

COMPREHENSIVE ZONING BY-LAW NO. 08-04-391

OF THE CORPORATION OF THE
TOWNSHIP OF LAURENTIAN VALLEY

Prepared for: The Corporation of the
Township of Laurentian Valley
460 Witt Road, R.R. # 4,
Pembroke, ON, K8A 6W5

Prepared By: Jp2g Consultants Inc.
12 International Drive
Pembroke, ON K8A 6W5

and;

Township of Laurentian Valley

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
BY-LAW NO. 08-04-391

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Laurentian Valley pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13.

PREAMBLE

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, provides that the Council of a local municipality may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of the Corporation of the Township of Laurentian Valley has recommended that such a by-law be enacted in order to implement the policies and designations contained within the new Official Plan for the Township of Laurentian Valley adopted by Council on July 23rd 2002, and approved by the County of Renfrew with modifications on June 30th 2004, which ensures the proper and orderly development within the corporate limits of the Township of Laurentian Valley.

AND WHEREAS the Council of the Corporation of the Township of Laurentian Valley has deemed it to be in the public interest that such a by-law be enacted;

NOW THEREFORE the Council of the Corporation of the Township of Laurentian Valley enacts as follows:

FORM 1
PLANNING ACT, R.S.O. 1990, c.P.13
NOTICE OF THE PASSING
OF A COMPREHENSIVE ZONING BY-LAW BY
THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

TAKE NOTICE that the Council of the Corporation of the Township of Laurentian Valley passed **By-law No. 08-04-391, hereinafter referred to as Comprehensive Zoning By-law No. 08-04-391 of the Township of Laurentian Valley, on the 9th day of April, 2008**, under Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

The comprehensive zoning by-law applies to all lands within the Township and has the purpose and effect of regulating the use of land and the character, location and use of buildings and structures in the Township of Laurentian Valley. With the passing of this By-law, the existing Comprehensive Zoning By-laws: being By-law 92-19 of the (former) Township of Alice and Fraser; By-law No. 635-02-91 of the (former) Township of Pembroke and By-law No. 900-4-93 of the (former) Township of Stafford, as well as any other site-specific zoning by-laws in the Municipality, are repealed and the provisions of By-law No. 08-04-391 will govern. More detail regarding the new Zoning By-law is included in the attached Explanatory Note.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing **no later than 4:30 pm on Thursday May 1st, 2008**, a notice of appeal with the Clerk of the Corporation of the Township of Laurentian Valley, which must set out the reasons for the appeal and must be accompanied by the prescribed fee of \$125.00 payable to the Minister of Finance by certified cheque or money order. The appeal must also be accompanied by the completed OMB appeal form. If you wish to appeal to the Ontario Municipal Board, a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca or by contacting the Township.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

A COPY of the complete By-law and any additional information, is available for inspection during regular office hours at the Township Office. Any questions related to the By-law should be directed to Lauree Armstrong, Township Planner.

DATED at the Township of Laurentian Valley this 11th day of April, 2008.

Darrel Ryan, CAO, Township of Laurentian Valley
R.R. #4, 460 Witt Road, Pembroke, ON K8A 6W5
Phone No.: 613-735-6291; Fax No.: 613-735-5820

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
ZONING BY-LAW NO. 08-04-391
EXPLANATORY NOTE

DESCRIPTION OF THE NEW COMPREHENSIVE ZONING BY-LAW NO. 08-04-391

The new Official Plan for the Township of Laurentian Valley approved by the County of Renfrew with modifications on June 30, 2004, established the planning policies and procedures that affect all areas of the Township of Laurentian Valley. The purpose of the proposed Comprehensive Zoning By-law is to implement the Official Plan and regulate the use of land and the erection, location and use of buildings and structures, within the Township. As a result of the past amalgamations, the Township is currently still governed by three different Zoning By-laws for lands in the three former municipalities. The new Comprehensive Zoning By-law will replace Comprehensive Zoning By-law No. 635-02-91 of the (former) Township of Pembroke, Comprehensive Zoning By-law 92-19 of the (former) Township of Alice and Fraser and Comprehensive Zoning By-law 900-4-93 of the (former) Township of Stafford and provide one harmonized document to address the land use planning policies in the Township of Laurentian Valley. The new Comprehensive Zoning By-law will also serve to update existing by-law provisions to reflect the current needs of the municipality and implement the policies of the new Official Plan and Provincial Policy Statement (PPS).

Some key changes with the new Comprehensive Zoning By-law relate to the following:

- New and consolidated zones are proposed as follows:

Residential Zones

Residential One (R1)	Residential Two (R2)	Residential Three (R3)
Residential Four (R4)	Rural Residential (RR)	Limited Service Residential (LSR)

Commercial Zones

Neighbourhood Commercial (NC)	General Commercial (GC)	Highway Commercial (HC)
Shopping Centre Commercial (SC)	Recreation Commercial (RC)	Tourist Commercial (TC)

Industrial Zones

Light Industrial (LM)	General Industrial (GM)	Extractive Industrial (EM)
Extractive Industrial Reserve (EMR)	Disposal Industrial One (DM1)	Disposal Industrial Two (DM2)

Other Miscellaneous Zones

Rural (RU)	Agriculture (A)	Community Facility (CF)
Urban Reserve (UR)	Suburban Reserve (SUR)	Environmental Protection (EP)
Open Space (OS)	Natural Heritage Feature (NHF)	Archaeological Resource Protection (ARP)

(It is important to note that in some cases, the name of your zone may have changed but the provisions that apply to you may not have changed, ie. some former zones were renamed to provide consistent zone categories throughout the Township. Any special exception zone provisions will also be carried over into the new Zoning By-law, however, the exception number may be changed)

- Updated provisions related to Provincially Significant Wetlands (PSWs) and Areas of Natural and Scientific Interest (ANSIs) and the creation of a separate Natural Heritage Feature (NHF) zone to reflect the limits of PSWs and ANSIs as identified in the Official Plan and adjacent lands affected by special zone provisions;
- Updated location of lands zoned Extractive Industrial (EM) and Extractive Industrial Reserve (EMR) to reflect new Provincial resource data and the location of existing licensed pits and quarries under the Aggregate Resources Act;
- The establishment of a minimum 30 metre setback from the high water mark of any waterbody; and
- Updated general provisions, including but not limited to: outdoor furnaces; home occupations and home industries; and parking requirements.

It is generally the intent of the Zoning by-law to place each property in a zone category which recognizes the existing legal uses of properties. In some limited situations the existing use will not be listed as a permitted use in the applicable zone category, however, in those situations where those uses legally existed prior to the new Comprehensive Zoning By-law being passed, those uses can continue, as they benefit from legal non-conforming status as long as they continue to exist. The Zoning By-law also does not have a retroactive effect that would require legally existing buildings, structures or lots to meet the requirements of the proposed zone category if they do not.

The new Comprehensive Zoning By-law applies to all lands in the Township of Laurentian Valley and therefore, a Key Map has not been provided.

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NUMBER NO. 08-04-391

Being a By-law to regulate the use of lands and the character, location and use of buildings and structures within the Township of Laurentian Valley pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

PREAMBLE

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, provides that the Council of a local municipality may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the Council of The Corporation of the Township of Laurentian Valley has recommended that such a by-law be enacted in order to implement the policies and designations contained within the new Official Plan for the Township of Laurentian Valley adopted by Council on July 23rd 2002, and approved by the County of Renfrew with modifications on June 30th 2004, which ensures the proper and orderly development within the corporate limits of the Township of Laurentian Valley.

AND WHEREAS the Council of The Corporation of the Township of Laurentian Valley has deemed it to be in the public interest that such a by-law be enacted;

NOW THEREFORE the Council of The Corporation of the Township of Laurentian Valley enacts as follows:

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Schedules A-16 to A-19	Various Enlargement Areas
Schedule B	ARP Zone

SECTION 1 - AUTHORIZATION AND USAGE

1.1 TITLE

This By-law shall be known and may be cited as the “Zoning By-law” of the Corporation of the Township of Laurentian Valley.

1.2 SCOPE

(a) **Application of By-law**

The provisions of this By-law shall apply to all lands within the Corporation of the Township of Laurentian Valley.

(b) **Conformity with By-law**

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

(c) **Changes Causing Contravention of By-law**

No person shall change the purpose of which any lot, building or structure is used, or erect any new building or structure or alter any existing building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

(d) **Unlawful Uses**

Any use established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully.

(e) **Other Restrictions**

This By-law shall not be used or have the effect to reduce or mitigate any other restrictions by an authority having lawful jurisdiction to make such restrictions.

(f) **Permits and Licences**

No Municipal permit, certificate or licence shall be issued for a proposed use of land, including any establishment, enlargement, alteration or change in use of any building or structure, that contravenes any provision of this By-law.

1.3 ADMINISTRATION

(a) **Administrator**

This By-law shall be administered by the Chief Building Official or by a Zoning Administrator appointed by Council, or by such other person as Council may designate from time to time for such purpose.

(b) **Inspection**

The Zoning Administrator, Chief Building Official or any officer or employee of the

Corporation assigned the responsibility for enforcing this By-law may at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he believes a contravention is occurring. However, such officer shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, except under the authority of a search warrant as set out in Section 49 of the Planning Act R.S.O. 1990, c.P.13.

(c) Certificate of Occupancy

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

(d) Violations and Penalties

i) Every person who contravenes any provision of this By-law on conviction is liable:

1. on a first conviction to a fine of not more than \$25,000.00; and
2. on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted,

ii) Every corporation which contravenes any provision of this By-law on conviction is liable:

1. on a first conviction to a fine of not more than \$50,000.00 and
2. on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

iii) every such penalty described herein is subject to the provisions of Section 67 of the Planning Act, R.S.O. 1990, c.P.13, as amended, and may change from time to time in accordance with the said Act, without the need for amendment to this By-law.

(e) Remedies

Where a building or structure is or is proposed to be erected, altered or enlarged, or a building, structure or lot is or is proposed to be used in contravention of any provision of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or of the Corporation.

(f) Plans to Accompany Applications

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

(i) the true dimensions of the lot to be built upon or otherwise used;

- (ii) the location of all existing buildings, structures or uses on the lot;
- (iii) the proposed location, height and dimensions of any building, structures or use proposed for such lot;
- (iv) the proposed locations and dimensions of yards, landscaped open spaces, parking areas and loading spaces required by this By-law.
- (v) a statement, signed by the owner, disclosing the specific existing or proposed use for each existing or proposed building or structure, and containing all information necessary to determine if such existing or proposed building, structure or use conforms to the requirements of this By-law.

1.4 **VALIDATION**

- (a) **Effective Date**
This By-law shall come into effect from the date of its passing by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- (b) **Repeal of Existing By-laws**
From the coming into force of this By-law all previous By-laws passed by the Township, under Section 34 of the Planning Act or a predecessor thereof, shall be repealed.
- (c) **Validity**
A decision of a competent court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or part of provisions of this By-law.
- (d) **Schedules to By-law**
The zones set out in this By-law and the boundaries of such zones are set out in the maps that are attached hereto and marked as Schedules. The Schedules are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.5 **INTERPRETATION**

- (a) For the purposes of this By-law, words used in the present tense include the future; words in the singular number include the plural and words in the plural include the singular number; the word “shall” is mandatory; the word “used” shall also mean “designed to be used”; and the word “occupied” shall also mean “designed to be occupied”.
- (b) **Boundaries of Zones**
Where uncertainty exists with respect to the boundaries of the various zones as shown on the Schedules (zoning maps) attached to this By-law the following rules shall apply,
 - (i) **Centreline Limits**

Where the boundary is shown as following a street, lane, railway right-of-way or other right-of-way, such zone boundary shall be the centreline of the street, lane, railway right-of-way or other right-of-way.

(ii) Lot Lines

Where the boundary is not shown to be a street, or other feature described in item (i), but is shown to substantially follow a lot line, such lot line shall be the zone boundary unless specifically indicated otherwise on the Schedule;

(iii) Closed Road, Right-of-Way

In the event that a dedicated road, lane or railway right-of-way shown on the Schedule is closed, the property formerly in such road, lane or railway shall be included within the zone of adjoining property on either side of such closed feature. Where such closed feature formed a zone boundary, the new zone boundary shall be the former centreline of the closed road, lane or railway.

(iv) Shoreline

Where the boundary is shown as following the shoreline of any waterbody, the high water mark shall be the zone boundary.

(v) Other Boundaries

Where none of the above interpretations can be applied, then the location of the boundary shall be determined by scaling from the original Schedule(s) located in the Municipal offices.

(c) Measurements

Where linear distances, other than those referring to vertical measurements are specified, such linear distances are measured on a horizontal plane.

SECTION 2.0 - DEFINITIONS

For the purpose of this By-law the definitions and interpretations of this section shall apply.

