

TOWNSHIP OF MONTAGUE

COMPREHENSIVE ZONING BY-LAW #4070-2024



As Adopted by Council
May 21st, 2024

TOWNSHIP OF MONTAGUE

6547 Roger Stevens Drive

Smiths Falls, Ontario

K7A 4W6

Tel: (613) 283-7478

Fax: (613) 283-3112

www.township.montague.on.ca

**THE CORPORATION OF TOWNSHIP OF MONTAGUE
BY-LAW NO. 4070-2024**

TABLE OF CONTENTS

	PAGE
SECTION 1 - PURPOSE AND TITLE.....	1
SECTION 2 - APPLICATION AND INTERPRETATION	2
2.1 APPLICATION OF BY-LAW.....	2
2.2 INTERPRETATION OF BY-LAW	2
2.3 SCHEDULES TO BY-LAW.....	3
2.4 ADMINISTRATION.....	3
2.5 ISSUANCE OF BUILDING PERMITS, CERTIFICATES AND LICENSES	4
2.6 SEWAGE DISPOSAL APPROVAL	4
2.7 CERTIFICATE OF OCCUPANCY	4
2.8 REQUEST FOR AMENDMENT TO ZONING BY-LAW.....	4
2.9 INSPECTION OF LAND OR BUILDINGS	4
2.10 VIOLATIONS AND PENALTIES.....	5
2.11 REMEDIES.....	5
2.12 VALIDITY	5
2.13 METRIC AND IMPERIAL MEASUREMENTS	5
2.14 TYPOGRAPHICAL AND FORMATTING MODIFICATIONS	6
2.15 REPEAL OF FORMER ZONING BY-LAWS.....	6
SECTION 3 - DEFINITIONS	7
SECTION 4 - GENERAL PROVISIONS	32
4.1 ACCESSORY BUILDINGS AND USES	32
4.2 ADDITIONAL RESIDENTIAL UNITS (ARUs).....	33
4.3 AGRICULTURAL USE RESTRICTIONS - HOBBY FARMS.....	34
4.4 BACKYARD HENS.....	34
4.5 CANNABIS CULTIVATION FACILITY.....	35
4.6 ENVIRONMENTAL DESIGN REQUIREMENTS FOR SHORELINE PROPERTIES.....	36
4.7 EXISTING UNDERSIZED NON-COMPLYING LOTS	37
4.8 FRONT YARD REDUCTION WITHIN A SETTLEMENT AREA	37
4.9 FRONTAGE ON AN IMPROVED STREET	37
4.10 GROUP HOMES	37
4.11 HEIGHT EXCEPTIONS.....	38
4.12 HOME-BASED BUSINESSES	38
4.13 LOADING SPACE REQUIREMENTS	39
4.14 LOTS CONTAINING MORE THAN ONE USE	40
4.15 LOTS DIVIDED FOR FREEHOLD UNIT OWNERSHIP	40
4.16 LOTS DIVIDED INTO MORE THAN ONE ZONE	40
4.17 MOVING OF BUILDINGS.....	40
4.18 NON-CONFORMING USES AND NON-COMPLYING USES, BUILDINGS AND STRUCTURES.....	40

4.19 OCCUPANCY RESTRICTIONS.....	42
4.20 OPEN STORAGE.....	42
4.21 ORGANIC SOILS.....	43
4.22 PARKING REQUIREMENTS.....	43
4.23 PUBLIC USES.....	46
4.24 SEPARATION DISTANCES FROM OTHER LAND USES.....	46
4.25 SEWAGE DISPOSAL SYSTEMS AND THE APPLICABILITY OF THIS BY-LAW.....	47
4.26 SHORELINE AREA OCCUPANCY.....	47
4.27 SIGHT TRIANGLES.....	47
4.28 SITE PLAN CONTROL.....	47
4.29 SOURCE WATER PROTECTION.....	47
4.30 STREET SETBACKS.....	48
4.31 TEMPORARY USES.....	48
4.32 THROUGH LOTS.....	49
4.33 WATER FRONTAGE AND WATER SETBACKS.....	49
4.34 WAYSIDE PITS, WAYSIDE QUARRIES, PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS.....	50
4.35 YARD AND WATER SETBACK ENCROACHMENTS.....	50
SECTION 5 - ZONES.....	51
5.1 GENERAL.....	51
5.2 ZONES AND ZONE SYMBOLS.....	51
5.3 BOUNDARIES OF ZONES.....	52
5.4 HOLDING ZONES.....	53
5.5 MANDATORY MUNICIPAL SERVICES OVERLAY.....	53
5.6 SPECIAL ZONES.....	53
5.7 TEMPORARY ZONES.....	53
5.8 SOURCE WATER PROTECTION OVERLAY ZONE.....	53
SECTION 6 - RESIDENTIAL ZONES.....	54
6.1 GENERAL RESIDENTIAL (RG).....	54
6.2 RURAL RESIDENTIAL (RR).....	56
6.3 LIMITED SERVICES RESIDENTIAL (RLS).....	57
6.4 MOBILE HOME PARK RESIDENTIAL (RMH).....	58
SECTION 7 - COMMERCIAL ZONES.....	60
7.1 GENERAL COMMERCIAL (CG) ZONE.....	60
7.2 HIGHWAY COMMERCIAL (CH) ZONE.....	62
7.3 TOURIST COMMERCIAL (CT) ZONE.....	65
SECTION 8 - INDUSTRIAL ZONES.....	67
8.1 GENERAL INDUSTRIAL (MG) ZONE.....	67
8.2 LIGHT INDUSTRIAL (ML) ZONE.....	70
8.3 BUSINESS PARK INDUSTRIAL (MBP) ZONE.....	73
8.4 SALVAGE YARD INDUSTRIAL (MS) ZONE.....	75
8.5 DISPOSAL INDUSTRIAL (MD) ZONE.....	76
SECTION 9 - INSTITUTIONAL ZONES.....	77
9.1 INSTITUTIONAL (I) ZONE.....	77

SECTION 10 - OPEN SPACE ZONES	79
10.1 OPEN SPACE (OS) ZONE.....	79
SECTION 11 - AIRPORT ZONES	80
11.1 AIRPORT (AP) ZONE	80
SECTION 12 - RURAL ZONES.....	81
12.1 RURAL (RU) ZONE.....	81
SECTION 13 - AGRICULTURE ZONES	85
13.1 AGRICULTURE (A) ZONE.....	85
SECTION 14 - MINERAL RESOURCE ZONES.....	87
14.1 MINERAL AGGREGATE EXTRACTION - PIT (EX-P) ZONE	87
14.2 MINERAL AGGREGATE EXTRACTION - QUARRY (EX-Q) ZONE	88
SECTION 15 - NATURAL HERITAGE ZONES.....	89
15.1 ENVIRONMENTAL PROTECTION - A (EP-A) ZONE.....	89
15.2 ENVIRONMENTAL PROTECTION - B (EP-B) ZONE.....	90
SECTION 16 - NATURAL HAZARD ZONES	91
16.1 FLOOD PLAIN (FP) ZONE.....	91
SECTION 17 - APPROVAL.....	93
METRIC CONVERSION CHART	94

SCHEDULES

- Schedule A
- Schedule A1

SECTION 1 - PURPOSE AND TITLE

WHEREAS the Council of the Township of Montague wishes to exercise its authority under Section 34 of the *Planning Act*, and pass a Zoning By-Law to regulate the use of land and the erection, use, bulk, height, spacing and other matters related to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures within the Township of Montague.

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

This By-Law shall be cited as the “Comprehensive Zoning By-Law of the Township of Montague #4070-2024”.

