet
- forestry use
- group home
- home industry
- home occupation
- home profession
- kennel
- livestock facility
- maintenance garage, as part of a transport terminal
- mineral aggregate operation
- mineral mining operation
- mineral exploration
- modular dwelling house
- open storage use
- private fuel pump island
- private home day care
- produce building
- railroad use
- recreational trail
- rural home occupation
- single detached dwelling house
- tree nursery
- transport terminal
- wayside pit
- wayside quarry
- woodlot

**(2) Zone Requirements:**

**(a)**

Lot Area (minimum)	10.0 ha or 10,000.0 m <sup>2</sup>
Lot Frontage (minimum)	90.0 m
Yard Requirements (minimum)	

Front	9.0 m
Rear	
Residential uses	5.0 m
Non-residential uses	9.0 m
Exterior Side	9.0 m
Interior Side	
Residential uses	5.0 m
Non-residential uses	15.0 m
Building Height (maximum)	12.0 m
Lot Coverage (maximum)	10%
Building Separation (minimum)	3.0 m
Gross Floor Area per Dwelling Unit (minimum)	
Accessory dwelling house	65.0 m <sup>2</sup>
Other detached dwelling house	85.0 m <sup>2</sup>
Dwellings per lot (maximum)	1

(b) Private Fuel Pump Island Location:

No part of any private fuel pump island shall be located closer than 10.0 metres to any street line, or 15.0 metres to any other lot line.

(c) Open Storage:

No open storage area shall be permitted except in accordance with the following provisions:

- no open storage area shall be permitted in a front yard or an exterior side yard;
- no open storage area shall be permitted in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone;
- no open storage area shall be permitted in a side yard adjacent to a side lot line of such lot which abuts a Residential zone;
- no portion of any open storage area for combustible materials shall be located closer than 20.0 metres to any lot line; and
- no open storage area shall be permitted on a lot wherefore Section 15(2)(0) herein applies.

(d) Consent for Residence Surplus to a Farming Operation:

Notwithstanding any provisions of Section 10(1) and 10(2), to the contrary, where a consent is given to create a residential lot as a result of farm consolidation, such lot may be used for an existing single detached dwelling house, a home occupation, a home profession or a private home day care, and the following zone requirements shall apply:

Lot Area (minimum)	2,000.0 m <sup>2</sup>
Lot Frontage (minimum)	90.0 m
Yard Requirements (minimum)	20%

(e) Excavation Location:

No part of any excavation for a wayside pit that has not been closed shall be located closer than 70.0 metres to any lot line which abuts a zone other than a MM, MA, or MAR Zone. No part of any excavation for a wayside quarry that has not been closed shall be located closer than 300.0 metres to any lot line which abuts a zone other than a MM, MA, or MAR Zone.

**(3) Special Exception Zones:**

**RU-1 (Pt. Lot 7, Con. VI)**

On any lands designated RU-1 on Schedule “B” hereto, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RU-1 uses, namely:

- accessory dwelling unit
- an animal hospital
- an auditorium
- a beverage room
- a campground
- a dining room
- an equipment storage building
- a maintenance garage
- an open storage area
- a private fuel pump island
- a restaurant
- a retail store
- a tourist attraction
- a tourist establishment

Notwithstanding the provisions of Section 3 and Section 11.1(2) to the contrary, for the lands zoned RU-1, the following provisions shall apply:

Lot Area (minimum)	10.0 ha or 10,000.0 m <sup>2</sup>
Lot Frontage (minimum)	70.0 m
Yard Requirements (minimum)	
Interior Side	9.0 m
Building Height (maximum)	12.0 m
Lot Coverage (maximum)	10%
Building Separation (minimum)	1.8 m
Gross Floor Area per Dwelling Unit (minimum)	
Accessory dwelling house	65.0 m <sup>2</sup>
Other detached dwelling house	85.0 m <sup>2</sup>
Dwellings per lot (maximum)	1
Parking spaces (minimum)	
Residential uses	1 per dwelling unit
Non-residential uses	30 per lot

**RU-2 (Pt. Lot 3, Con. III)**

Notwithstanding the provisions of Section 11.1(2) to the contrary, for the lands zoned RU-2, the following provisions shall apply:

Lot Area (minimum)	14.0 ha
Lot Frontage (minimum)	80.0 m

**RU-3 (Pt. Lot 4, Con. III; By-law 2010-40)**

Notwithstanding the provisions of Section 11.1(2) to the contrary, for the lands zoned RU-3, the following provisions shall apply:

Yard Requirements (minimum)	
Rear	50.0 m
Interior Side	
Northerly Side	70.0 m

**RU-4**

Reserved.

**RU-5 (Pt. Lot 3, Con. IV)**

Notwithstanding the provisions of Section 11.1(2) to the contrary, for the lands zoned RU-5, the following provisions shall apply:

Lot Frontage (minimum)	15.0 m
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**(4) Holding Zones**

**(5) Temporary Zones**

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## SECTION 12

### WASTE MANAGEMENT (WM) ZONE

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

#### 12.1 Waste Management (WM) Zone

##### (1) Permitted Uses:

equipment storage building, related to another M3 use  
landfill site  
sewage treatment facility

##### (2) Zone Requirements:

###### (a)

Lot Area (minimum)	4.0 ha or 40,000.0 m <sup>2</sup>
Lot Frontage (minimum)	Nil
Yard Requirements (minimum)	
Front	20.0 m
Rear	20.0 m
Exterior Side	20.0 m
Interior Side	10.0 m
Building Height (maximum)	12.0 m
Lot Coverage (maximum)	10%
Building Separation (minimum)	10.0 m
Landscaped Area (minimum)	10%
Planting Strip Width (minimum)	7.5 m

###### (b) Fill Area Location:

No dumping or disposal of any waste material in a fill area of a landfill site shall be permitted within 30.0 m of any lot line

###### (c) Waste Stabilization Pond Location:

No storage or treatment of any waste material in a waste stabilization pond of a sewage treatment facility shall be permitted within 150.0 m of any lot line.