- 2.1 ABANDONED means the failure, in the opinion of the Zoning Administrator, to proceed expeditiously with construction work during any continuous 12 month period.
- 2.2 ABATTOIR means a building, structure or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.
- 2.3 ACCESSORY when used to describe a use, building or structure, means a use, or a detached building or structure, that is customarily incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified. An accessory use shall not include an adult entertainment establishment of body rub parlour.
- 2.4 ADULT ENTERTAINMENT ESTABLISHMENT shall mean any premise or part thereof in which, in pursuance of a business, trade, calling or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations, are provided. This definition includes a body-rub parlour but does not include the exhibition, rental, or sale of film or videos approved for distribution pursuant to the Theatres Act, or the sale of magazines or other printed material provided such sale does not contravene any law. For the purposes of this By-law, Services appealing to or designed to appeal to erotic or sexual appetites or inclinations, shall mean a performance, exhibition or activity of which a principal feature or characteristic is the nudity or partial nudity of any person.
- 2.5 AGGREGATE means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and rock other than metallic ores.
- 2.6 AGRICULTURAL COMMERCIAL ESTABLISHMENT means the use of land, buildings or structures for the wholesale or retail sales of goods that are necessary to support agricultural uses. Without limiting the generality of the foregoing, these include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, poultry and fur bearing animals, and sub-surface drainage materials and equipment. This definition shall also include such goods and services as the selling, processing and storage of seed, feed and fertilizer and chemical products.
- 2.7 AGRICULTURAL USE means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- 2.8 AGRICULTURAL-RELATED USES means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and area required in close proximity to the farm operation. Examples of this use include animal husbandry services,

produce or grain storage facilities, and seed dealers.

- 2.9 AIRFIELD, PRIVATE means land used for the purpose of the landing, storing, taxiing or taking-off of private aircraft and uses, buildings and structures accessory thereto, but not an airport under the regulation of Transport Canada.
- 2.10 AIRPORT means the use of land licensed by Transport Canada for the landing and take-off of commercial and/or private aircraft and shall include any buildings or structures accessory thereto.
- 2.11 ALTER means any alteration in a bearing wall or partition or column, beam, girder or other supporting member of a building or structure or any increase in area or volume of a building or structure. When used in reference to a lot, the word alter means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a street or lane. The words “altered” and “alteration” shall have a corresponding meaning.
- 2.12 ANAEROBIC DIGESTER means an enclosed vessel in which micro-organisms break down organic materials (ie. Manure and other organic materials), in the absence of oxygen, resulting in the production of biogases, consisting primarily of methane and carbon dioxide. The Minimum Distance Separation Formulae is to be applied to on-farm anaerobic digesters which utilize manure as an input. An on-farm anaerobic digester may include a co-substrate input tank fitted with a tight cover, in which permitted off-farm non-agricultural source materials are temporarily stored before feeding into the anaerobic digester.
- 2.13 ANIMAL HOSPITAL means a building or structure where domestic animals, birds or other livestock are treated and where domestic animals or birds are kept for treatment only and shall include the clinic of a registered veterinarian.
- 2.14 ANTIQUE FURNITURE RESTORATION WORKSHOP, CABINET-MAKING SHOP AND SHOWROOM means an establishment engaged in the refinishing and restoration of antique furniture and includes a cabinet-making shop, and a showroom for the storage, display and sale of the finished product.
- 2.15 AREA OF NATURAL AND SCIENTIFIC INTEREST (ANSI) means areas of land and/or water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.
- 2.16 ARTISAN SHOP OR STUDIO means a building or structure or portion thereof, where an artist or skilled craftsperson creates unique articles and/or offers instruction in an art or skilled craft and where such unique articles may be offered for sale. This may include but is not limited to, a painter, a sculptor, a photographer, a gunsmith, a cabinetmaker, a wood carver, a potter, an ornamental welder or any similar artist or craftsperson whose workplace is not otherwise defined.
- 2.17 ASPHALT MANUFACTURING PLANT means an industrial facility used for the production of asphalt for immediate use in the paving of roads and driveways and the damp-proofing of buildings or structures.

- 2.18 ASSEMBLY HALL means a building or part of a building in which facilities are provided for such purposes as meetings of civic, education, political, religious or social purposes, and shall include a banquet hall.
- 2.19 ATTACHED shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.
- 2.20 AUTOMOTIVE SERVICES
- 2.20.1 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 repair operations on motor vehicles.
- 2.20.2 BODY SHOP shall mean a building or structure used for the painting or repairing of automobile bodies or fenders, but shall not include a salvage yard.
- 2.20.3 CAR WASH shall mean a building or structure containing facilities for washing automobiles, either by production line methods and mechanical services or by a self-service operation.
- 2.20.4 COMMERCIAL GARAGE shall mean a building where all functions of an automobile service station may be carried out and where major repairs of motor vehicles may be performed, including body work and welding but shall not include dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.20.5 GASOLINE BAR means one or more pump islands, each consisting of one or more gasoline pumps, and shelter having a floor area of not more than 10 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.
- 2.20.6 SERVICE STATION shall mean a building or place where gasoline, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries changed, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed.
- 2.20.7 VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the storage of vehicles for sale or the storage of vehicles for rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.
- 2.21 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 adjacent finished grade as approved.

ILLUSTRATION OF BASEMENT AND CELLAR DEFINITIONS

- 2.22 **BED AND BREAKFAST ESTABLISHMENT** means an owner-occupied single detached dwelling or portion thereof in which there are no more than three (3) guest rooms, used or maintained for hire or gain on a temporary or day-to-day basis, as accommodation with or without meals, for other persons, particularly tourists or vacationers. This definition shall not include a motel, hotel, apartment dwelling house, boarding house, rooming house, restaurant or any other establishment defined in this By-law.
- 2.23 **BERM** means a landscaped mound of earth.
- 2.24 **BOAT HOUSE** shall mean a detached one-storey, accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and the storage of household equipment incidental to the residential use of the property and shall not be used for human habitation nor contain food preparation or sanitary facilities.
- 2.25 **BOARDING HOUSE** means a dwelling in which the proprietor supplies for gain or hire, rooms for more than 3 boarders or and may include the provision of meals. Rooming house shall have a corresponding meaning.
- 2.26 **BODY-RUB PARLOUR** shall mean any premise or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario. Body-rub shall mean the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.
- 2.27 **BUFFER** means a method of control used to prevent or minimize the adverse effects of incompatible land uses and may be in the form of:
- i) a land area or intervening open space sufficient to provide the necessary distance separation; or
 - ii) a natural or man-made feature such as a berm, wall, barrier, planting, topography, trench, fence, or other structure or technical control (ie., solid brick walls, triple-glazed windows to lessen the effect of noise, an active or passive gas venting system); or
 - iii) a land use different from the conflicting ones but compatible with both; or
 - iv) any combination of the aforementioned sufficient to accomplish the intended purpose.
- 2.28 **BUFFER STRIP** means an area to be used only for the purpose of screening land, buildings or other structures by the planting and maintenance of trees or shrubs or the construction and maintenance of a berm.
- 2.29 **BUILDING** means any structure used or designed to be used for shelter, accommodation or

enclosure of persons, animals or chattels.

- 2.30 **BUILDING ENVELOPE** means the buildable area on a lot, defined by the minimum front yard depth, rear yard depth and side yard width requirements and maximum height requirements, within which a building can be erected.
- 2.31 **BUILDING SUPPLY STORE** means an establishment engaged in the selling of building supplies including lumber, mill work, siding, roofing, electrical, heating, air conditions and similar items.
- 2.32 **CAMP, RECREATION** means a recreational establishment operated by a private or public organization where children and/or adults are temporarily accommodated in tents, cabins, cottages and/or lodges and shall include a day camp or scout camp but does not include a tent and trailer campground or a mobile home park.
- 2.33 **CAMPING ESTABLISHMENT** means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 2.34 **CATASTROPHE** when referring to a livestock facility, means an unanticipated, disastrous loss of part, or all, of a livestock facility due to fire, collapse, flood, wind, or other such event.
- 2.35 **CELLAR** shall mean the portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling, below adjacent finished grade.
- 2.36 **CEMETERY** means a cemetery, columbarium or mausoleum within the meaning of the Cemetery Act of Ontario.
- 2.37 **CHURCH** means a building commonly used by any religious organization as defined in the Religious Organizations Land Act, R.S.O., 1980 as amended for public worship, and may include a rectory or manse, church hall, auditorium, day nursery or religious school associated with or accessory thereto.
- 2.38 **CLINIC** means a building or part thereof, used exclusively by physicians, dentists, homeopaths, massage therapists licensed or registered under the laws of the Province of Ontario to provide medical or therapeutic treatment, chiropractors, their staff, and their patients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms and shall not include a body-rub parlour as defined in this By-law.
- 2.39 **COMMERCIAL USE** means the use of land, buildings or structures for the purpose of buying and/or selling commodities and supplying services, such as automobile service stations, car washes, convenience retail shops, hotels or motels, shopping centres and supermarkets.

- 2.40 COMMUNITY CENTRE means any tract of land or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.41 CONCRETE MANUFACTURING PLANT means an industrial facility used for the production of concrete for immediate use in the construction of buildings, structure, roads or driveways. This definition also means the manufacturing of finished concrete products and may include the retail sale of such products.
- 2.42 CONTRACTOR'S YARD OR SHOP shall mean an area of land or a building or structure, of a contractor of any building trade, where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.43 CONVENIENCE STORE means a one-storey retail store having a gross leasable floor area of not more than 186 square metres that is designed and stocked to sell a variety of necessity items and goods including, but not limited to food, beverages, patent medicines, periodicals, personal hygiene products and cleaning supplies, primarily to residents of the immediate neighbourhood or to the travelling public.
- 2.44 CORPORATION means the corporation of the Township of Laurentian Valley.
- 2.45 CO-SUBSTRATE INPUT TANK (CSIT) means storage for containing permitted non-agricultural wastes that will be blended with manure in an on-farm anaerobic digester in order to increase biogas production.
- 2.46 COTTAGE means a building to accommodate one or more guests for temporary occupancy,
- i) that contains at least two rooms;
 - ii) that is at least partially furnished; and
 - iii) in which the guest may be permitted to prepare and cook food.
- 2.47 COTTAGE ESTABLISHMENT means a tourist establishment comprising of two or more cottages owned or leased by the same person. Cabin establishment shall have a corresponding meaning.
- 2.48 CUSTOM WORK SHOP means a building or structure or part thereof where the manufacturing of small quantities or articles is performed by the tradesman requiring manual or mechanical skills, but does not include machining, stamping or forging of materials.
- 2.49 DAY NURSERY means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- 2.50 DAYCARE CENTRE, HOME shall mean a dwelling that receives not more than five (5) children,

for temporary care and guidance, for a continuous period which does not exceed 24 hours.

- 2.51 DEVELOPMENT shall mean the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alterations to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a driveway or the placement or removal of fill, whether originating on the site or elsewhere
- 2.52 DIGESTATE means the end product from the anaerobic digestion of manure (and permitted co-substrate input tank materials) that has a significant reduction in pathogens and odour.
- 2.53 DRIVEWAY means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.
- 2.54 DWELLING means a building or part of a building, containing one or more dwelling units, and that is used or designed to be used for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals.
- 2.54.1 ACCESSORY DWELLING UNIT means a dwelling unit accessory to a permitted non-residential use.
- 2.54.2 DWELLING, APARTMENT means the whole of a building not otherwise defined herein, which contains five (5) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.
- 2.54.3 DWELLING, CONVERTED means a residential use building that has been altered to increase the number of principle dwelling units to three or more.
- 2.54.4 DWELLING, DUPLEX means a building that is divided horizontally into two separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.54.5 DWELLING, FOUR UNIT means a separate building containing four dwelling units.
- 2.54.6 DWELLING, LIMITED SERVICE means a single-detached dwelling which:
- i) does not front on a municipally maintained street;
 - ii) does not receive municipal street services, such as snow clearing and road maintenance; and
 - iii) the means of access to the lot is not part of the municipal street network
- 2.54.7 DWELLING, ROW HOUSE OR TOWNHOUSE shall means a building that is divided vertically into three or more dwelling units, each of which has a separate and independent entrance at finished grade and separated from the adjoining unit or units by a common unpierced wall with no interior access between each dwelling unit.