SECTION 2 - APPLICATION AND INTERPRETATION

2.1 Application of By-law

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of Montague, as shown on Schedules A and A1 attached hereto, and forming part of this Zoning By-law. This By-law shall also apply to any lands not shown on the Schedules created through the filling of water bodies, alteration of shorelines or other means, as well as to any portion of the bed of any water body where a license of occupation or lease has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered, or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building, or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the building permit for such building or structure was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:
 - a) When the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
 - b) Provided that the building permit has not been revoked.
5. Nothing in this By-law shall be construed as an exemption for any person from complying with the requirement of any By-law of the Township of Montague or the County of Lanark, or from any laws of the Province of Ontario or Canada, or any regulations of a Conservation Authority or Parks Canada having jurisdiction in the Township of Montague.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation.

2.2 Interpretation of By-law

Words, phrases, and terms which are undefined in this By-law shall be given their usual and customary meaning, except where in the opinion of the Zoning Administrator, the context clearly indicates a different meaning. For the purpose of interpreting this By-law, the following shall apply:

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular. Words used in the present tense shall include the future tense.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.
3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.
4. A “building” or “structure” includes any part thereof.
5. The provisions herein shall be held to be the minimum requirements, except where the word “maximum” is used, in which case the maximum requirements will apply.
6. Unless the context clearly indicates the contrary, where a zoning provision involves two or more items, conditions, provisions, or events which are connected by the words “and” or “or”, the conjunction shall be interpreted as follows:
 - a) the word “and” indicates that all of the connected items, conditions, provisions or events shall apply in any combination; and
 - b) the word “or” indicates that the connected items, conditions, provisions, or events may apply singularly or in combination.
7. For the purpose of a numeric calculation that results in a fraction, the calculated figure shall be rounded to the nearest whole number (ie. 3.2 parking spaces shall require the provision of 3 parking spaces and 3.5 parking spaces shall require the provision of 4 parking spaces).
8. For the purpose of this By-law, the definitions and interpretations given herein shall govern. For terms not referenced herein, the standard reference publication is the Oxford English Dictionary.

2.3 Schedules to By-law

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

- Schedule A
- Schedule A1

2.4 Administration

This By-law shall be administered by the Planner for the Township of Montague or the person designated by the Council as the Zoning Administrator.

2.5 Issuance of Building Permits, Certificates and Licenses

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

2.6 Sewage Disposal Approval

Where the issuance of a permit for a building or structure or change of use of an existing building or structure may affect any sewage system either on the subject lands or adjacent lands, or any water supply, no building permit shall be issued for such building or structure unless the building permit application is accompanied by an approved permit for the proposed method of sewage disposal in accordance with the *Building Code Act* for systems with a design capacity of less than 10,000 litres (2,200 gallons) per day, or from the Ministry of the Environment, Conservation and Parks for systems with a design capacity of greater than 10,000 litres (2,200 gallons) per day.

2.7 Certificate of Occupancy

Occupation of all new buildings and converted dwellings shall require a Final Inspection for occupancy from the Chief Building Official in accordance with the Ontario Building Code and any other Municipal By-laws.

2.8 Request for Amendment to Zoning By-law

Every request for an amendment to this Zoning By-law shall be submitted on the Corporation's application form, which shall be completed in full and accompanied by the required application fee, as well as such supporting materials as may be determined through consultation with the Corporation.

2.9 Inspection of Land or Buildings

1. Any officer or employee of the Township acting under the direction of Council, who believes on reasonable grounds that there has been a contravention of this By-law, is hereby authorized to enter and inspect any property at all reasonable times and upon production of proper identification.
2. Except under the authority of a search warrant issued under Section 49(3) of the *Planning Act*, an officer or employee of the Township shall not enter any room or place used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

2.10 Violations and Penalties

Any person or corporation who contravenes any of the provisions of this By-law is guilty of an offence and is subject to a fine in accordance with the provisions of the *Planning Act*, and any such fine levied shall be recoverable pursuant to the provisions of the *Provincial Offences Act*.

2.11 Remedies

1. In case any building or structure is, or is proposed to be, erected, altered, or reconstructed in contravention of any requirement of this By-law, or any building or structure is, or is proposed to be, used in contravention of any requirement of this By-law, such contravention may be restrained by action at the insistence of any ratepayer or by the Corporation, pursuant to the provisions of the *Municipal Act*.
2. Where a person guilty of an offence under this By-law has been ordered to remedy a violation and has failed to comply, such remedy shall be done by the Township at the expense of the owner.
3. Where a person has refused or failed to reimburse the Township for the cost of such remedy, same may be recovered by the Township by court action or other means available to it, and such amount may be added to the collector's roll and form a lien in a like manner as municipal taxes, pursuant to the *Municipal Act*.
4. Where any by-law of the Township, passed under the authority of the *Planning Act* is contravened and a conviction entered, in addition to any other remedy and/or penalty imposed by the By-Law, the Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or persons convicted.

2.12 Validity

If any section, clause, or provision of this By-law, including anything contained in Schedules A and A1 attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision(s) so declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

2.13 Metric and Imperial Measurements

All measurements used in this By-Law shall be metric. A Metric Conversion Chart that provides general conversion information is included in this By-law for information purposes.

2.14 Typographical and Formatting Modifications

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

2.15 Repeal of Former Zoning By-laws

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

- Comprehensive Zoning By-law 3478-2015 of the Township of Montague; and
- All by-laws which amend the foregoing by-law.

SECTION 3 - DEFINITIONS

For the purpose of this by-law, the definitions and interpretations in this section shall govern unless the context indicates otherwise. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

ABATTOIR shall mean a building or structure wherein animals are slaughtered, and/or processed for packaging, distribution, and resale.

ACCESSIBLE SPACE shall mean a designated parking space identified by prescribed pavement markings and signage which is reserved for the exclusive use of persons with disabilities.

ACCESSORY shall mean subordinate and naturally, customarily, and normally incidental to and exclusively devoted to a principal use or building, and located on the same lot.

ADULT ENTERTAINMENT PARLOUR shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes a body rub parlour.

AGGREGATE shall mean gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock, or other materials prescribed under the *Aggregate Resources Act*, suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, or other material prescribed under the *Mining Act*.

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

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

AGRICULTURAL USE shall mean the use of land, buildings, or structures for agriculture, agri-tourism, agriculture-related and on-farm diversified uses, as follows:

- Agricultural uses shall include the growing of crops, including nursery, biomass, and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish, aquaculture, apiaries, agri-forestry, maple syrup production, and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- Agri-tourism uses shall include those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

- Agriculture-related uses shall include those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.
- On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Agricultural use shall not include kennels or cannabis production facilities, both of which are referenced separately in this By-law.

AGRI-TOURISM shall mean the use of any lot or building which is complementary to a principal agricultural use on a lot and which provides education and activities to experience and enjoy the agricultural way of life in the rural area. Such activities may include farm machinery and equipment exhibitions, farm-tours, petting zoos, corn mazes, hayrides, sleigh rides, processing demonstrations, pick your own produce/products, farm-themed playgrounds, educational facilities that focus on farming instruction or other similar activities. Agri-tourism may include accessory retail sales.

AIRPORT FACILITIES shall mean all amenities related to aircraft landing and take-off, production and sale of general aviation aircraft, avionics and associated equipment and the provision of support services such as flight schools, aircraft maintenance and fixed base operators. Facilities may also include other aviation compatible commercial and industrial uses appropriate for private services such as contractor yards, transportation terminals, warehousing, wholesale establishments, tradesperson's shop, assembly plants, fabricating plants, manufacturing plants and wholesale establishments. Limited office space and retail uses associated with primary uses may also be permitted.