###### (d) Separation Distance from Residential Uses:

Notwithstanding the above yard requirements, no Waste Management Zone will be established within 500.0 m of a dwelling.

**(3) Special Exception Zones:**

**(4) Holding Zones**

**(5) Temporary Zones**

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## SECTION 13 MINERAL-RELATED ZONES

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

### 13.1 Mineral Mining (MM) Zone

#### (1) Permitted Uses:

agricultural use excluding buildings  
mine production  
mineral exploration  
pit  
portable asphalt plant  
prospecting  
quarry  
a business office, accessory to another MM use  
an equipment storage building, accessory to another MM use  
a maintenance garage, accessory to another MM use  
an open storage area, accessory to another MM use  
a private fuel pump island, accessory to another MM use  
a warehouse, accessory to another MM use

#### (2) Zone Requirements:

##### (a)

Lot Area (minimum)	Nil
Lot Frontage (minimum)	Nil
Yard Requirements (minimum)	
Any yard adjacent to a public street	30.0 m
All other yards	15.0 m

##### (b) Separation Distance from Residential Uses:

Notwithstanding the above Yard requirements, no mineral mining activity will be established:

- within 500.0 m of a dwelling on another lot.

#### (3) Special Exceptions

##### MM-1 (Pt. Lot 12, Con. I; By-law 2009-30)

Notwithstanding the permitted uses of Section 13.1(1) to the contrary, for the lands zoned MM-1, the following uses shall also be permitted:

Accessory uses, building and structures (e.g. crushing and screening facilities, stock, piles, stackers, asphalt and concrete plants, administration facilities, weigh stations, security kiosk etc.)

Notwithstanding the provisions of section 13.1(2) to the contrary, the following provisions shall apply in the MM-1 Zone:

No part of an excavation for a quarry that has not been closed shall be located closer than 30 m from the front lot line and 15 m from any side lot line or rear lot line which abuts a zone other than a M2 Zone.

**(4) Holding Zones**

**(5) Temporary Zones**

**13.2 Mineral Aggregate (MA) Zone****(1) Permitted Uses:**

agricultural use excluding buildings  
 asphalt plant  
 concrete plant  
 pit  
 quarry  
 a business office, accessory to another MA use  
 an equipment storage building, accessory to another MA use  
 a maintenance garage, accessory to another MA use  
 an open storage area, accessory to another MA use  
 a private fuel pump island, accessory to another MA use  
 a warehouse, accessory to another MA use

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	Nil
Lot Frontage (minimum)	Nil
Yard Requirements (minimum)	
Any yard adjacent to a public street	30.0 m
All other yards	15.0 m

**(b) Separation Distance from Residential Uses:**

Notwithstanding the above Yard requirements, no Mineral Aggregate Zone will be established:

- within 150.0 m of a dwelling on another lot when pit operation is above the water table;
- within 300.0 m of a dwelling on another lot when pit operation is below the water table; or
- within 500.0 m of a dwelling when a quarry operation is proposed

**(3) Special Exception Zones:****(4) Holding Zones****(5) Temporary Zones**

**13.3 Mineral and Mineral Aggregate Reserve (MAR) Zone****(1) Permitted uses:**

agricultural use, excluding buildings and structures  
 environmental preserve and educational area, excluding buildings and structures  
 existing dwellings  
 forestry use, excluding buildings and structures  
 recreational use, excluding buildings and structures

**(2) Zone Requirements:****(a)**

Lot Area (minimum)	Nil
Lot Frontage (minimum)	Nil
Yard Requirements (minimum)	
Any yard adjacent to a public street	30.0 m
All other yards	15.0 m

**(3) Special Exception Zones:****(4) Holding Zones****(5) Temporary Zones**

**13.4 Additional Provisions for Mineral-Related Zones****(1) Wayside Pit or Wayside Quarry:**

The requirements of the *Aggregate Resources Act* shall apply to any Wayside Pit or Wayside Quarry.

**(2) Vegetation Protection:**

Within the minimum yard areas for the subject lot, no vegetation shall be removed, except where required for the location of a driveway.

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## SECTION 14

### ENVIRONMENTAL PROTECTION (EP) ZONE

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

#### **14.1 Environmental Protection (EP) Zone**

##### **(1) Permitted Uses:**

agricultural, conservation and forestry uses excluding buildings  
flood control and erosion protection use  
outdoor recreation uses excluding buildings  
private or public park  
recreational trail  
wildlife and/or fish management area

##### **(2) Zone Requirements:**

No person shall within any EP zone use any lot or erect, alter or use any building or structure without such lot being in accordance with the following provisions:

##### **(a) Exception for accessory buildings and structures**

No accessory buildings or structures are permitted in relation to any EP use, except a parking lot and a rest room.

##### **(b) General Provisions**

In accordance with the provisions of Section 3 hereof.

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**SECTION 15**  
**DEVELOPMENT RESERVE (DR) ZONE**

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

**15.1 Development Reserve (DR) Zone**

**(1) Permitted Uses:**

uses, buildings, and structures legally existing at the date of passing of this By-law  
single detached dwelling unit

**(2) Zone Requirements:**

**(a)**

Lot Area (minimum)	existing
Lot Frontage (minimum)	existing
Yard Requirements (minimum)	
Front	6.0 m
Rear	8.0 m
Exterior Side	6.0 m
Interior Side	6.0 m
Building Height (maximum)	11.0 m