Illustrations of Dwelling Types

- 2.54.8 DWELLING, SEASONAL means a single detached dwelling used occasionally for recreation, rest or relaxation, but not occupied continuously nor used as a year round permanent dwelling.
- 2.54.9 DWELLING, SEMI-DETACHED means a building that is divided vertically into separate dwelling units each of which has an independent entrance either directly from the outside or from a common vestibule.
- 2.54.10 DWELLING, SENIOR CITIZEN'S see Senior Citizen's Home
- 2.54.11 DWELLING, SINGLE DETACHED means a single dwelling unit which is freestanding, separate and detached from other main buildings or main structures and includes a prefabricated single dwelling unit but does not include a mobile home or a recreational vehicle trailer.
- 2.54.12 DWELLING, THREE UNIT means a separate building containing three dwelling units.
- 2.54.13 DWELLING, TRIPLEX means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from outside or through a common vestibule.
- 2.54.14 DWELLING, TWO UNIT means a separate building containing two dwelling units.
- 2.54.15 DWELLING UNIT means a unit that:
- i) consists of a self-contained set of rooms located in a building or structure;
 - ii) is used or intended for use as residential premises in common by one or more persons as a single, independent and separate housekeeping establishment;
 - iii) contains food preparation and bathroom facilities provided for the exclusive use of the occupants thereof; and
 - iv) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.55 DWELLING UNIT AREA means the aggregate of the floor area of all habitable rooms, hallways and lobbies within a dwelling unit, excluding the thickness of any exterior walls.
- 2.56 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar, refreshment room or stand or a mobile food vehicle, but does not include a boarding house or any other use defined in this By-law.

- 2.57 EATING ESTABLISHMENT, DRIVE-IN means a premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are offered for sale or sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include any other use defined in this By-law.
- 2.58 EATING ESTABLISHMENT, FULL SERVICE means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises and shall not include any other use defined in this By-law.
- 2.59 EATING ESTABLISHMENT, TAKE-OUT means a building or structure used for the sale of food to the general public and from which food is made available to the customer from within the building and does not include any other use defined in this By-law. No provision is made for consumption of the food within the customer's car, within the building or elsewhere on the site.
- 2.60 EQUIPMENT RENTAL ESTABLISHMENT means the use of land, or a building or structure, for the rental, lease or sale of equipment and/or tools, machinery, furniture, fixtures or other goods, and may include the servicing and repair of such equipment.
- 2.61 ERECT means build, construct, reconstruct, alter, enlarge or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operations such as cutting, grading, excavating, berming, piling, cribbing, filling or drainage, or any altering of any existing building by an addition, deletion, enlargement, extension or other structural change.
- 2.62 ESTABLISHED BUILDING LINE means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.
- 2.63 EXISTING shall mean existing as of the date of final passage of this By-law.
- 2.64 EXTRACTIVE INDUSTRIAL FACILITY means a building, structure or facility used for processing aggregate and includes the screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation.
- 2.65 FACTORY OUTLET means a building accessory to a permitted industrial use where the products manufactured by that industry are kept for wholesale or retail sale.
- 2.66 FARM means a farm residence, farm buildings and accessory uses and structures and land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops. This definition may also apply to land used for livestock raising, dairying, woodlots, horticultural crops, fish farming and beekeeping.
- 2.66.1 FARM BUSINESS means any gainful occupation, trade or service that is carried on accessory to an operating farm as a means of diversification but which is small in scale and clearly secondary to the principal farm use. A farm business may include the storage of vehicles, equipment or commodities within a building or fully enclosed structure, a

welding shop, a custom workshop, a general service shop, a blacksmith, a farm produce sales outlet, the processing of farm produce, an artisan shop or studio, a kennel, a riding stable, the repair of vehicles or farm equipment, a bed and breakfast establishment, or other similar use in character to the foregoing. Only farm buildings and structures surplus to the farm use may be used for the farm business and no new buildings and structures may be permitted solely for the purposes of accommodating a farm business.

- 2.67 FARM, INTENSIVE means a farm residence, farm buildings and accessory uses and structures on land where the predominant economic activity is consists of raising of livestock or the growing of mushrooms
- 2.68 FARM, LIMITED means the raising and harvesting of field, bush, vine, forest or tree crops grazing and trapping and does not include a farm dwelling and accessory buildings and uses.
- 2.69 FARM PRODUCE SALES OUTLET means a fruit, vegetable, flower or farm produce stand set up as an accessory use on a farm, used for the sale or produce from that same agricultural use.
- 2.70 FINANCIAL INSTITUTION OR BANK shall mean a building or part thereof used for a bank, mortgage or trust company, finance company or investment company.
- 2.71 FLEA MARKET shall mean the following:
- a) a building or part of a building where second hand goods, articles and/or antiques, are offered or kept for retail sale to the general public but shall not include any other retail establishment otherwise defined in this By-law; or
 - b) an occasional or periodic market or sales event held in an open area, which may include a street, or within a building or structure where independent sellers offer goods, new and used, for sale to the public, but not including private garage sales; or
 - c) a building or open area in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either home grown, homemade, handcrafted, old, obsolete, or antique, and may include the selling of goods at retail by businesses or individuals who are generally engaged in the retail trade.
- 2.72 FLOOD means a temporary rise in the water level resulting in the inundation of areas adjacent to a watercourse not ordinarily covered by water.
- 2.72.1 FLOOD FRINGE means the outer portion of the flood plain, where the two zone approach applies, between the floodway and the edge of the flood plain being the limits of the flooding hazard. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.
- 2.72.2 FLOOD PLAIN means the area of land within a watershed which is or may be subject to inundation during a flooding event. This area shall be calculated as being the area that would be flooded with an expected average frequency of once in one hundred years. Lands subject to flooding shall have a corresponding meaning.

- 2.72.3 FLOOD PLAIN DESIGN ELEVATION means the elevation established under this By-law, below which all buildings must be floodproofed. This elevation shall be calculated based on the flood plain determined for the watershed.
- 2.72.4 FLOODPROOFED refers to the measures taken as part of the basic design and/or construction of buildings, structures or properties, to ensure that a structure or building is safe from the effects of flooding and/or to reduce or flooding hazards. Floodproofing shall include the following: no building openings of any kind, including windows, doors, vents, etc., shall be permitted below the flood plain design elevation; incoming power service metering equipment, electrical appliances shall not be erected below the flood plain design elevation, notwithstanding this restriction does not apply to electrical wall units equipped with ground fault plugs; heating, ventilation, plumbing, sanitary sewer, sanitary and water systems shall be designed to consider flood vulnerability; sanitary sewer and storm water drainage systems having openings below the flood plain design elevation shall have automatic back-flow preventers; water supply systems shall be designed to prevent possible contamination from flood water; gas and/or oil fired furnaces shall be provided with float operated automatic control valves to shut off fuel in the event of flooding; sanitary sewer or septic systems shall be designed to prevent sewage discharge and resulting health hazards during flood conditions. Foundations shall be of cast-in-place concrete construction, designed by a professional engineer. The interior foundation wall shall be unfinished to the flood plain design elevation. Basements shall not be permitted to contain habitable space, nor shall they be permitted to be used for the storage of hazardous materials that are buoyant, flammable, explosive or toxic. A separate electrical circuit shall be required to be provided for a submersible sump pump, and the operating switch shall be located at the head of the stairs. Backfill should generally be graded away from the foundation at a slope not exceeding 1 in 30 (ratio of height to distance), for a distance of 4.572 metres (15 feet), after which it can be increased to a 1 in 4 slope down to original grade.
- 2.72.5 FLOODWAY means the portion of the flood plain where development and site alteration would cause a danger to public health and safety and property damage. Where the one zone approach is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to such that they pose a potential threat to life and/or property damage. Where the two zone approach applies, the outer portion of the flood plain is called the flood fringe.
- 2.73 FLOOR AREA GROSS means, for a dwelling, the total area of the storeys exclusive of basements, cellars, attic, garages, sunrooms, unenclosed verandas or porches; and for a building other than a dwelling, the total area of all the floors contained within the outside walls of the building. Only that floor area having a clear height to the ceiling of at least two and one-quarter metres (2.25 metres) may be used to calculate floor area.
- 2.74 FLOOR AREA, GROSS LEASABLE (GLA) means the total floor area of a building including basements, mezzanines and upper floors, minus common areas including public walkways, malls,

Illustration of Flood Plain - Two Zone Approach

public toilets, truck and service facilities, joint service facilities, elevator shafts and lobbies, boiler rooms, maintenance rooms, mechanical or electrical or utility rooms and any parking for autos within the building.

- 2.75 FLOOR AREA, NET shall mean only the habitable or useable floor space in a building exclusive of any foyer, hallways, stairwell, closet, washroom or toilet room and shall be measured from the inside walls.
- 2.76 FOOD CATERING ESTABLISHMENT means any premises where food is prepared for banquets, weddings etc. and where such food is prepared for consumption off the premises.
- 2.77 FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resources.
- 2.78 FUEL DEPOT means the use of land, structures or buildings for the purpose of distributing fuels from a fuel storage tank on the premises.
- 2.79 FUEL STORAGE TANK means a tank for the bulk storage of petroleum gasoline, fuel oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 2.80 FUNERAL HOME means any premises where preparation of a human body for interment or cremation is undertaken.
- 2.81 FURNITURE SHOWROOM means a retail establishment in which furniture, antique furniture, hand-crafted furniture and/or cabinets, are sold, stored, displayed, and in which less than 50 percent of the gross leasable floor area may be devoted to the manufacturing, finishing, refinishing and/or restoration of such furniture.
- 2.82 GARAGE OR CARPORT (PRIVATE) means an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy.
- 2.83 GARAGE, PUBLIC shall mean a municipal or provincial facility used for the storage and servicing of road construction and maintenance equipment and materials.
- 2.84 GARAGE SALE shall mean any general sale to the public of personal property from any noncommercial premises in any zone, including but not limited to all sales entitled “garage”, “lawn”, “yard”, “attic”, “porch”, “driveway”, “room”, “backyard”, “patio”, or “rummage” sale and shall not include a flea market. Personal property shall mean property which is owned, used and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence. It does not include merchandise that was purchased for

resale or obtained on consignment.

- 2.85 GARDEN CENTRE means an establishment primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses, for the cultivation of such materials.
- 2.86 GOLF COURSE shall mean a public or private area operated for the purpose of playing golf including a par three golf course, driving range, miniature golf course or combination thereof.
- 2.87 GRAVEL PIT means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes. This corresponds to a PIT as defined by the Aggregate Resources Act, R.S.O. 1990, c.A.8, as amended.
- 2.88 GROUP HOME means a single housekeeping unit in a residential dwelling in which residents live together under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and federal statute.
- 2.89 HEIGHT means when used with reference to a building the vertical distance between the average elevation of the finished surface of the ground at the front of the building and;
- i) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
 - ii) in the case of a mansard roof, the deck roof line,;and
 - iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the ridge.
- 2.90 HIGH WATER MARK means the present normal mark made by the action of water under natural conditions on the shore or bank of water, 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.
- 2.91 HOME DISPLAY AND SALES OUTLET shall mean an establishment or premises where prefabricated dwellings including cottages and mobile homes are erected or located for display purposes only and from which orders can be placed for the purchase and delivery of such dwellings or parts and accessories associated therewith.
- 2.92 HOME FOR THE AGED means a “home for the aged” as defined under the Homes for the Aged and Rest Homes Act, as amended from time to time.
- 2.93 HOME INDUSTRY means a gainful occupation, service, or trade such as woodworking, welding, machine or auto repair shop or storage, in whole or in part in a building or structure accessory to a dwelling.
- 2.94 HOME OCCUPATION means any occupation for gain or support which is carried on as an accessory use either within a dwelling or dwelling unit and operated by the occupants residing

Illustration of Building Height Definitions

therein. Such home occupation uses may include a service or repair shop, a personal service shop, the office or consulting room of a doctor; dentist, chiropractor, drug-less practitioner, lawyer, or real estate agent, insurance agent, planner, architect, photographer, teacher, music or dance instructor or engineer, but shall not include a clinic, hospital, nursing home, tea room, kennel or a small internal combustion engine repair shop.

2.95 HOSPITAL,

2.95.1 PRIVATE HOSPITAL shall mean a hospital as defined in the Private Hospitals Act, as amended, and a sanitarium as defined by the Private Sanitarium Act as amended from time to time.

2.95.2 PUBLIC HOSPITAL shall mean a hospital as defined by the Public Hospital Act amended from time to time.

2.96 HOTEL means a tourist establishment that consists of one or more than one building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, and may or may not have facilities for serving meals.

2.97 HOUSING CAPACITY means the maximum livestock capacity for all facilities on a lot at any time, even if currently empty but able to house livestock.

2.98 HUNTING AND FISHING CAMP means a building or structure intended to provide basic shelter and accommodation on an occasional basis for a person or group of persons engaged in hunting or fishing activities or other outdoor recreational activities. Such structure may be described as being of light frame construction without any interior finish on its walls and ceiling.

2.99 INDUSTRIAL USE means the use of land, buildings or structures for the purpose of manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods, and related accessory uses.

2.100 INSTITUTIONAL USES means the use of land, building or structures for public or social purposes, including religious, governmental, educational, charitable, health, or other non-commercial uses and may include cemeteries, places of worship, municipal buildings, police and fire stations, schools, day care centres, hospitals and seniors complexes.

2.101 KENNEL means an establishment where any person, group of persons, partnership or corporation is engaged in the commercial business of breeding, buying, selling or boarding dogs, cats or domesticated animals.