ALTER, when used in reference to a building or part thereof, shall mean to change any one or more of the internal or external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" shall mean the change to the width, depth or area thereof or to change the width, depth or area of any required yard, open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. When used in reference to a use, shall mean the purpose for which the lot, building or structure is occupied. The words "altered" and "alteration" shall have a corresponding meaning.

ANIMAL HOSPITAL – see **VETERINARY CLINIC**

ANIMAL SHELTER shall mean the land and the buildings used for the care of lost, abandoned, or neglected animals, operated by a public or semi-public authority, or non-profit organization.

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

ARTIST STUDIO shall mean the workplace of an artist or craftsperson, including a painter, a sculptor, a photographer, or where goods including jewellery or fine art, such as paintings or sculptures, pottery, leather works and woodworking are produced in small quantities and may be provided for sale.

ASPHALT PLANT shall mean a facility that produces and/or recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and/or tar, and includes:

- The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises; and
- The storage and maintenance of equipment, and facilities for the administration or management of the business.
- **PORTABLE ASPHALT PLANT** shall mean an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

ATTACHED, when used in reference to a building, shall mean a building otherwise complete, which depends for structural support or complete enclosure upon a division wall or division walls in common with an adjacent building or buildings. When used in reference to the relationship of a deck, porch or stairs to a main building or structure shall include any deck, porch, or stairs that is unattached but is situated within 1m of the main building or structure.

ATTIC shall mean that portion of a building immediately below the roof and wholly or partly within the roof framing, which is not used as a habitable room.

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

AUTOMOBILE SERVICE STATION shall mean the use of land, buildings or structures where automobile fuels are kept for sale, and where repairs essential to the actual operation of motor vehicles may be performed, where grease, oil, anti-freeze, tires, spark plugs and other automobile accessories and a limited range of merchandise may be sold incidentally, and where vehicles may be oiled, greased or washed, but where no other activities of a commercial garage are carried on, but it shall not include a salvage yard or automobile body shop as defined herein.

BACKYARD HEN shall mean a female chicken that is at least four months old.

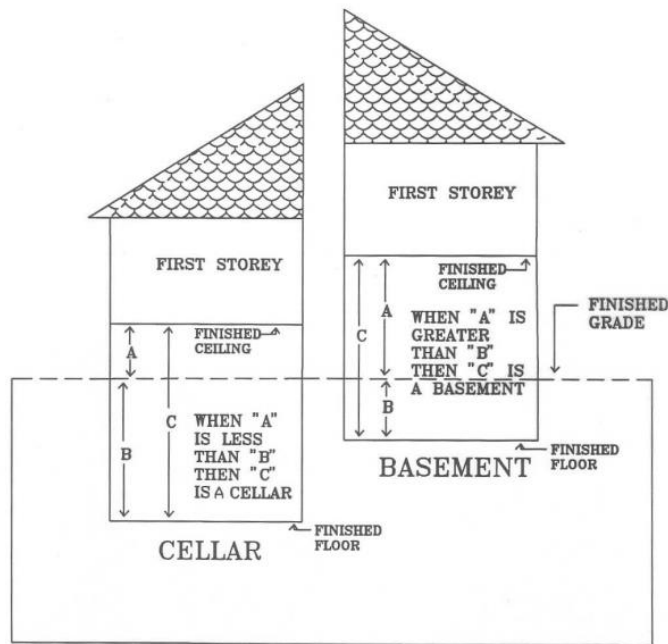
BACKYARD HEN COOP shall mean an accessory building where backyard hens are kept, and which is constructed in accordance with the Animal Control By-law and contains lockable roofs and doors.

BACKYARD HEN RUN shall mean a secure building attached to a backyard hen coop that allows backyard hens to access outside.

BALCONY shall mean a partially enclosed platform projecting from the main wall of a building, which is not supported by vertical uprights or columns other than the wall itself and is only accessible from the building.

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

BASEMENT shall mean the portion of a building between the two floor levels which is partly underground and which has at least one-half of its height, from floor to finished ceiling, or underside of the floor joists of the next above storey, above the average finished grade level adjacent to the exterior walls of the building.



BED AND BREAKFAST shall mean a detached dwelling, containing not more than three rooms available for sleeping accommodation of the vacationing or travelling public, where breakfast shall be offered. The owner/operator must reside at the bed and breakfast. A bed and breakfast shall not include a boarding house, hotel, motel, group home, restaurant or any other establishment otherwise defined or classified herein.

BOARDING HOUSE shall mean a detached dwelling in which lodging is provided for a maximum of four persons in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants. A Boarding House does not include a bed and breakfast, hotel, hospital, group home, home for the aged or other establishment otherwise classified or defined in this By-law.

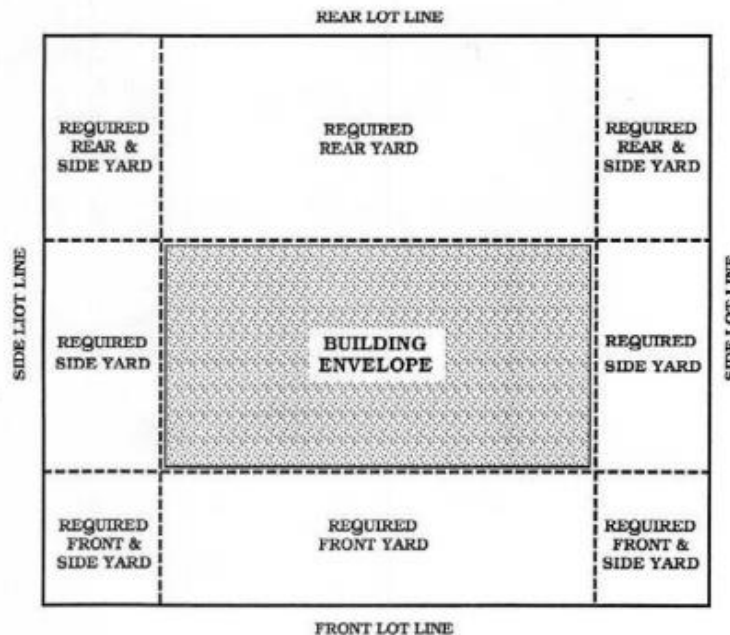
BOATHOUSE shall mean an accessory building or structure that is intended to shelter, house, or protect a boat or other watercraft and which is located such that more than 50% of the building or structure is beyond the high-water mark over the bed of the water body. A boathouse shall not be used for residential occupancy.

BUILDING shall mean anything that is comprised of components joined together and that stands more or less permanently in one place. A building includes all components such as walls, roof, floors, structural systems, columns, plumbing, fixtures, service systems, private sewage systems, decks, porches, canopies, architectural features, chimneys, mechanical systems, and any component that is attached to a building.

- **ACCESSORY BUILDING** shall mean a building customarily incidental and subordinate to the main building and located on the same lot with such main building.
- **MAIN BUILDING** shall mean the building in which the principal use of the lot is conducted.
- **TEMPORARY BUILDING** shall mean a building or structure intended for removal or demolition within a prescribed time as set out in a building permit.

BUILDING BY-LAW shall mean any Building By-law within the meaning of the *Planning Act* and/or the *Building Code Act*.

BUILDING ENVELOPE shall mean the buildable area on a lot, as defined by all the required yards and setbacks and the maximum height provisions, within which a building can be erected.



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

BUILDING PERMIT shall mean a permit issued by the Chief Building Official or designate of the Corporation under the Building By-law and the *Building Code Act*.

BUILDING SUPPLY CENTRE shall mean the use of land, buildings, or structures in which building or construction and home improvement materials are offered or kept for sale at retail and may include outdoor storage and display.

CABIN – See **LODGING ESTABLISHMENT**

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

CANNABIS shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include, but are not limited to, marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp.