2.102 LANDSCAPED OPEN SPACE means open space comprised of lawn and/or ornamental shrubs, flowers and trees and may include space occupied by paths, walks, courts and patios, but shall not include parking areas, traffic aisles, driveways, ramps or storage of equipment, vehicles or other materials.

2.103 LANE means a public thoroughfare which affords only a secondary means of access to abutting

lots and which is not intended for general traffic circulation.

- 2.104 LIVESTOCK means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer, elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation formulae.
- 2.105 LIVESTOCK FACILITY means one or more permanent barns or permanent structures with livestock occupied portions, intended for keeping or housing livestock. A livestock facility also includes all manure or manure storages and anaerobic digesters.
- 2.105.1 EMPTY LIVESTOCK FACILITY means a livestock facility that does not currently contain any manure, house any livestock, or contain organic material used for anaerobic digestion.
- 2.105.2 EXPANDED LIVESTOCK FACILITY means any building activity to construct or expand a livestock facility that requires a building permit and results in an increase, or decrease, in Nutrient Unit capacity on a lot, where there already was some existing Nutrient Unit capacity.
- 2.105.3 FIRST LIVESTOCK FACILITY means any building activity to construct a livestock facility that requires a building permit and results in an increase in Nutrient Unit capacity on a lot, where there already was no existing Nutrient Unit capacity.
- 2.105.4 LIVESTOCK OCCUPIED PORTION means those parts of livestock facilities where livestock spend the majority of their time, allowing substantial amounts of manure to accumulate, but does not include feed preparation rooms, milking centres, offices, washrooms, riding arenas, livestock loading chutes, or livestock assembly areas.
- 2.106 LOGGING HAULER means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment belonging to the logging contractor, but shall not include the cutting or re-cutting of logs or the storage of logs, with the exception of logs on a trailer.
- 2.107 LOT means a parcel or tract of land:
- i) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act, R.S.O. 1990, c.P. 13 as amended.
 - ii) which is a separate parcel of land the owner of which does not retain the fee or equity of redemption in, or a power or right to grant, assign, or exercise a power of appointment with respect to any abutting land, or
 - iii) the description of which is the same as in a deed which has been given consent pursuant

to The Planning Act, R.S.O. 1990, c.P. 13 as amended.

For the purposes of applying the minimum distance separation formulae, lot means a parcel or tract of land, within a registered plan of subdivision or described in a deed or other legal document, that is capable of being legally conveyed.

- 2.108 LOT AREA means the total horizontal area within the lot lines of a lot. In the case of a corner lot having street lines rounding at the corner with a radius of six (6) metres, or less, the lot area of such land shall be calculated as if the lot lines were produced to their point of intersection.
- 2.109 LOT, CORNER means a lot situated at the intersection of two streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that, in the latter case, the corner of the lot shall be deemed to be that point on the street lines nearest to the point of intersection of the said tangents.
- 2.110 LOT COVERAGE means the percentage of the lot area covered by buildings, including accessory buildings.
- 2.111 LOT FRONTAGE means the horizontal distance between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured along a line seven and one-half (7.5) metres back from and parallel to the street line. Notwithstanding Section 2.114 (i), in the case of a corner lot, where the shorter line does not meet the minimum lot frontage requirement of the applicable Zone, for the purpose only of addressing the minimum lot frontage requirement of the applicable zone, the lot frontage shall be measured along the longer lot line.
- 2.112 LOT, INTERIOR means a lot situated between adjacent lots and having access to one street.
- 2.113 LOT LINE means any boundary of a lot or a vertical projection thereof.
- 2.114 LOT LINE, FRONT means the street line with the following clarifications:
- i) in the case of a corner lot, the shorter street line shall be deemed the front lot line and the longer street line shall be deemed the side lot line;
 - ii) in the case of a corner lot with two street lines of equal lengths, the lot line that abuts the wider street or abuts a Provincial Highway shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction, or of the same width, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line;
 - iii) in the case of a corner lot abutting a 0.3 metre reserve the lot line so abutting the 0.3 metre reserve shall be deemed an exterior side lot line and the street line shall be deemed the front lot line;

- iv) in the case of a corner lot where the ownership of a site triangle has been retained by the applicable Road Authority, the lot line that forms the base of the triangle shall not be considered as a front lot line for the purposes of determining which is the front lot line;
 - v) in the case of a through lot, the longer street line shall be deemed to be the front lot line and the opposite shorter street line shall be deemed to be the rear lot line;
 - vi) in all other cases, the lot line where the principal access to the lot is approved shall be deemed to be the front lot line.
- 2.115 LOT LINE, REAR means the lot line opposite the front lot line.
- 2.116 LOT LINE, SIDE means a lot line other than a front or rear lot line.
- 2.117 LOT, THROUGH means a lot bounded on two opposite sides by a street line. If any lot qualifies as being both a “Lot, Corner” and a “Lot, Through” as defined elsewhere in this By-law, such lot shall be deemed a “Lot, Corner” for the purpose of this By-law.
- 2.118 LOT WIDTH means the shortest horizontal distance between the side lot lines measured through the mid-point of the line representing the rear of the required front yard.
- 2.119 MAIN BUILDING means a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.
- 2.120 MANUFACTURING PLANT means a building or structure in which a product is fabricated and from which such product is shipped to a wholesale or retail outlet.
- 2.121 MANUFACTURING PLANT, LIGHT means a building or structure in which component parts are manufactured, assembled or processed to produce finished products suitable for retail trade, but which does not include any industry involving stamping, presses, furnaces or other machinery that emits dirt, dust or noxious fumes into the air or that results in noise or vibration beyond property boundary, in excess of Ministry of the Environment guidelines.
- 2.122 MANURE OR MATERIAL STORAGE means permanent storages, which may or may not be associated with a livestock facility containing liquid manure (<18% dry matter), or digestate. Permanent storages may come in a variety of:
- locations (under, within, nearby, or remote from barn);
 - materials (concrete, earthen, steel, wood);
 - coverings (open top, roof, tarp, or other materials);
 - elevations (above, below or partially above grade).
- 2.123 MARINA means a building, structure or place, containing docking facilities and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.124 MINI STORAGE ESTABLISHMENT means one or more than one building containing separate

spaces of varying sizes that are offered by lease or rent to persons for the storage of chattels.

- 2.125 MINE means any opening or excavation in, or working of the ground for the purpose of opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator mill, work or place used for in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treatment or research on any of such substance.
- 2.126 MINING means any mode or method of working whereby the earth or any rock, stratum, stone or mineral-bearing substance may be disturbed, removed, washed, sifted, leached, roasted, smelted, refined, crushed or dealt with for the purpose of obtaining any mineral therefrom, whether it has been previously disturbed or not.
- 2.127 MOBILE HOME means any dwelling that is designed to be made mobile and constructed or manufactured to be used in like manner as a single detached dwelling for the permanent accommodation of one or more persons, notwithstanding that the running gear is or may be removed, or that such dwelling is or may be fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated that it is, or has become, an immobile and permanent structure, and includes any mobile home as defined in Section 46(1)(a) of the Planning Act, R.S.O. 1990, c.P. 13 as amended from time to time, or any successors thereto.
- 2.128 MOBILE HOME PARK means a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for Mobile Home Park residents, including any building, structure or enclosure forming a part of such a mobile home park.
- 2.129 MOBILE HOME SITE means a parcel of land within a mobile home park occupied by or intended for occupancy by one mobile home together with all yards and open space required by this By-law.
- 2.130 MOTEL means a tourist establishment that consists of:
- i) one or more than one building containing four or more attached accommodation units accessible from the exterior only;
 - ii) may or may not have facilities for serving meals; and
 - iii) is designed to accommodate the public for whom the automobile is the principal means of transportation.
- 2.131 MOTOR HOTEL means a tourist establishment that consists of one 1) one or more than one

- building containing four or more accommodation units grouped under one roof and accessible from the interior or partially from the exterior, 2) may or may not have facilities for serving meals, and 3) is designed to accommodate the public for whom the automobile is the principle means of transportation.
- 2.132 **MULTIPLE RESIDENTIAL** for the purposes of applying the Minimum Distance Separation Formulae, means three or more residential units in the same structure.
- 2.133 **MUTUAL DRIVEWAY** means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.
- 2.134 **NATURAL HERITAGE FEATURE** means features and areas such as significant wetlands, fish habitat, significant portions of the habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.
- 2.135 **NAVIGABLE WATERWAY** means a navigable body of water or stream as deemed under the Navigable Waters Protection Act.
- 2.136 **NON-CONFORMING** means that which does not conform, comply or agree with the regulations of this Bylaw as of the date of final passing thereof.
- 2.137 **NURSING HOME** shall mean a nursing home as defined under the Nursing Home Act, as amended from time to time.
- 2.138 **NUTRIENT UNIT (NU)** means an amount of nutrients that give a fertilizer replacement value of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the Nutrient Management Act, 2002).
- 2.139 **OBNOXIOUS USE** shall mean an offensive trade within the meaning of the Health Protection and Promotion Act, as amended, and the Environmental Protection Act or any use which is offensive or dangerous by reason of the emission of odour, smoke, dust, noise, gas, fumes, vibration or refuse matter.
- 2.140 **OFFICE - BUSINESS** shall mean an office where one or more persons are employed in the management, direction or conducting of any agency, business, brokerage, labour or fraternal organization and shall include a radio and television broadcasting studio or theatre.
- 2.141 **OFFICE - PROFESSIONAL** shall mean any office where professionally qualified persons, technical assistants and clerical staff are employed and where clients or patients seek advice, consultation, or treatment. Notwithstanding the foregoing, said office shall not be a hospital or any other use defined herein.
- 2.142 **OPEN STORAGE** means the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to air in the side.

- 2.143 **OUTDOOR FURNACE** means a solid fuel burning appliance located to the exterior of the building it serves and used for the space heating of buildings and/or domestic water heating and does not include the incineration of waste as defined in Section 25 of the Environmental Protection Act.
- 2.144 **PARK** means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or recreational vehicle park.
- 2.144.1 **PUBLIC PARK** means a park owned or controlled by the Corporation or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada.
- 2.144.2 **PRIVATE PARK** means a park other than a public park.
- 2.145 **PARKING AREA** means an area provided for the parking of motor vehicles and encompassing at least the required number of parking spaces and all driveways, aisles, manoeuvring areas, entrances, exits and similar areas for access to parking spaces, but shall not include any part of a street or private road.
- 2.146 **PARKING SPACE** shall mean an area of not less than fifteen (15) square metres measuring (2.7) metres by (5.5) metres exclusive of driveways or aisles for the temporary parking or storage of motor vehicles.
- 2.147.1 **PARKING SPACE, BARRIER FREE** shall mean an area of not less than fifteen (15) square metres measuring (3.5) metres by (5.5) metres exclusive of driveways or aisles, provided for the temporary parking or storage of motor vehicles for exclusive use of persons with disabilities.
- 2.148 **PERMITTED** means permitted by this By-law.
- 2.149 **PERSON** includes an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.150 **PLACE OF ENTERTAINMENT** means an athletic, recreational or social club operated for gain or profit as well as a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, ice or roller skating rink, curling rink, or dance hall, but does not include an adult entertainment establishment or body rub parlour or any place of entertainment or recreation otherwise defined or classified in this By-law.
- 2.151 **PLACE OF WORSHIP** mean a building or part of a building or open area of land, dedicated to religious worship and may include a church hall, a church auditorium, a Sunday school, a parish hall, and/or a day nursery.
- 2.152 **POST OFFICE** means a building or part of a building where postal services are provided by Canada Post or through an agreement with Canada Post.

- 2.153 PRIVATE ROAD a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.
- 2.154 PRIVATE CLUB means a building or part of a building used as a meeting place for members of a chartered organization, and shall include a lodge, a fraternity or sorority house, hostel, and a labour union hall but shall not include an adult entertainment establishment or body rub parlour.
- 2.155 PRIVATE ROAD means a registered right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access route to one or more abutting, legally conveyable parcels of land.
- 2.156 PUBLIC AUTHORITY means the Council of the Township of Laurentian Valley and any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Planning Committee or other Board or Commission or Committee of the Township of Laurentian Valley, established or exercising any power or authority under any general or special statutes of the Province of Ontario with respect to any of the affairs or purposes of the Municipality or a portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.157 PUBLIC BUILDING means any building or structure owned or leased by a municipal corporation, the County of Renfrew, Province of Ontario or the Government of Canada and in which government activities are carried out.
- 2.158 PUBLIC UTILITY means any one of the following: a waterworks; a water supply system; sewage works; electrical power or energy generating transmission or distribution system; street lighting system; natural or artificial gas works or supply system, including TransCanada Pipelines; or a telephone system; and includes any lands, buildings or equipment required by a Public Authority for the administration or operation of any such system.
- 2.159 QUARRY means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.
- 2.160 RECREATION, ACTIVE means the use of land, water and/or building for the purpose of organized active leisure activities and shall include an arena, a sports field, and motorized vehicle trails.
- 2.161 RECREATION, PASSIVE means the use of land and/or water for the purpose of passive leisure activity and shall include a park, a garden, a picnic area and the like, equestrian and hiking trails, as well as a playlot with activity equipment for children.
- 2.162 RECREATIONAL VEHICLE means a structure or vehicle designed, intended and used as accommodation exclusively for travel, recreation and vacation and which is either capable of

being drawn by a passenger vehicle or is self-propelled and shall include travel trailers, tent trailers, vans, motor homes, and similar transportable accommodation excepting a mobile home.

- 2.163 RECREATIONAL VEHICLE CAMPGROUND OR PARK means a parcel of land under single ownership which is designed, developed and maintained or intended to provide accommodation on a temporary or seasonal basis, for recreational vehicles and/or tents plus accompanying towing or carrying vehicles. It may also include accessory uses such as an administration office, clubhouse, snack bar, laundry, convenience and souvenir shop, swimming pool, washrooms, showers, managers dwelling and recreational facilities.
- 2.164 RELIGIOUS EDUCATION FACILITY shall mean an establishment used by religious groups for study, relaxation, meditation and similar activities, including dining and lodging facilities, accommodation for staff and compatible accessory uses.
- 2.165 REQUIRED means required by this By-law.
- 2.166 RESIDENTIAL UNIT means dwelling unit.
- 2.167 RESORT means a tourist establishment catering to the vacationing public, designed as a destination-oriented operation and/or being within an area recognized as a destination for vacations, and providing meals and sleeping accommodations that may consist of lodge houses, guest rooms or cottages, but shall not include any establishment otherwise defined herein.
- 2.168 RESTAURANT see EATING ESTABLISHMENT
- 2.169 RETAIL STORE means a building or part of a building in which goods, wares, merchandise, substance, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein.
- 2.170 RIDING STABLES means an establishment where horses are kept and where, for a fee, horses are hired out to the general public for riding.
- 2.171 ROAD, PUBLIC see STREET
- 2.171.1 PRIVATE SERVICE ROAD means a road to service a lot or lots which would front on an open public road allowance but where direct access is not possible due to traffic safety concerns or physical obstructions and where such private and where such entrance is approved by the applicable Road Authority and the right-of way is legally obtained and secured.
- 2.172 ROAD ALLOWANCE (STREET ALLOWANCE) means land held under public ownership for the purpose of providing a street.
- 2.173 ROOM, HABITABLE means a room which:
- i) is located within a dwelling unit;

- ii) is designed for living, sleeping or eating or for sanitary purposes;
- iii) can be used at all times throughout the year; and
- iv) is not located within a cellar.

A habitable room does not include any room specifically defined herein as a non-habitable room.

- 2.174 ROOM, NON-HABITABLE means any room located within a dwelling unit that is not a habitable room, including, but no so as to limit the generality of the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a verandah, a recreation room, a porch, a balcony, a private garage, an unfinished attic, a cellar, a boiler room and any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 2.175 SALVAGE YARD includes a lot and/or premises for the storage and/or handling and/or sale of scrap or used materials, which without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, bicycles, vehicles, tires, metal and/or other scrap material and salvage includes a junk yard, scrap metal yard and an automotive wrecking establishment (as defined in this By-law), including ancillary automotive sales and service establishment and premises.
- 2.176 SAWMILL means a building, structure or area where timber is cut or stored, either to finished lumber or as an intermediary step.
- 2.177 SCHOOL means a school under the jurisdiction of a Public, Separate or High School Board, a college or a university or any other school established and maintained either wholly or partially at public or private expense whether or not the same is also a boarding school, and includes any dormitory building accessory to a school.
- 2.178 SENIOR CITIZEN'S HOME OR RETIREMENT HOME means any home for senior citizens sponsored and administered by any public agency or any service club, church or other profit or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription donation or residents payments, or by any combination thereof, and such homes may include ancillary uses such as club, kitchen, dining and /or lounge facilities, health, personal or recreational services, usually associated with Senior Citizens development. Such home may contain rooming units or a combination of rooming units and dwelling units primarily for senior citizens.
- 2.179 SEPARATION DISTANCE means the horizontal distance between buildings or structures or physical features measured from the closest point on the exterior wall of such buildings or structures or such physical features.
- 2.180 SEPTAGE means untreated sanitary waste from a septic tank, and corresponds to Hauled Sewage as defined under the Environmental Protection Act.
- 2.181 SEPTAGE DISPOSAL SITE means a site approved by the Ministry of the Environment where untreated sanitary waste from a septic tank is stored or disposed.

- 2.182 SEWAGE SLUDGE means waste from a sewage treatment plant that is predominantly organic in composition and that has been treated by aerobic or an aerobic digestion or other means.
- 2.183 SEWAGE SLUDGE SITE means a site where the aqueous suspension of residual solids generated from the treatment of municipal or industrial wastewater is stored or disposed of.
- 2.184 SERVICE SHOP, GENERAL means a building or part of a building used for the servicing or repairing of articles, goods or materials, and in which no product is manufactured and includes radio, television and appliance repair shops, a laundromat, but does not include any automotive uses as defined by this By-law.
- 2.185 SERVICE SHOP, PERSONAL means a building or part thereof in which services are provided and administered to the individual and personal needs of persons, and without limiting the generality of the foregoing, includes barber shops, hairdressing establishments and workrooms for shoe repair and shoe shining shops, tailor shops, bakery shops and photographic studios but shall not include an adult entertainment establishment or body rub parlour.
- 2.186 SHOPPING CENTRE shall mean a group of commercial and service establishments related in size and type, primarily to the specific commodity needs of the community and designed, developed and managed as a unit whether by a single owner, a group of owners or tenants acting in collaboration and shall include as a primary establishment a department store. Generally, but not prerequisite, the public access to individual functions within a Shopping Centre will be from an enclosed common mall area.
- 2.187 SHOPPING PLAZA shall mean a group of commercial and service establishments or uses, related in size and type, primarily to the day to day needs of a residential area and designed, developed and managed as a unit, whether by a single owner, a group of owners or tenants in collaboration. Access to individual functions generally may be from an open mall area.
- 2.188 STREET means a public highway or public road under the jurisdiction of either the Corporation, the County of Renfrew or the Province of Ontario, and includes any highway as defined in the Municipal Act (R.S.O. 1980), Chapter 302, as amended but does not include a lane, a driveway, a private road.
- 2.189 STREET ALLOWANCE (Road Allowance) means land held under public ownership for the purpose of providing a street.
- 2.190 STREET, IMPROVED means a road allowance which has been improved and maintained in such a manner so as to permit its use by normal vehicular traffic on a year-round basis.
- 2.191 STREET LINE a lot line dividing a lot from the limit of the street allowance or private road.
- 2.192 STREET, MINIMUM MAINTENANCE means a public road that is under the jurisdiction of the Township and that is maintained to a standard acceptable for normal summer use only. STREET, SEASONAL shall have a corresponding meaning.

- 2.193 STRUCTURE means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 2.194 TARPAULIN OR PLASTIC GARAGE means a supporting metal or wood framework with a fabric cover made of canvas, nylon, or similar material which can be dismantled and moved.
- 2.195 TAVERN OR PUBLIC HOUSE means a tavern or public house as defined in the Liquor Licence Act, but shall not include an adult entertainment establishment, a body rub parlour, a hotel or eating establishment.
- 2.196 TAXISTAND means the permanent location of the taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 2.197 TOURIST ESTABLISHMENT means a commercial building, structure or area of land designed for the accommodation of the travelling or vacationing public.
- 2.198 TOWNSHIP means the Corporation of the Township of Laurentian Valley, or land included within the Township of Laurentian Valley as appropriate.
- 2.199 TRAILER means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, except a mobile home or farm implement.
- 2.200 TRAILER, TENT OR TRAVEL means any trailer capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.
- 2.201 TRAILER PARK see Recreational Vehicle campground.
- 2.202 TRANSFER STATION means a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.
- 2.203 TRUCK TERMINAL means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stand or park for remuneration, or from which trucks or transports, stored or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 2.204 USE when used as a noun shall mean the purpose for which a lot, building or structure or any combination thereof is designed, arranged, occupied, intended, held or maintained. 'Use' when used as a verb shall mean to put to such purpose.
- 2.205 VEHICLE means a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.

- 2.206 WAREHOUSE shall mean a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional, or professional users; to the wholesalers.
- 2.207 WASTE DISPOSAL SITE means any land, building or structure approved by the Ministry of the Environment or its agents, upon, into or in which waste may be deposited, processed or transferred. A waste disposal site may be further classified according to the type of waste and/or the treatment of the waste, for example see Waste Disposal Site - Landfill, and Waste Disposal Site - Transfer
- 2.208 WASTE DISPOSAL SITE - COMPOSTING means a Waste Disposal Site approved for the treatment of waste by aerobic decomposition of organic matter by bacterial action for the production of stabilized humus.
- 2.209 WASTE DISPOSAL SITE - LANDFILL means a Waste Disposal Site approved for the disposal of waste by deposit under controlled conditions, and includes the compaction of the waste into a cell and covering the waste with cover materials at regular intervals, but shall not include landfilling of hazardous waste.
- 2.210 WASTE DISPOSAL SITE - PROCESSING means a Waste Disposal Site approved for the purpose of handling, dismantling, refurbishing or temporarily storing scrap or used materials for the purpose of resale or further disposal. Scrap or used materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.
- 2.211 WASTE DISPOSAL SITE - TRANSFER means a Waste Disposal Site approved for the purpose of temporarily storing waste, not including hazardous waste, scrap or used materials for the purpose of resale or further disposal. Scrap or used materials shall include waste paper, rags, wood, bottles, metal, bicycles, vehicles and tires.
- 2.212 WATERBODY means lakes, rivers, creeks and streams.
- 2.212.1 WATERBODY, COLDWATER means lakes, rivers, creeks and streams that have been identified as coldwater by the Ontario Ministry of Natural Resources and/or the Ontario Ministry of the Environment
- 2.213 WATER SETBACK means the straight line horizontal distance from the high water mark of a waterbody to the nearest part of any excavation, building, structure or open storage use on the lot.
- 2.214 WATER SYSTEM, COMMUNAL means a private water distribution supply system in which water is piped to more than one dwelling or business operation.
- 2.215 WAYSIDE PIT, QUARRY means a temporary gravel pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

- 2.216 WETLAND means land that is 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 off abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.
- 2.216.1 PROVINCIALY SIGNIFICANT WETLAND means a wetland area that has been identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the Province.
- 2.217 WIND TURBINE means a rotary engine atop a tower that is used to collect kinetic energy from wind to convert it to electricity. A wind generator may be operated in isolation or as part of a group of wind turbines connected to a common electricity grid.
- 2.218 WRECKING ESTABLISHMENT means a building and/or lot used for the wrecking or dismantling of vehicles as defined herein, and for the storage and sale of scrap material, salvage and parts obtained therefrom, but shall not include any other automotive use defined herein.
- 2.219 YARD, means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.
- 2.219.1 FRONT YARD means a yard extending across the full width of a lot between the front lot line and the nearest point of any main building or excavation on the lot;
- 2.219.2 FRONT YARD DEPTH means the least horizontal dimension between the front lot line of the lot or the chord of the front line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.219.3 REAR YARD means a yard extending across the full width of a lot between the rear lot line and the nearest wall of the main building or structure on the lot;
- 2.219.4 REAR YARD DEPTH means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot.
- 2.219.5 SIDE YARD means a yard between the side wall of the main building or structure on the lot and the side lot line and extending from the front yard (or front lot line if no front yard is required) to the rear yard (or rear lot line if no rear yard is required).
- 2.219.6 EXTERIOR SIDE YARD means a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street line.
- 2.219.7 INTERIOR SIDE YARD means a side yard other than an exterior side yard.

- 2.219.8 **REQUIRED YARD** means a yard with the minimum front yard depth, rear yard depth or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard.
- 2.220 **ZONE** means an area delineated on a Zoning Map Schedule and established by this By-law for a specific use or group of uses.
- 2.221 **ZONING ADMINISTRATOR** means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

ILLUSTRATION OF YARD DEFINITIONS

SECTION 3.0 - GENERAL PROVISIONS

3.1 APPLICATION

The requirements contained in the General Provisions shall apply to all zones, except as otherwise indicated.