CANNABIS CULTIVATION FACILITY shall mean any land, building or structure licensed and authorized to grow, cultivate, produce, dry, store and ship cannabis for medical or non-medical purposes, and is licensed by an authorized federal agency. This definition shall not include an Industrial Facility, as herein defined.

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

CELLAR shall mean that portion of a building between two floor levels, which is partly underground and which has more than one-half of its height from finished floor to finished ceiling below finished grade. (see *diagram under BASEMENT definition*)

CEMETERY shall mean the use of any lot or building, or part thereof for the interment of human remains and which may include a crematorium, mausoleum, or columbarium as licensed under the *Funeral, Burial and Cremation Services Act*.

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

CLINIC shall mean a building or part thereof where health services are provided to the public in the form of medical, paramedical, dental, surgical, physiotherapeutic, or other human health services including associated technician and laboratory facilities, and may also include an incidental pharmaceutical outlet for the sale of prescription and therapeutic drugs and medication and other drug store products, and optical equipment.

COMMERCIAL shall mean the use of land, buildings, or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction, and other similar uses.

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

COMMERCIAL VEHICLE shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulance, hearses, fire apparatus, police patrols, motor buses, tractor-trailer, transport trucks, delivery vans, courier services, taxis and similar vehicles used for a commercial trade.

COMMON ELEMENT shall mean a lot or building forming part of the common elements of a Plan of Condominium pursuant to the *Condominium Act*. Common elements may include private roads, common walkways, common sidewalks, and common amenity areas within a Plan of Condominium.

COMMUNICATIONS TOWER shall mean a guyed or self-supporting structure the main purpose of which is to accommodate antennas and/or other equipment used to transmit, receive, and/or relay wireless video, voice and/or data communications for commercial purposes.

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

CONCRETE PLANT shall mean a facility designed to mix cementing materials, aggregate, water, and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

- **PORTABLE CONCRETE PLANT** shall mean a concrete plant which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

CONSERVATION USE shall mean research, observation, education, preservation, improvement, and enhancement with respect to natural resources or the natural environment.

CONSTRUCT shall mean to do anything in the erection, installation, extension or alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere.

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

CONVERT shall mean to change the use of an existing lot or building, or a part thereof, to another use.

CORPORATION shall mean The Corporation of the Township of Montague.

CORRECTIONAL FACILITY shall mean a place of secure detention or secure custody and includes a secure custody group home.

COUNCIL shall mean the Council of The Corporation of the Township of Montague.

COUNTY shall mean the County of Lanark.

COUNTY ROAD shall mean a street or highway under the jurisdiction of the County of Lanark.

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

DAY CARE shall mean a day care facility licensed under the *Child Care and Early Years Act* and which provides care for six or more children.

DECK shall mean a building component that is uncovered and unenclosed, which may or may not be attached to one or more walls of a building. A deck includes its associated guards, fencing, walls, visual screens, stairs, and other associated features. A deck may or may not have a foundation.

DERELICT VEHICLE means any vehicle, boat or trailer, or part of any vehicle, boat, or trailer, that is in a wrecked, discarded, dismantled, or partly dismantled state. The aforementioned does not preclude the occupant of any premises from repairing a vehicle for his/her own use and not for commercial purposes.

DEVELOPMENT shall mean the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability of such buildings or structures, or the laying out and establishment of a commercial parking lot.

DEVELOPMENT AGREEMENT shall mean any agreement between an owner of land and the Corporation pursuant to the *Planning Act*.

DRIVEWAY shall mean a defined area providing access for motor vehicles from a street to facilities such as a parking lot, commercial parking lot, parking space, loading space or private garage.

DWELLING shall mean a building occupied or capable of being occupied as the home or the residence of one or more persons. This definition shall not include any vehicle defined herein, unless specifically permitted.

- **ACCESSORY DWELLING** shall mean a single detached dwelling which is accessory to a permitted non-residential building which is located on the same lot therewith and is occupied either by the family of the owner or by the family of a person employed on the lot where such dwelling is located.
- **ACCESSORY DWELLING UNIT** shall mean a dwelling unit which is part of and accessory to a permitted non-residential use, which is designed for residential occupancy necessary to the maintenance and operation of the non-residential use to which it is related. Such unit shall be occupied either by the owner or by the person employed on the lot where such a dwelling unit is located.
- **ADDITIONAL RESIDENTIAL UNIT** shall mean an accessory residential use located within a dwelling or accessory structure, consisting of a self-contained residential area with sleeping, kitchen, and bathroom facilities, but shall not include a boarding house, group home, or lodging establishment, as defined herein. A mobile home, while not regulated under the *Building Code Act*, shall be included in this definition, and is required to be placed on a foundation.
- **CONVERTED DWELLING** shall mean a dwelling originally constructed as a single dwelling that has been altered or converted into not more than four dwelling units.

- **DUPLEX DWELLING** shall mean a residential building that is used for the purpose of two principal dwelling units and configured in such a manner that the dwelling units are divided horizontally from one another, each of which has an independent entrance either directly to the outside or through a common vestibule, with one dwelling unit entirely above the other.
- **MODEL HOME DWELLING** shall mean a building used for the sole purpose of an office and/or show room and/or sales centre to promote the sale of residential units within a draft approved or registered plan of subdivision.
- **MULTIPLE DWELLING** shall mean a dwelling containing three or more dwelling units that would not be considered as any other type of dwelling unit as defined by this By-Law.
- **SEMI-DETACHED DWELLING** shall mean the whole of a dwelling which is divided vertically by a common wall into 2 separate dwelling units with each such dwelling unit having an independent entrance either directly from outside the building or through a common vestibule, or where two dwelling units are connected at some point below ground level.
- **SINGLE DETACHED DWELLING** shall mean a residential building that is used for the purpose of one dwelling unit and configured in a manner that is freestanding and separate, with independent exterior walls, and does not include a mobile home. The addition of an additional residential unit to a single detached house does not change a single detached house into any other type of residential building.

EASEMENT shall mean the right of a person, municipality, government agency, or public utility company to use public or private land owned by another person or entity for a specific purpose, or the grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person.

EAVE shall mean a roof overhang, free of enclosing walls, without supporting columns.

ENVIRONMENTAL IMPACT STUDY shall mean a study prepared in accordance with established procedures under the *Environmental Protection Act* and/or in accordance with relevant sections of the Municipality's Official Plan.

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

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

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

FENCE shall mean a physical barrier or partition made of wood, metal or other substance that is constructed for such purposes as marking the boundary of a property, enclosing a property, providing privacy, preventing access by people or animals, or dividing a property into sections, and includes every door, gate, and other closure that forms part of a fence, and which may be regulated by the Corporation.

FLEA MARKET - See **OPEN MARKET**

FLOOD LINE shall mean the line showing the limit of the flood plain.

FLOOD PLAIN shall mean the area, usually lowlands adjoining a watercourse, which has been or may be covered by flood water and is below the regional flood event as defined by the local Conservation Authority.

FLOOR AREA - DWELLING UNIT shall mean the habitable area contained within the inside walls of a dwelling unit, including a loft or a basement, but excluding any private detached garage, carport, porch, veranda, unfinished attic, crawl space or sunroom (unless such sunroom is habitable in all seasons of the year), and excluding public or common halls, stairways, and the thickness of outside walls.

FLOOR AREA – GROSS shall mean:

- (for dwellings) the total area of all floors contained within the exterior walls of the building including mezzanines, but not including the crawl space, or any detached garage, carport, porch, veranda, or unfinished attic.
- for non-residential buildings) the total area of all floors contained within the exterior walls of the building.

FLOOR SPACE INDEX shall mean the ratio of the total floor area of a dwelling and any other habitable building such as a sleeping cabin, if applicable, to the area of the lot on which the dwelling is situated, expressed as a percentage.