3.2 ACCESS see Section 3.16 Lots to Front on a Street

3.3 ACCESSORY USES, BUILDINGS AND STRUCTURES

Accessory uses, buildings and structures shall be permitted in any zone provided that:

- (a) No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.
- (b) The accessory building or structure shall not be located within any minimum front yard or within any exterior side yard except in accordance with specific exterior side yard requirements established by this By-law. Notwithstanding the aforesaid, on waterfront lots and lands zoned Rural (RU) or Agriculture (A), accessory buildings and structures may be located in the front yard, but shall not be located closer to the front lot line than the minimum front yard depth of the applicable zone.
- (c) No accessory building or structure or use shall be located closer than one (1.0) metre to any lot line except:
 - (i) that common semi-detached garages may be centred on the mutual side lot line;
 - (ii) that boat houses and boat docks may be built to the lot line where such line corresponds to the high water mark; and
 - (iii) that prescribed uses and structures may be permitted in accordance with the provisions of the By-law for Encroachments on minimum yards.
- (d) Accessory buildings and structures shall not exceed five (5.0) metres in height in any Residential or Commercial Zone or 7.5 metres in any Industrial Zone.
- (e) The coverage of the lot by accessory buildings and structures shall not exceed ten (10.0) percent of the total lot area, but a private garage, carport or swimming pool shall be excluded from this calculation.
- (f) No accessory building or structure be built within two (2.0) metres of the main building, unless the accessory building is constructed of incombustible materials.
- (g) Buildings and structures shall not be considered accessory if attached to the main building in any way.

- (h) Accessory buildings and structures shall not be constructed on lands subject to flooding, with the exception of docks, boat houses, and those buildings and structures otherwise specifically permitted on such lands by this By-law.
- (i) Notwithstanding the preceding paragraphs, where an accessory structure is a satellite dish or similar device designed to receive communication signals from a satellite dish the following provisions shall apply:
 - i) in any Residential Zone such structure shall be located on the roof of the main building on the lot or in the rear yard only.
 - ii) in any other Zone, no height restrictions shall apply to such structures.

3.4 **ATTACHED GARAGE SIDE YARD**

In any Residential Zone where a private garage is attached to a single detached dwelling, the following minimum yard requirements shall apply:

- (a) On the side where the garage is located, the minimum side yard shall be one (1.0) metre.
- (b) On the other side, the minimum side yard shall be the lesser distance required elsewhere in this By-law.

3.5 **AUTOMOBILE SERVICE STATIONS AND COMMERCIAL GARAGES**

Where automobile service stations and commercial garages are permitted in this By-law, the following provisions shall apply in addition to zone provisions:

- (a) No portion of any pump island on a service station lot shall be located closer than six (6) metres from the street line of any street.
- (b) The minimum distance from the intersection of two street lines or from straight line projections of such, to the nearest ingress or egress ramp shall be not less than ten (10.0) metres (ie. entrance or exit point).
- (c) The maximum width of a ramp at the street line shall be not more than ten (10.0) metres and the minimum width not less than seven and one-half (7.5) metres.
- (d) The minimum distance between ramps shall be not less than nine (9.0) metres.
- (e) The minimum interior angle of a ramp to a street line shall be forty-five (45.0) degrees and the maximum interior angle of a ramp to the street line shall be ninety (90.0) degrees.
- (f) The minimum distance between any side lot line of the property at the street line and the nearest ramp shall be three (3.0) metres.

- (g) The area included between ramps, or between ramps and a street line or a property line, as required by this by-law, shall be used for landscaped open space only, to a minimum width of one (1.0) metre.

3.6 **BUILDINGS TO BE MOVED**

No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all of the requirements of the zone in which it is to be located.

3.7 **CROWN LANDS AND COUNTY FORESTS**

Notwithstanding any other provision of this by-law to the contrary, including the Schedules, Crown Lands and County Forests are not subject to the provisions of this by-law.

3.8 **DWELLINGS PER LOT**

No more than one (1) building used as a dwelling, containing one or more dwelling units shall be erected on any lot, unless specifically stated otherwise in this By-law.

Where an accessory dwelling unit is a permitted use, no more than one accessory dwelling unit shall be permitted on any lot.

3.9 **ENCROACHMENTS ON REQUIRED MINIMUM YARDS**

Every part of any minimum required yard shall be open and unobstructed from the ground to the sky by any structure other than an accessory building permitted elsewhere in this By-law provided, however, that those structures and items listed in the following table shall be permitted to project into the minimum required yards indicated, for the distances specified:

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
Sills, belt courses, eaves, gutters chimneys, bay windows, solar collectors, heat pumps, ventilators, shutters, cornices, parapets, pilasters or other ornamental structures.	All	0.50 metres
Fire escapes, exterior staircases	Side and Rear only	1.5 metres
Balconies, steps, open roofed porches, sundecks, attached solariums	Front and Rear only	2 metres
Uncovered paved patios	All	2.5 metres front yard; other yards unlimited

<u>Structure</u>	<u>Yards in Which Encroachment is Permitted</u>	<u>Maximum Projection Permitted into Minimum Required Yard</u>
Railway Spur	All	Unlimited
Gate House in any Industrial Zone	Front and Side only	Unlimited
Fences, Hedges, Shrubs, Trees, Freestanding Walls, Flagpoles, Light Standards, Garden Trellises, Clothes Poles and similar structures and appurtenances	All	Unlimited

3.10 **EXCEPTIONS TO HEIGHT LIMITATIONS**

The height limitations of this By-law shall not apply to chimneys, church spires, public buildings, water tanks, elevator enclosures, flag poles, television or radio antennae, electrical transmission facilities, ventilators, wind generators, solar panels and skylights.

3.11 **FLOOD PLAINS**

Ottawa River

(a) For the lands affected by the flood plain of the Ottawa River and located on Lower Allumette Lake, between the Pembroke Township/Westmeath Township boundary and Lot 6, Concession IV, in the geographic Township of Pembroke, (excluding lands fronting on Hazley Bay), the following provision shall apply:

(i) No building permits shall be issued for new development, including additions or enlargements, within the flood fringe of the Ottawa River unless floodproofed to the flood plain design elevation of 112.5 metres GSC datum. An elevation survey prepared by an Ontario Land Surveyor should accompany all applications for building permit.

(ii) No development, with the exception of boat docking or launching facilities or flood or erosion control structures, shall be located on lands below the floodway elevation of 111.5 metres GSC datum. The placing or removal of fill originating on the site or elsewhere, shall not be permitted in the floodway except where such fill is intended for flood or erosion control or works which are normally associated with watercourse protection works or bank stabilization projects as approved by the Ministry of Natural Resources.

(b) For the lands affected by the flood plain of the Ottawa River and located either between Lot 6, Concession IV, in the geographic Township of Pembroke and the Pembroke Township/Alice Township boundary, or fronting on Hazley Bay, the following provisions

shall apply:

- (i) No building permits shall be issued for new development, including additions or enlargements, within the flood fringe of the Ottawa River unless floodproofed to the flood plain design elevation of 113.9 metres GSC datum. An elevation survey prepared by an Ontario Land Surveyor should accompany all applications for building permit.
 - (ii) No development, with the exception of boat docking or launching facilities or flood or erosion control structures, shall be located on lands below the floodway elevation of 112.9 metres GSC datum. The placing or removal of fill originating on the site or elsewhere, shall not be permitted in the floodway except where such fill is intended for flood or erosion control or works which are normally associated with watercourse protection works or bank stabilization projects as approved by the Ministry of Natural Resources.
- (c) For the lands affected by the flood plain of the Ottawa River and located at the eastern end of Allumette Lake including the western shoreline of Cotnam Island and Morrison Island the following provisions shall apply:
- (i) No building permits shall be issued for new development, including additions or enlargements, within the flood fringe of the Ottawa River unless floodproofed to the flood plain design elevation of 114.2 metres GSC datum. An elevation survey prepared by an Ontario Land Surveyor should accompany all applications for building permit.
 - (ii) No development, with the exception of boat docking or launching facilities or flood or erosion control structures, shall be located on lands below the floodway elevation of 113.2 metres GSC datum. The placing or removal of fill originating on the site or elsewhere, shall not be permitted in the floodway except where such fill is intended for flood or erosion control or works which are normally associated with watercourse protection works or bank stabilization projects as approved by the Ministry of Natural Resources.
- (d) For the lands affected by the flood plain of the Ottawa River in the connecting channel between Allumette Lake and Lower Allumette Lake, specific elevations which are dependent on the location of a development, must be used for proposals.

3.12 **GRAVEL PITS, QUARRIES AND WAYSIDE PITS AND QUARRIES**

A gravel pit or quarry, with the exception of a wayside pit or quarry shall be prohibited in all zones, except in an Extractive Industrial (EM) Zone. A wayside pit shall be permitted in all zones except in any Residential Zone, an Environmental Protection Zone or the Natural Heritage Feature (NHF) zone.

3.13 **GROUP HOMES**

- (a) Group Homes are considered to be residential uses. A Provincially licensed and approved group home may be permitted in any permitted single detached dwelling provided that:
 - (i) There is no group home or similar facility within 8.0 kilometres of the proposed facility, whether in the Municipality or in an adjacent municipality; and
 - (ii) There is a minimum rear yard area of 18 square metres per resident.

3.14 **HOME INDUSTRY**

A home industry shall only be permitted in a Rural (RU) and Agriculture (A) Zone provided the following provisions are complied with:

- (a) Not more than ten percent (10%) or ten square metres of the dwelling unit area, whichever is the lesser, shall be used for the purpose of a home industry.
- (b) Accessory buildings may be erected, altered or used for the purpose of a home industry provided that not more than fifty (50) square metres of the gross floor area of all accessory buildings shall be used for the purpose of home industry.
- (c) A home industry must be clearly secondary to the main residential or agricultural use on the property and operated primarily by the inhabitants therein.

3.15 **HOME OCCUPATIONS**

A home occupation shall be permitted in any permitted residential dwelling unit provided such home occupation conforms to the following provisions:

- (a) The use shall be conducted entirely within the dwelling unit and carried on by occupants of the dwelling unit. One employee will be permitted to be employed in addition to occupant(s) of the dwelling.
- (b) There shall be no external display or advertising other than a non-illuminated sign not more than three-tenths (.3) of a square metre in area, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.
- (c) Not more than twenty-five percent (25%) of the dwelling unit area shall be used for the purpose of home occupation uses.
- (d) Such home occupation shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling unit or premises or any visible evidence of the conduct of a home occupation.
- (e) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.

- (f) The use shall not require more than 2 off-street parking spaces for clients or customers of the home occupation in addition to the parking requirements for residential use on the property.
- (g) The home occupation shall not create or become a public nuisance, in particular, in regard to noise, traffic or parking.
- (h) There shall be no manufacturing, fabricating or assembly process taking place on the premises.
- (i) No equipment or process shall be used in a home occupation which creates excessive noise, vibration, glare, fumes, or odour detrimental to the health, safety, and general welfare of persons residing in the neighbourhood.

3.16 **LOTS TO FRONT ON STREETS**

- a) No person shall erect or use any building or structure on a lot in any zone unless the lot fronts on and has direct access to an improved street. No building permits will be issued on unassumed streets.

- b) **Limited Service Residential**

Notwithstanding the provisions of paragraph (a) of this subsection, a limited service dwelling may be erected or used on a lot in a Limited Service Residential (LSR) Zone provided such lot existed on the date of passing of this By-law and provided such lot fronts along a Private Road.

- (c) **Hunting and Fishing Camps**

Notwithstanding the provisions of paragraph (a) of this subsection a where a hunting and fishing camp is permitted, it may be erected or used on a lot abutting an unopened road allowance or a private road.

- (d) **Resource Land Uses**

Notwithstanding the provisions of paragraph (a) of this subsection, a building or structure accessory to a permitted forestry, farm, or mineral exploration use may be erected or used on a lot which fronts along a Private Road or a Seasonal Street.

3.17 **MOBILE HOMES**

Mobile homes on individual lots shall be prohibited within the Municipality. Notwithstanding, a mobile home which is occupied as a garden suite may be permitted on a lot which is zoned to permit the use.

3.16 **NON-CONFORMING USES**

(a) **Accessory Buildings**

Nothing in this By-law shall prevent the erection of a building or structure accessory to an existing legal non-conforming use provided that such accessory building or structure complies with all other relevant provisions of this By-law.

(b) **Continuation 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 passing of the By-law, so long as it continues to be used for that purpose.

(c) **Repair of Existing Buildings and Structures**

If a non-conforming building or structure should be damaged by fire, flood, wind or earthquake, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size and volume are not increased and provided that reconstruction or restoration is commenced within twelve months and completed within twenty-four months of the date on which the damage took place.

(d) **Enlargements to Existing Undersized Lots**

An undersized lot that was held in separate ownership from adjoining parcels on the date of passage of this By-law or that was created by expropriation subsequent to the passage of this By-law shall retain its legal non-conforming status if an addition or enlargement to the lot does not result in a lot that meets the minimum frontage and/or area required by this By-law. Nothing in this By-law shall prevent such a lot from being used for a purpose permitted in the zone in which the lot is located provided that:

(i) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Ministry of the Environment and/or its agents; and

(ii) all other applicable provisions of this by-law are complied with.