FORESTRY USE - See **AGRICULTURAL USE**

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

FUNERAL HOME shall mean an establishment with facilities for the preparation of the dead for burial or cremation, for the viewing of the body, and for holding funeral services.

GARDEN CENTRE shall mean the use of land, buildings or structures or part of a building and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.

GARDEN SUITE shall mean a single detached dwelling containing bathroom and kitchen facilities that is accessory to an existing residential structure, and that is designed to be portable and removable or converted to a permitted use following its intended use, for which a temporary use by-law has been adopted, pursuant to the provisions of the *Planning Act*.

GAZEBO shall mean a freestanding, roofed accessory structure which is not enclosed, except for screening or glass and is utilized in conjunction with a dwelling.

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

GRADE shall mean:

- when used in reference to a structure, the median level of the finished ground adjoining a building at all exterior walls;
- when used in reference to a street, road or highway, the elevation of the street, road or highway established by the Municipality or other designated authority.

GREENHOUSE shall mean the use of land, buildings, or structures for the growing of flowers, fruits, vegetables, plants, shrubs, trees, and similar vegetation.

GROUP HOME - TYPE "A" shall mean a single household unit in a dwelling, in which 3 to 10 residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents, who, by reason of their emotional, mental, social, or physical condition, require a group living arrangement. The home is licensed or approved under Provincial Statute and complies with Municipal By-laws. This definition does not include residences for young offenders or boarding/rooming dwelling houses.

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

HEAVY EQUIPMENT SALES OR RENTAL ESTABLISHMENT shall mean an establishment having as its main use the sale, rental, leasing, servicing, and accessory storage of heavy vehicles, farm equipment and/or excavation or construction equipment.

HEIGHT when used in reference to a building or structure, shall mean the vertical distance between the average grade at the front of such building or structure to the highest point thereon, exclusive of any ornamental dome, chimney, tower, cupola, steeple, church spire, water storage tank, electrical apparatus, television or radio antenna, or structure for the mechanical equipment required for the operation of such building or structure. Without limiting the generality of the foregoing, the highest point shall be taken as:

- In the case of a flat roof, the highest point of the roof surface or parapet, whichever is the greater.
- In the case of a mansard roof, the deck roof line.
- In the case of a gable, hip or gambrel roof, the mean height between the eaves and ridge.
- Where the height is designated in terms of storeys, it means the designated number of storeys above and including the first storey.

HIGH-WATER MARK shall mean the mark made on the shore or bank of a water body through the action of water under natural conditions, which action has continued over such a long period of time that it has created a difference between the character of the vegetation or soil below the mark and that above the mark.

HOBBY FARM shall mean the keeping, breeding, raising, and grazing of livestock and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as herein defined which is operated for commercial purposes. A hobby farm may include farm-gate sales of agricultural products produced on site.

HOME FOR THE AGED - See **PUBLIC USE**

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

- Instruction of students;
- Respite care or day care, provided that no residential accommodation is provided;
- Occupations in the areas of a personal service, a service outlet or a tradesperson's establishment, all as defined in this By-law;
- Food catering business;
- Pet grooming;
- Office for conducting a business or profession;
- Studio of an artist, artisan, or craftsman.

HOTEL - See **LODGING ESTABLISHMENT**

HUNTING OR FISHING CAMP shall mean a building or structure that includes an approved sewage disposal system and that is used on an occasional basis as a base for hunting, fishing, or similar outdoor activities, and which may provide sleeping accommodations, but shall not include a dwelling or an additional residential unit as defined in this By-law.

INDUSTRIAL FACILITY shall mean an establishment not otherwise defined in this By-law that is primarily engaged in the assembly, fabrication, manufacturing, processing, treatment, recycling or packaging of articles, components, materials, or products.

INFRASTRUCTURE shall mean physical structures (facilities and corridors) that form the foundation for development, including sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

INSTRUCTIONAL FACILITY shall mean a business that provides instruction or training in an art, hobby, skill, or trade and includes programs in exercise, dance, music, arts and crafts, computer operation, driving, and other similar activities.

KENNEL shall mean a building or structure where dogs are bred and/or boarded. The operation of a kennel requires annual licencing, issued by the Municipality, pursuant to the Township's Animal Control By-Law. A kennel will be classified as one of the following:

- **COMMERCIAL KENNEL:** Means a kennel used primarily for boarding dogs not owned by family members, or for the breeding, raising and sale of purebred or crossbred dogs or cats, whether owned by family members or not. Grooming may be conducted as an accessory use.
- **HOBBY KENNEL:** Means a kennel where dogs are housed for the primary purpose of pleasure (pets) or hunting, and where there is no boarding.

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

LAUNDROMAT OR DRY CLEANERS shall mean a building or part of a building in which the business of washing, and/or dry cleaning of clothes and other fabrics is carried on and includes both self-service and full-service facilities.

LIVESTOCK shall mean beef cattle, birds, dairy cattle, deer and elk, fur-bearing animals, game animals, goats, horses, poultry, sheep, swine, and other animals as identified in OMAFRA's Minimum Distance Separation document.

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

LIVESTOCK UNIT shall mean equivalent values for various types of animals including poultry, based on manure production and production cycles. The number of animals that would produce 1 livestock unit are as follows:

TYPE OF LIVESTOCK	NUMBER OF ANIMALS / LIVESTOCK UNIT
BEEF:	
Beef Cow ¹ (barn confinement)	1
Beef Cow (barn and yard)	1
Beef Feeders (barn confinement)	2
Beef Feeders (barn and yard)	2
CHICKEN:	
Caged Layers (inactive stored in barn)	125
Caged Layers (daily manure removal)	125
Chicken Breeder Layers	125
Chicken Broilers/Roosters	200
Pullets (replacement layers)	500
DAIRY:	
Milking Cow ^{1,2} (tie stall)	1
Milking Cow (free stall)	1
Dairy Heifers (barn confinement)	2
Dairy Heifers (barn and yard)	2
DUCK	100
EMU	5
GOAT:	
Adult Goats ³	4
Feeder Goats (>20kg)	10
HORSE³	1
OSTRICH	3

RABBIT:	
Adult Rabbit	40
SHEEP:	
Adult Sheep ³	4
Feeder Lambs (>20kg)	10
SWINE:	
Sows/Boars	5
Feeder Hogs (30 - 120kg)	4
Weaners (4 - 30kg) ⁴	20
TURKEY:	
Meat Turkeys (>10kg)	50
Meat Turkeys (5 - 10kg)	75
Turkey Breeder Layers	75
Meat Turkeys (<5kg)	100
Pullets (replacement breeders)	500
VEAL:	
White Veal	6
Red Veal (<300kg)	3

NOTES: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time.

1. Includes calf to 150 kg (330.7 lb).
2. A dairy/cow farm usually has milking cows, heifers, and calves. Multiply the number of milking/nursing cows by 1.5 to account for the followers when they are all kept on the same farm.
3. Includes offspring until weaned.
4. Multiply number of sows by 2.4 to determine the number of weaners.

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

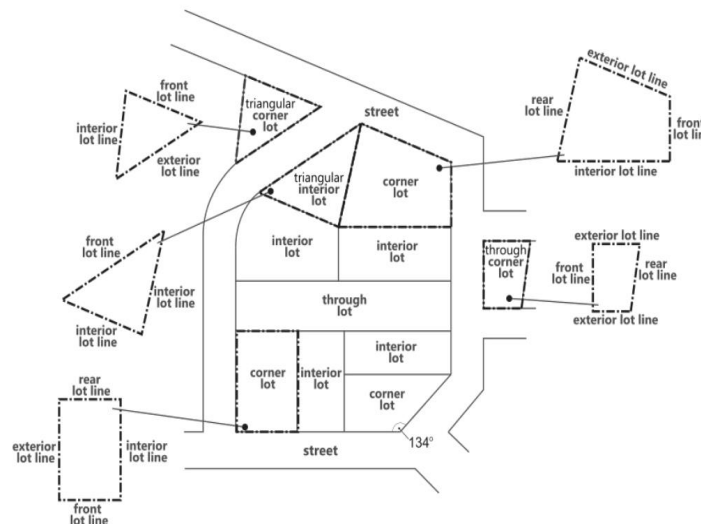
LODGING ESTABLISHMENT shall mean an establishment which provides temporary accommodation in one or more buildings for members of the public or organizations who are vacationing or travelling and shall include a seasonal camp, a cabin, a hotel, and a motel.