(e) **Existing Buildings with Inadequate Lot or Yard Size**

Where a building has been erected prior to the date of passing of this By-law on a lot having less than the minimum frontage and/or areas, or having less than the minimum setback and/or side yard and/or rear yard required in this By-law, said building may be enlarged, reconstructed, repaired or renovated provided that:

i) the reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard having less than the minimum required by this By-law; and

ii) the enlargement shall comply with the required minimum front yard and/or side yard and/or rear yard as required by this By-law; and

iii) all other applicable provisions of this By-law are complied with.

(f) 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 provisions of this By-law.

(g) Undersized Vacant Lots

Where a vacant lot with less than the minimum frontage or lot area required by this By-law was held in separate ownership from adjoining parcels on the date of passage of this By-law, or where a vacant lot was created by expropriation subsequent to the date of passage, such undersized, vacant lot may be used for a purpose permitted in the zone in which the said lot is located provided that:

(i) all other applicable provisions of this by-law are complied with; and

(ii) written approvals for the water supply and sewage disposal systems are obtained from the applicable Approval Authority.

(h) 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 building permit has not been revoked under the Building Code Act.

3.17 **NOXIOUS USES**

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Health Protection and Promotion Act and Regulations thereunder, and The Environmental Protection Act and Regulations thereunder. Noxious uses do not include normal farm operations using commercial fertilizers and manure, the spraying of crops with herbicides, insecticides, and pesticides, or the use of heavy machinery for farm purposes.

3.18 **OCCUPANCY OF INCOMPLETE BUILDINGS**

No dwelling shall be occupied before the kitchen, heating and sanitary conveniences have been installed and rendered usable.

3.19 **OCCUPANCY OF VEHICLES**

No truck, bus, coach, vehicle, recreational vehicle, or trailer shall be used as a primary residence for permanent human habitation within the Municipality whether or not the same is mounted on wheels.

3.20 **OPEN STORAGE**

Except as otherwise specifically provided in this By-law, no open storage shall be permitted in

any zone except in accordance with the following provisions:

- (a) Open storage shall be accessory to a permitted or existing non-residential use, on the same lot.
- (b) No open storage shall be permitted in any required minimum front yard or required minimum exterior side yard, except in the case of an agricultural use, nor within any required minimum side or rear yard where the side or rear lot lines abut any Residential zone or Community Facility Zone.
- (c) Wherever it is necessary, visual screening such as plant materials, a planting and screening strip, landscaped berms, fencing or other opaque barrier to a minimum height of 1.5 metres shall be used. Exceptions to this provision are for open storage accessory to an agricultural use for outdoor display used in conjunction with a permitted commercial use.
- (d) A strip of landscaped open space with a minimum width of 3 metres shall be maintained around all open storage areas.
- (e) Any open storage area shall be maintained as landscaped open space, or surfaced and maintained with stable materials to prevent the raising of dust and particles, and properly drained. However, this provision shall not apply where the main use is an agricultural use.
- (f) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.

3.21 **OUTDOOR FURNACES**

An outdoor furnace shall only be permitted in a Rural (RU) Zone or an Agriculture (A) Zone and subject to the following requirements:

- (a) an outdoor furnace shall be located a minimum of 50 metres from any property line; and
- (b) an outdoor furnace shall be located a minimum of 100 metres from a dwelling on any other property.

3.22 **PARKING AND LOADING SPACE REQUIREMENTS**

3.22.1 **PARKING REQUIREMENTS**

(a) Number of Spaces

In any Zone the owner of every building hereafter erected, enlarged or changed in use after the passing of this By-law shall provide and maintain off-street parking space in accordance with the following:

<u>Type of Use</u>	<u>Minimum Parking Required</u>
(i) Single detached, semi detached, duplex two unit dwellings	One (1) parking space per dwelling unit
(ii) Triplex, rowhouse and apartment	1.5 parking spaces per dwelling unit
(iii) Mobile Home	Two (2) parking spaces
(iv) Group Home	One (1) parking space for every 3 persons licensed or approved capacity
(v) Boarding House	One (1) parking space plus one (1) parking space for every three (3) beds
(vi) Bank or Trust Company	3.5 spaces for every 100 square metres gross leasable area
(vii) Bed and Breakfast	One (1) parking space per dwelling unit and one (1) parking space for each rental room
(viii) Tavern, Public House	One (1) parking space per 4 persons design capacity
(ix) Church, Assembly Hall, Place of Worship	The greater of 1 parking space per 10 square metres of gross floor area or per every four fixed seats or per every 2.5 metres of bench space
(x) Place of Entertainment/ recreation facility including arena, auditorium, recreation centre, theatre, tennis club, stadium, racquet club, cinema fitness club, fairgrounds	One (1) parking space per 6 seat capacity or persons design capacity or 1 per 10 square metres of gross floor area of assembly area
(ix) Hospital, Nursing Home, Home for the Aged, Retirement Home	One (1) parking space per every two (2) beds
(xi) Hotel, Motor Hotel	1 space per bedroom plus 10 spaces per 100 square metres of public use area

(xii)	Industrial Establishment	One (1) parking space per each one hundred (100) square metres of gross floor area
(xiii)	Clinic	6 spaces per practitioner for the first 5 practitioners, 4 spaces per each practitioner after 5
(xiv)	Motel	1 space per bedroom
(xv)	Office (Business/Professional)	3.0 spaces per 100 square metres of gross leasable area
(xvi)	Eating Establishment, Drive-In/Fast Food	15.0 spaces per 100 square metres of gross leasable area
(xvii)	Eating Establishment, Full Service	15.0 spaces per 100 square metres of gross leasable area
(xviii)	Eating Establishment, Take Out	7.0 spaces per 100 sq. metres of gross leasable area
(xix)	Shopping Centre, Shopping Plaza, Retail, General including convenience store and personal service establishment, garden centre	1.0 space per 25 sq. metres of gross leasable area
(xx)	School	The greater of: 1.5 parking spaces per classroom, or 1 parking space per 3.0 sq. metres of floor area in the gymnasium, or 1 parking area per 3.0 sq. metres of floor area in the auditorium
(xxi)	Warehouse	1 parking space per 200 sq. metres of gross floor area
(xxii)	Other Non-Residential Uses	1 parking space per 30 sq. metres of gross floor area

(b) Calculation of Spaces

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be next higher whole number.

(c) Barrier Free Parking Requirements

Where parking facilities are required, barrier free parking spaces for the exclusive use of persons with disabilities shall be identified and be provided as a portion of the required parking spaces calculated as per Section 3.21.1 (b) above, and shall be in accordance with the following table:

<u>Required Parking Spaces (minimum)</u>	<u>Required Disabled Parking Spaces (minimum)</u>
(i) 25 to 99 parking spaces	1 barrier free parking spaces
(ii) 100 parking spaces or more	1 parking spaces for every 100 required parking spaces or portion thereof, shall be barrier free parking spaces.

(d) Location of Parking Areas

In a Residential Zone, the required parking shall be located on the same lot as the dwelling unit. In all other areas, the parking area shall be located within one hundred and fifty (150) metres of the location of the use it is intended to serve, and shall be situated in the same zone; and shall be secured and retained for parking purposes for the duration of the use.

The following provisions shall apply to the location of parking areas within yards or required yards.

- i) In the case of a Residential use containing three or more dwelling units, the parking area shall be located in the rear yard and/or required rear yard only.
- ii) In any Residential Zone the parking of motor vehicles shall be permitted within part of a front yard on a properly constructed driveway but only if the said driveway fronts onto a garage, carport or side yard.
- iii) In an Extractive Industrial Zone, with the exception of the driveway portion, the parking area shall not be permitted in any required yards.
- iv) In all other zones the parking area shall be permitted in all required yards provide that no part of any parking area, other than a driveway, is located closer than 1.0 metre to any streetline. Where the subject zone abuts a Residential Zone, the parking area shall be set back a minimum of 3.0 metres from the lot line.

(e) Surface and Drainage

- (i) The parking area and approaches shall be surfaced with concrete, asphalt, crushed stone, gravel or a combination thereof with a stable surface.
- (ii) Where more than four (4.0) parking spaces are required, the surface treatment shall

prevent the raising of dust or loose particles.

(iii) Provision for drainage facilities shall be made in compliance with the requirements of the Municipality.

(f) Access to Parking Spaces and Parking Areas

(i) Every parking space shall be provided with unobstructed access to a street by a driveway aisle or lane, except where such spaces are provided for the use of occupants of a single detached or semi-detached dwelling.

(ii) Access to parking areas for commercial or industrial uses shall not pass through a Residential Zone.

(g) Dimensions of Parking Spaces

Every required parking space shall have minimum rectangular dimensions of 2.7 metres by 5.5 metres.

Every required handicapped parking space shall have minimum rectangular dimensions of 3.5 metres by 5.5 metres.

3.22.2 **LOADING REQUIREMENTS**

(a) Uses Where Applicable

No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods, unless there is maintained in the same premises with every such structure or use, off-street space for standing, loading and unloading.

(b) Dimensions of Loading Spaces

Every required loading space shall have minimum rectangular dimensions of 3.5 metres by 9.0 metres with a minimum height clearance of 4.0 metres.

(c) Minimum Number of Loading Spaces

This requirement does not apply for buildings and structures having less total floor area than 300 square metres. For all other buildings, there shall be one loading space for each 1500 square metres of floor area or part thereof, above the 300 square metre threshold.

(d) Location

The loading space required shall be located in the interior side yard or rear yard unless set back a minimum distance of 16 metres from the street line.

(e) Surfacing

The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone

or gravel.

3.23 **PROVINCIAL HIGHWAYS**

No person shall erect any building or structure on lands abutting a Provincial Highway, unless such building or structure meets the requirements of the Ontario Ministry of Transportation.

3.24 **PUBLIC USES OF LAND**

The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by any local board thereof defined by the Municipal Affairs Act (R.S.O. 1980), any telephone, gas, or telegraph company, any department or agent of the Government of Ontario or Canada, including Ontario Hydro and TransCanada Pipelines, provided that:

- (a) With the exception of a public utility, the lot coverage, parking and loading, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with; and
- (b) No goods, material, or equipment shall be stored in the open in a Residential Zone; and
- (c) Any building erected in a Residential Zone under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in the zone.

3.25 **SEPARATION DISTANCES**

(a) **Dwellings**

- (i) All new dwellings, except a permitted residential dwelling located on the same lot as the farm, shall comply with the applicable Minimum Distance Separation Provisions, being MDS I, developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, as amended from time to time.
- (ii) Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed in whole, or in part, by a catastrophe, MDS I shall not be applied when the dwelling is rebuilt, provided it is built no closer to livestock facilities than before the catastrophe.
- (iii) No dwelling other than a permitted accessory dwelling in the same zone, shall be erected within sixty (60) metres of any Industrial Zone or five-hundred (500) metres of Disposal Industrial One (DM1) Zone or Disposal Industrial Two (DM2) Zone.
- (iv) No dwelling, senior citizen home, nursing home, school or hospital, shall be erected within one hundred and fifty (150) metres of any gravel pit or any Extractive Industrial (EM) Zone or any Extractive Industrial Reserve (EMR) Zone, or within three hundred (300) metres of a quarry.

- (v) Notwithstanding the provisions of subsection 3.25 (a)(iii), for an existing vacant lot of record where a single detached dwelling is a permitted use and it is not possible to meet the requirements of subsection 3.25(a)(iii) above, the minimum required setback for a new dwelling from any lands zoned Extractive Industrial Reserve (EMR) may be reduced to 60 metres.
- (b) Gravel Pits, Quarries and Associated Extractive and Manufacturing Plants and Facilities
- (i) No gravel pit shall be made or established and no concrete or asphalt manufacturing plant or extractive industrial facility shall be located within one hundred and fifty (150) metres, or for a quarry within three hundred (300) metres, of a residential dwelling, senior citizen home, nursing home, school or hospital, or where the adjacent lot is vacant, within 150 metres of any lot line or portion thereof which abuts a Residential Zone or Urban Reserve (UR) Zone.
 - (ii) No gravel pit, quarry, concrete or asphalt manufacturing plant or extractive industrial facility shall be located within fifty (50) metres of the high water mark.
- (c) Kennel and Animal Hospital
No kennel or animal hospital shall locate within sixty (60) metres of any Residential Zone, dwelling or building containing a dwelling unit on another lot, if such kennel or animal hospital has more than four (4) outdoor runs or more than thirty (30) square metres of total area of outdoor facilities for animals.
- (d) Hauled Sewage Disposal Site
No disposal of hauled sewage on land shall be permitted unless the disposal site has been approved by the Ministry of the Environment and no disposal site shall be located within:
- (i) Two hundred (200) metres of any dwelling on another lot;
 - (ii) Seven hundred fifty (750) metres of any subdivision, cluster of residential development or land zoned for residential development;
 - (iii) One hundred fifty (150) metres of any encased well;
 - (iv) Seventy-five (75) metres of any well with a minimum casing depth of six (6.0) metres.
 - (v) One hundred and eighty (180) metres of any surface water;
 - (vi) Thirty (30) metres of the right-of-way of any low volume road;
 - (vii) Ninety (90) metres of the right-of-way of any road;
 - (viii) Sixty (60) metres of any land used for livestock pasturing;

- (e) Farm Uses
 - (i) All new farm, expanding farm and new non-farm development shall comply with the applicable Minimum Distance Separation Provisions, being MDS II, developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, as amended from time to time.
 - (ii) Notwithstanding any other provision of this By-law to the contrary, where a livestock facility is destroyed in whole, or in part, by a catastrophe, MDS II shall not be applied when the livestock facility is rebuilt, provided it is built no closer to surrounding land uses and lot lines than before the catastrophe, and the values of Factor A, B and/or D of MDS II have not been increased for the livestock facility.