- **SEASONAL CAMP** shall mean an establishment which provides meals, sleeping accommodation and recreational opportunities to individuals and groups who are under the supervision of camp staff and shall include children's camps, church camps, scouting movement camps, YM/YWCA camps, and other similar uses.
- **CABIN** shall mean a building for sleeping, which may or may not contain facilities for the cooking or preparation of food, and which forms part of a tourist establishment as defined in this By-law.
- **HOTEL** shall mean an establishment containing four or more guest rooms served by a common entrance. Accessory uses may include accommodation for staff, dining rooms, meeting rooms, recreational amenities, and similar uses.

- **MOTEL** shall mean an establishment containing four or more guest rooms each of which has a separate entrance directly from outside the building. Accessory uses may include dining rooms, meeting rooms, recreational amenities, and similar uses.

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

- **CORNER LOT** shall mean a lot, other than a waterfront lot as defined herein, situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees. The front lot line on a corner lot is deemed to be the shorter lot line abutting one of the streets.
- **INTERIOR LOT** shall mean a lot, other than a waterfront lot as defined herein, situated between adjacent lots and which has frontage on one street.
- **ISLAND LOT** shall mean a waterfront lot that consists of an island or part of an island.
- **THROUGH LOT** shall mean a lot, other than a corner lot as defined herein, with frontage on more than one street.
- **WATERFRONT LOT** shall mean a lot which abuts a shoreline but which does not abut an improved street or a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement registered on the title to the lot.



LOT AREA shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water, or within the Flood Plain (FP) or Environmental Protection (EP) zone, provided that only the lot area lying within the zone in which a proposed use is permitted may be used in calculating the minimum lot area under the provisions of this By-Law for such permitted use.

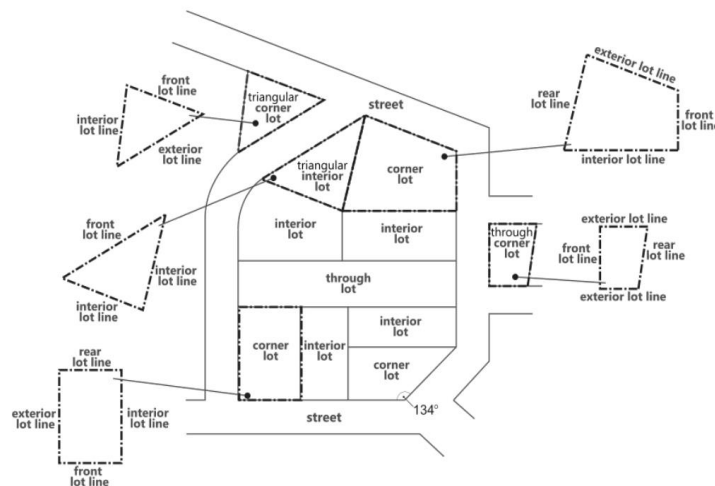
LOT COVERAGE shall mean that portion of the area of a lot covered by all main and accessory buildings, porches, decks, swimming pools and similar features, but excluding automobile service station pump island canopies, entrance canopies for non-residential buildings, and balconies and overhanging eaves which are more than 2.5 m above finished grade. For the purposes of

calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone. For the purpose of calculating lot coverage, the area occupied by a septic system shall not be included.

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

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

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



MARINA shall mean an establishment or premises located on a water body and containing facilities where boats and boat accessories are berthed, stored, serviced, repaired, maintained, or kept for sale or rent and where facilities for the sale of marine fuels and lubricants, as well as the parking of customers' vehicles, may be provided. The incidental sale of convenience food and personal items, camping and outdoor recreation accessories and fishing gear is included as an accessory use.

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

MINIMUM DISTANCE SEPARATION shall mean the minimum distance between livestock facilities, including permanent manure storage, and development on surrounding lots as determined by the OMAFRA MDS Implementation Guidelines, as amended from time to time.

MISSISSIPPI RIDEAU SOURCE PROTECTION PLAN means the Mississippi Rideau Source Protection Plan developed under the *Clean Water Act* or any successor documents that implement the Source Protection Plan requirements of the *Clean Water Act*.

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

MOBILE HOME PARK shall mean a parcel of land under single ownership which has been planned and improved for the permanent placement of mobile homes for full-time living accommodation and non-transient use.

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

MOTEL - See **LODGING ESTABLISHMENT**

MOTOR VEHICLE shall mean an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the *Highway Traffic Act* and any other vehicle propelled or driven otherwise than by muscular power.

MUNICIPALITY shall mean The Corporation of the Township of Montague.

MUSEUM shall mean the use of land, buildings or structures used, or proposed to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical, scientific and/or philosophical inventions, instruments, models and/or designs, and dedicated or proposed to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or proposed to be used in connection therewith.

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

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

NURSING HOME - See **PUBLIC USE**

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

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

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

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

OUTDOOR SOLID FUEL COMBUSTION APPLIANCE shall mean a solid fuel-burning appliance, which is used for the heating of buildings, water, or other such purpose, and which is located in a separate building or on the exterior of the building or structure which it serves.

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

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

PARKING AREA shall mean an area provided for the parking of motor vehicles and includes aisles, parking spaces and related ingress and egress lanes but shall not include any part of a public street or public lane.

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

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

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

PET CEMETERY shall mean land used as a place of interment for the dead remains of domestic pets.

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

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

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

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

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

PRIVATE GARAGE shall mean an attached or detached building which is accessory to a dwelling and which is fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy.

PRIVATE RIGHT-OF-WAY shall mean a legal right of passage over a lot for the purpose of providing vehicular access for two or more other lots.

PRIVATE ROAD shall mean a private right-of-way over private property, which affords access to abutting lots, and is not maintained by a public body, and is not a street as defined herein.

PRIVATE SERVICES shall mean a lot that is not serviced by municipal water or municipal sanitary sewer.

PRIVATE SEWAGE SYSTEM shall mean a structure that is a sewage system as defined under the *Building Code Act*, that is owned, operated, and managed by the owner or occupant of the property upon which it is located.

PROFESSIONAL OR BUSINESS OFFICE shall mean a building or part thereof, designed, intended, or used for the practice of a profession, the carrying on of a business, the conduct of public administration, constituency offices, offices of non-profitable or charitable organizations, or, where not conducted on the site thereof, the administration of an industry, but shall not include such uses as a retail or commercial use, industrial use, a clinic, or place of assembly.

PUBLIC USE shall mean the use of land, buildings, or structures for the supply of public services by the Corporation, the County of Lanark, the Governments of Ontario or Canada, any agencies, boards, commissions, or authorities thereof, and any company providing electricity, natural gas, wired or wireless communications or rail transportation. Without limiting the generality of the

foregoing, among other uses, this shall include correctional institutions, hospitals, homes for the aged, and nursing homes.

PUBLIC UTILITIES shall mean any water works, sewage works, gas works, electric heat, light or power works, telegraph and telephone lines and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessary services or conveniences.