3.26 **SETBACKS**

No person shall erect any building or structure in any Zone unless such building or structure conforms to the following setback requirements.

- (a) Provincial Highway

The minimum setback requirement shall be the greater of either: 18 metres from the centreline of the road; the minimum front yard depth required for such use in the Zone where it is located; or the minimum setback required by the Ontario Ministry of Transportation.
- (b) County Road

The minimum setback requirement shall be the greater of either: 20.73 metres from the centreline of the road; the minimum front yard depth required for such use in the Zone where it is located; or the minimum setback required by the County of Renfrew.
- (c) Other Road

The minimum setback requirement shall be the greater of either 10 metres from the centreline of the road or the minimum front yard depth required for such use in the Zone where it is located.
- (d) Established Building Line in Built-Up Areas

Notwithstanding the yard and setback provisions of this By-law, where there is an established building line extending on both sides of the lot, a permitted building or structure may be erected closer to the street line and street centre line than required by the yard and setback provisions, provided that such permitted building or structure is not erected closer to the street line than the established building line on the date of passing of this By-law. Established building line means the average distance from the street line to existing buildings on the same side of a street within 150 metres of a lot, where a minimum of 3 dwellings have been built within this area prior to the date of passing of this By-law.

- (e) Water Setback
No development, including the erection of buildings or structures, including septic systems, nor the placing or removal of fill of any kind, whether it originates on site or elsewhere, shall be permitted within thirty (30) metres of the high water mark of a waterbody, except where such structures or fill are intended for flood or erosion control or are for accessory boat docks and/or boat launching facilities.
- (f) Established Waterfront Building Line in Waterfront Areas
Notwithstanding the minimum water setback provision of this By-law, where there is an infilling situation on an existing lot of record between two lots occupied by existing dwellings and there is an established waterfront building line extending on both sides of the lot, a permitted dwelling may be erected closer to the high water mark than required by Section 3.26 (e), provided that such permitted dwelling is not erected closer to the high water mark than the greater of either the established waterfront building line on the date of passing of this By-law or 15 metres from the high water mark. Established waterfront building line means the average distance from the high water mark to existing dwellings within 100 metres of a lot, where a minimum of three (3) dwellings have been built within this area prior to the date of passing of this By-law. This provision does not apply to septic systems, lands within the floodway of the Ottawa River, lands within the Natural Heritage Feature (NHF) zone or to properties on water bodies identified as coldwater by the Ministry of Natural Resources and the Ministry of the Environment or on properties where the waterfront has.
- (g) TransCanada Pipeline
Notwithstanding any other provision of this By-law to the contrary, no permanent buildings, structures or excavations may be located within seven (7) metres from the limits of the TransCanada Pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.
- (h) Provincially Significant Wetlands (PSW) and 120 metre buffer
Unless another section of this By-law provides a specific exception from the requirements of this section of the By-law, for the lands located within a PSW, the provisions of Section 28.0 and 30.0 of this By-law shall apply and for the lands within 120 metres from a Provincially Significant Wetland the provisions of Section 30.1 (c) of this By-law shall apply.

3.27 **STANDARDS - CUMULATIVE**

Unless permitted elsewhere in this By-law, where a lot contains more than one use, the lot area requirements shall be the sum of the requirements for the separate uses thereof but the lot frontage requirements shall be no less than the greater of the lot frontage requirements for each individual use in the zone where such lot is located.

When a building, structure or lot accommodates more than one use, loading space requirement and parking space requirement for each building, structure or lot shall be the sum of the

requirements for the separate uses thereof unless exempted elsewhere in this By-law.

3.28 **TARPAULIN OR PLASTIC GARAGES**

Tarpaulin and/or plastic garages shall be prohibited in the Municipality.

3.29 **TEMPORARY CONSTRUCTION USES PERMITTED**

Nothing in this By-law shall prevent uses incidental to a construction camp or other such temporary work camp, such as a tool shed, scaffold or other building or structure incidental to the construction, or a sign not more than four and one-half (4.5) square metres incidental to the construction provided that these uses are permitted only for so long as the same are necessary for work in progress which has neither been finished nor abandoned. This provision shall not be construed to allow a mobile home.

3.30 **THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street, the requirements for front yards contained in the By-law shall apply to each yard abutting the street.

3.31 **VISIBILITY AT INTERSECTIONS**

- (a) At the intersection of any two streets, no building, or structure including a satellite dish, shall be erected, no landscaping materials shall be allowed to grow, no land shall be graded and no vehicle shall be parked above the height of .75 metres above the centreline grade of such streets, so as to materially impede the vision of the operator of a vehicle on the street, within the triangular area bounded by the lot lines to a distance of 6.0 metres from the points of intersection of the corner lot lines, or of the projection of the corner lot lines.
- (b) At the intersection of a street and a railway right-of-way at grade, the vision of the operator of a motor vehicle shall be unimpeded, as described above, within 23.0 metres of the point of intersection of the lot lines.

3.32 **WIND TURBINES**

A wind turbine for the use of a single detached dwelling and/or farm or livestock buildings located on the same lot, is permitted in any A or RU zone subject to the following provisions:

- (a) The minimum lot area shall be 4.0 hectares; and
- (b) The minimum distance to any property line shall be 2 times the height of the tower.

SECTION 5.0 - REQUIREMENTS FOR RESIDENTIAL ONE (R1) ZONES

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Residential One (R1) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

5.1 Permitted Uses

- a) **Residential Uses**
 - a single detached dwelling
 - a group home
- b) **Non-Residential Uses**
 - a day nursery
 - home daycare centre
 - public park
 - a private park
- c) Uses, buildings and structures which are accessory to the permitted uses in Section 5.1 a) and 5.1 b) above.

5.2 Zone Provisions

- a) **Lot Area (minimum)**
 - (i) on well and septic systems 2025 square metres
 - (ii) on Municipal Sewer or Municipal Water 1400 square metres
 - (iii) on Municipal Sewer and Municipal Water 550 square metres
- b) **Lot Frontage (minimum)**
 - (i) on well and septic systems 30 metres
 - (ii) on Municipal Sewer or Municipal Water 23 metres
 - (iii) on Municipal Sewer and Municipal Water 18 metres
- c) **Front Yard Depth (minimum)** 6.0 metres
- d) **Side Yard Width (minimum)**
 - (i) interior 3.0 metres
 - (ii) other interior 1.0 metre
 - (iii) exterior 6.0 metres
- e) **Rear Yard Depth (minimum)** 7.5 metres
- f) **Dwelling Unit Area (minimum)** 65 sq. metres

accordance with Section 3 of this By-law.

- j) Dwelling Units per Lot (maximum) 1 only
- k) Water Setback (minimum) A water setback shall be provided in accordance with Section 3 of this By-law.

8.3 Exception Zones

- a) Rural Residential-Exception One (RR-E1)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception One (RR-E1) and located in Part Lot 15, Concession X, in the geographic Township of Alice, the following provisions shall apply:
 - i) Lot Area (minimum) 1 hectare; and
 - ii) Lot Frontage (minimum) 25 metres
- b) Rural Residential-Exception Two (RR-E2)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception Two (RR-E2) and located in Part Lot 16, Concession X, in the geographic Township of Alice, the minimum required lot area shall be 3,900 square metres.
- c) Rural Residential-Exception Three (RR-E3)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception Three (RR-E3) and located in Part Lot 20, Concession XII, in the geographic Township of Alice, the minimum required front yard depth shall be 7.25 metres.
- d) Rural Residential-Exception Four (RR-E4)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception Four (RR-E4) and located in Part Lot 25, Concession B, in the geographic Township of Alice, the maximum number of habitable rooms used for sleeping shall be three (3).
- e) Rural Residential-Exception Five (RR-E5)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception Five (RR-E5) and located in Part Lot 10, Concession V, in the geographic Township of Stafford, the minimum required front yard depth shall be 7.0 metres.
- f) Rural Residential-Exception Six (RR-E6)
Notwithstanding any other provision of this By-law to the contrary, for the lands zoned Rural Residential-Exception Six (RR-E6) and located in Part Lot 19, Concession I, in the

- | | | |
|----|----------------------------------|---|
| | 1. bachelor dwelling unit | 40 sq. metres |
| | 2. with one bedroom | 50 sq. metres |
| | 3. with more than one bedroom | 50 sq. metres plus 9 sq. metres for each additional bedroom |
| i) | Parking and Loading Areas | Parking and loading spaces shall be provided in accordance with Section 3 of this By-law. |
| j) | Dwelling Units Per Lot (maximum) | 1 only |

11.3 Exception Zones

- a) General Commercial-Exception One (GC-E1)
 Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned General Commercial-Exception One (GC-E1) and located in Lot 23, Registered Plan No. 402, in the geographic Township of Stafford, an automotive-car wash shall be a permitted use and the following provisions shall apply:

- | | | |
|------|-------------------------------------|------------------|
| i) | Side Yard Width (minimum) | 1.2 metres |
| ii) | Accessory Buildings and Structures: | |
| | 1. Front Yard Depth (minimum) | 5.7 metres |
| | 2. Rear Yard Depth (minimum) | 3.3 metres |
| iii) | Parking Requirements | |
| | 1. Automotive-Car Wash (minimum) | 2 parking spaces |

All other applicable provisions of this By-law and the General Commercial (GC) Zone shall also apply to lands zoned General Commercial-Exception One (GC-E1).

- b) General Commercial-Exception Two (GC-E2)
 Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned General Commercial-Exception Two (GC-E2) and located in Lot 279, Registered Plan No. 366, in Part Lot 33, Concession I, in the geographic Township of Stafford, an existing automobile repair shop, a canvass repair and sales establishment in an existing building and an accessory single detached dwelling shall be the only permitted uses. The existing performance standards shall apply to the existing buildings and structures only.
- c) General Commercial-Exception Three (GC-E3)
 Notwithstanding any other provisions of this By-law to the contrary, for the lands zoned General Commercial-Exception Three (GC-E3) and located in Part Lots 31 and 32, Concession I, in the geographic Township of Stafford, a printing establishment shall be a permitted use.

SPECIFIC AREA CONVERSIONS

	EXACT	APPROXIMATE
1 m ²	= 10.76 sq. ft.	11 sq. ft.
9 m ²	= 96.88 sq. ft.	100 sq. ft.
51 m ²	= 548.98 sq. ft.	550 sq. ft.
65 m ²	= 699.68 sq. ft.	700 sq. ft.
75 m ²	= 807.32 sq. ft.	800 sq. ft.
93 m ²	= 1001.08 sq. ft.	1000 sq. ft.
185 m ²	= 1991.39 sq. ft.	2000 sq. ft.
300 m ²	= 3229.28 sq. ft.	
700 m ²	= 7534.98 sq. ft.	
900 m ²	= 9687.84 sq. ft.	
1400 m ²	= 15069.97 sq. ft.	
1450 m ²	= 15608.18 sq. ft.	
1500 m ²	= 16146.39 sq. ft.	
2000 m ²	= 21528.53 sq. ft.	
2025 m ²	= 21797.63 sq. ft.	0.5 ac.
2300 m ²	= 24757.80 sq. ft.	
2750 m ²	= 29601.72 sq. ft.	
2800 m ²	= 30139.94 sq. ft.	
3035 m ²	= 32669.54 sq. ft. (0.75 ac.)	N/A
3250 m ²	= 34983.85 sq. ft.	0.8 ac.
4000 m ²	= 43057.05 sq. ft.	
4047 m ²	= 43562.97 sq. ft. (1.0 ac.)	N/A
1 ha	= 2.47 ac.	2.5 ac.
1.5 ha	= 3.71 ac.	
2.0 ha	= 4.94 ac.	5.0 ac.
10.0 ha	= 24.71 ac.	25.0 ac.
20.0 ha	= 49.42 ac.	50.0 ac.
24 ha	= 59.30 ac.	60.0 ac.
40 ha	= 98.84 ac.	100.0 ac.
80 ha	= 197.68 ac.	200.0 ac.