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

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

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

RECREATIONAL VEHICLE shall mean a motor vehicle so constructed as to be a self-contained, self-propelled unit capable of being utilized for the living, sleeping, or eating accommodation of persons on a temporary basis.

REFRESHMENT VEHICLE shall mean a motor vehicle from which food and/or drinks, which have been prepared and cooked onsite or offsite, is sold, and shall include a chip wagon.

RESIDENTIAL shall mean the use of land, buildings, or structures for human habitation.

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

RESTAURANT shall mean the use of land, buildings or structures or part of a building where food is offered for sale or sold to the public for immediate consumption or for take-out and includes such uses as a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunchroom, dairy bar, coffee shop or snack bar.

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

RIGHT-OF-WAY shall mean an area of land that is legally described in a registered deed for the provision of public or private access.

SAWMILL shall mean the use of the land, buildings or structures or area where timber is cut, graded, sawed and/or planed, either to finished lumber or as an intermediary step and may include facilities for the kiln or air drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

SAWMILL - PORTABLE shall mean a trailer, or vehicle that is designed to be made mobile and that is used for the cutting and sawing of timber, either to finished lumber or as an intermediary step.

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

SCHOOL shall mean an educational establishment, as defined in the *Education Act*, and includes any other facility which has a body of students and teachers and which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario.

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

SELF-STORAGE FACILITY shall mean the use of land, buildings or structures containing separate, secured, individual self-storage units divided from the floor to the ceiling by a wall with an independent entrance from the exterior of the building, designed to be rented or leased to the general public for private storage of personal goods, materials and equipment.

SENSITIVE LAND USE shall mean any building, structure, use or associated amenity area (indoor or outdoor) where humans may be adversely affected by adjacent industrial land uses or facilities as defined in the MECP Land Use and Compatibility Guideline, including but not limited to residential uses, day care facilities, places of worship, schools, or playgrounds.

SEPARATION DISTANCE shall mean the minimum horizontal distance between a use or building and a specific use, lot, building or other specified feature. Separation distance is measured as the most direct path between the two specified points, without regard to roads, walkways, sidewalks, or other surface transportation features.

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

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

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

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

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

SITE ALTERATION shall mean activities, such as fill, grading, and excavation, that would change the topography, drainage and/or natural vegetative characteristics of a site.

SITE PLAN shall mean a scaled drawing prepared to illustrate the relation between the lot lines and the uses, buildings, or structures, existing or proposed, on a lot, including such details as parking areas, walkways, landscaped areas, lighting, building areas, minimum yards, floor areas, easements, drainage contours, and areas for special uses.

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

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

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

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

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

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

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

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

SWIMMING POOL shall mean any body of water located indoors or outdoors contained by artificial means, and having a depth of greater than 0.6 m at any point, and used and maintained for the purpose of swimming, wading, diving, or bathing.

TELECOMMUNICATION TOWER shall mean any structure used for transmitting or receiving radio, television, telegraph, or microwave signals.

TOWNSHIP ROAD shall mean a street or road under the jurisdiction of The Corporation of the Township of Montague.

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

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

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

USE (as a verb) shall mean anything permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, or agent acting for or with the knowledge and assent of such owner or occupant, for the purpose of making use of the said land, building or structure. The phrase "used for" includes "arranged for", "designed for", "maintained for" or "occupied for".

USE (as a noun) shall mean any of the following depending on the context:

- any purpose for which land, buildings or other structures may be arranged, designated, designed, intended, maintained, or occupied; or
- any occupation, business, activity, or operation carried on, or intended to be carried on, in a building or other structure or on land; or
- a name of a tract of land or a building or other structure which indicates the purpose for which it is arranged, designated, intended, maintained, or occupied.

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

VEHICLE SALES OR RENTAL ESTABLISHMENT shall mean the use of land, buildings, or structures and/or lot used for the display and sale of new and used automobiles and may include the servicing, repair, leasing or renting of automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.

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

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

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

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

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

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

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

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

WATERCOURSE shall mean a natural or altered drainage channel that contains water either permanently or intermittently, including creeks, streams, and municipal drains pursuant to the *Drainage Act*.

WELL shall mean an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a piped system from a surface water source.

WELLHEAD PROTECTION AREA shall mean an area of land surrounding a well where human activities may need to be regulated to protect the quality and quantity of groundwater that supplies that well.

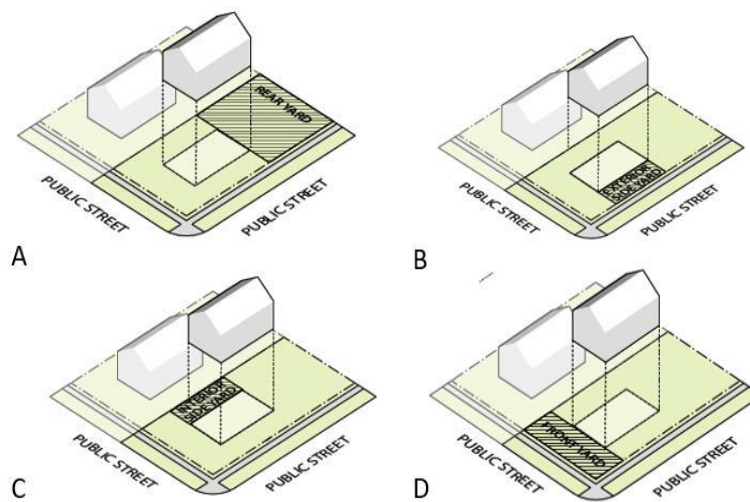
WETLANDS shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs, and fens.

WETLAND - PROVINCIALY-SIGNIFICANT shall mean a wetland identified and/or accepted as provincially significant by the Ontario Ministry of Natural Resources.

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

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

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



A. Rear Yard; B. Exterior Side Yard; C. Interior Side Yard; D. Front Yard

ZONE shall mean:

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

ZONE PROVISIONS shall mean the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.

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

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

SECTION 4 - GENERAL PROVISIONS

4.1 Accessory Buildings and Uses

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, except as otherwise set out in this section, accessory uses, buildings, or structures shall be permitted in any zone, provided that:

1. No accessory building or structure shall be erected until the principal building or structure is erected in compliance with the provisions of this By-law. Notwithstanding, an accessory building may be erected in conjunction with the construction of the principal building, subject to terms and conditions detailed in the building permit.
2. Accessory buildings or structures shall not be used for human habitation, except as specifically permitted elsewhere in this By-law.
3. No accessory building or structure can be located within an easement that is in favour of a public authority.
4. Accessory buildings shall be included for the purposes of compliance with maximum lot coverage provisions. In no case shall the lot coverage of all principal and accessory buildings on a lot exceed the maximum lot coverage set out in the applicable zone provisions in this By-law.
5. There shall be no minimum yard or water setback provisions applicable to a marine facility, except that the minimum side yard shall be 4.5 m.
6. The minimum separation distance between a detached accessory building and any other building shall be 1 m.
7. Any building or structure that is attached to the main building shall not be considered as accessory.
8. On a lot which both abuts a water body or watercourse and is situated in a Residential zone, one sleeping cabin shall be a permitted accessory use, provided that:
 - a) The maximum floor area of a sleeping cabin shall be 25 m².
 - b) The minimum water setback of a sleeping cabin shall be 30 m or the water setback of the existing dwelling, whichever is greater.
9. In a Residential zone, buildings or structures accessory to a residential use shall be subject to the following provisions:
 - a) The lot coverage of all accessory buildings or structures shall not exceed 10%.

- b) The maximum height of an accessory building or structure not utilized for human habitation shall be 5 m.
 - c) Notwithstanding the yard provisions of this By-law to the contrary, an accessory building or structure not utilized for human habitation may be located in a required interior side or rear yard, provided that the minimum yard shall be:
 - i) Lots in Settlement Area in Official Plan 1.0 m
 - ii) All other lots 3.0 m
10. Except as otherwise provided in this section, accessory buildings and structures shall conform to the zone provisions applicable to main buildings.
11. Notwithstanding the foregoing provisions, an outdoor solid fuel combustion appliance shall only be permitted in a Rural or Agriculture zone, provided they are a minimum of 50 m from a lot line.

4.2 Additional Residential Units (ARUs)

Notwithstanding any provisions to the contrary, on lands where a single detached dwelling, semi-detached dwelling, duplex dwelling, or multiple dwelling is noted as a principal permitted use, and where the lands are within the RG, RR or RU zoning designation, Additional Residential Units shall be permitted as an accessory use subject to the following provisions:

1. The subject property shall comply with the minimum standards for the zone in which it is located, including lot area and minimum frontage.
2. The subject property shall have frontage on an opened public road that is maintained year-round.
3. Additional Residential Units shall not be permitted on lands subject to flooding or natural hazards.
4. Additional Residential Units shall not be permitted on lands zoned EP-A or EP-B.
5. The development of the subject property, including the proposed Additional Residential Unit(s), shall not exceed the maximum lot coverage of the zone in which it is located.
6. A maximum of two (2) Additional Residential Units in addition to the primary dwelling shall be permitted on a property. A maximum of two (2) Additional Residential Units may be contained within a dwelling and a maximum of one (1) Additional Residential Unit may be contained within an accessory structure.
7. An Additional Residential Unit shall require compliance with the provisions of the *Building Code Act*.

8. The proposed Additional Residential Unit shall be accessed using the driveway providing access to the principal residential use.
9. Each Additional Residential Unit shall require a minimum of 1 parking space.
10. Additional Residential Units located within a non-residential accessory structure shall be limited to a maximum height of 5 m within a Residential zone.
11. An existing accessory building may be partially or fully converted to an Additional Residential Unit, except that no window in a habitable room shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
12. Additional Residential Units in an accessory structure which requires a separate septic system and are located on a lot less than 0.8 hectares in size shall require a hydrogeological assessment that demonstrates that the proposed development can be supported by private services, in accordance with MECF guidelines.
13. Additional Residential Units contained within an existing dwelling shall be connected to the existing well and septic systems, subject to confirmation that the existing well and septic systems can support the proposed development.
14. Additional Residential Units contained within an accessory structure may be connected to the well and septic system in use by the existing dwelling, should the systems be capable of supporting the additional development, or to an independent well and septic system, subject to confirmation that the existing well and septic systems can support the proposed development.

4.3 Agricultural Use Restrictions - Hobby Farms

On lots within the Agricultural (A) or Rural (RU) zone that are under 2 hectares (5 acres) in size, the maximum number of livestock units permitted shall be limited to 1 livestock unit per 0.8 hectares (2 acres) of land.

4.4 Backyard Hens

The keeping of Backyard Hens is permitted within any zone that permits a dwelling as a principal permitted use, in accordance with the following provisions:

1. Backyard Hen Coops and Backyard Hen Runs shall not be located in the front yard or exterior side yard of any lot and shall be located a minimum of 15 m from all interior side and rear lot lines.
2. A maximum of six (6) Backyard Hens will be permitted.
3. Roosters shall not be permitted.

4. Feed is to be stored in metal containers and withheld from Backyard Hens during the hours of 8:00pm and 6:00am.

4.5 Cannabis Cultivation Facilities

Notwithstanding any other provision of this By-law, Cannabis Cultivation Facilities shall be subject to the following provisions:

1. In the General Industrial (MG), Light Industrial (ML) and Business Park Industrial (MBP) Zones, any lands, building or structure or portion thereof used as a Cannabis Cultivation Facility be subject to the same yard requirements as any main use on the lot, unless the facility is located fully or partially outdoors, in which case it shall be set back a minimum of 30 m from any Institutional Zone or existing dwelling on another lot.
2. In the Rural (RU) and Agriculture (A) Zones, any lands, buildings or structures or portion thereof used as a cannabis Cultivation Facility shall be set back from any Institutional Zone or existing dwelling on another lot as follows:
 - a) 40 m if the facility is indoors or fully enclosed; and
 - b) 75 m for all other Cannabis Cultivation Facilities.
3. The setbacks outlined in subsections (1) and (2) shall be defined as a continuous horizontal distance between the nearest exterior wall of the structure if the cannabis is grown indoors or fully enclosed and the nearest cannabis plant, if grown indoors.
4. An approved Cannabis Cultivation Facility near which a dwelling or institutional zone is subsequently established within a required setback outlined in subsections (1) and (2) shall be permitted to expand provided that it does not encroach on any required sight lines.
5. A building or structure used for security purposes for a Cannabis Cultivation Facility may be located in the required front yard provided that it does not encroach on any required sight lines.
6. Outdoor storage is prohibited on the property in which a Cannabis Cultivation Facility is located.
7. Where a Cannabis Cultivation Facility is situated less than 100 m from a street, Residential zone, Institutional zone or a dwelling on another lot, a continuous buffer strip consisting of a berm or solid opaque fence a minimum of 2.5 m in height shall be provided so as to screen the facility and security fencing accessory thereto from the street, dwelling or institutional zone. Such buffer strip shall be broken only by a driveway or walkway from the street.

8. A Cannabis Cultivation Facility shall only be permitted within the zones as explicitly indicated in this Zoning By-law.
9. Notwithstanding any provisions of this By-law to the contrary, a licensed Cannabis Cultivation Facility existing on the date of the passing of this By-law shall be considered a permitted use and shall be permitted to expand, provided that expansion does not further reduce an already deficient setback.

4.6 Environmental Design Requirements for Shoreline Properties

For shoreline properties adjacent to a navigable waterway within the municipality, the following environmental design requirements shall apply to new development:

1. Existing natural vegetation (native species) shall be retained as a natural vegetation buffer strip of vegetation as deep as is reasonable and practical along the shoreline, and in no case less than 15 m in depth from the shoreline for existing vacant lots of record or 30 m for newly created lots. The cutting or removal of trees, shrubs or ground cover will be discouraged within the natural vegetation buffer except for the removal of dead or diseased trees, debris, or noxious plants. The municipality may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment.
2. A dock shall be permitted as an accessory structure, provided it is constructed with environmentally friendly (e.g. non-toxic) materials and provided it is either a cantilever, floating or post dock, but not a solid dock.
3. Shoreline structures such as retaining walls, sheet metal pilings, gabions (riprap) or groynes shall not be permitted except where required for erosion control or conservation purposes and only where such structures have been designed or recommended by a professional in the field of environmental design; (*Explanatory note: permits are required from the Rideau Valley Conservation Authority for fill, site alteration or construction within regulated areas.*)
4. Remediation or rehabilitation of shoreline features e.g. stabilizing eroded or de-vegetated slopes or riverbanks, selective cutting, planting, or thinning to improve vegetation or fish habitat shall be permitted under the guidance of a professional or public body.
5. Existing sewage disposal systems which are located within a defined flood plain may only be repaired or replaced where damaged or destroyed by flooding if they are repaired or reconstructed using approved flood proofing techniques. Sewage disposal systems which are voluntarily replaced, other than as a result of damage or destruction by flooding shall be relocated outside of the defined flood plain. Sewage disposal systems which fail for other reasons shall be repaired or reconstructed in accordance with the *Ontario Water Resources Act* and the *Building Code Act*.

6. Where storm drainage is discharged with an outlet into a lake or river, erosion protection shall be provided around the outlet. Site grading shall be carried out so as to collect surface runoff and retain phosphorous laden stormwater on site e.g. through the use of sediment traps or settling ponds.

(Note: these provisions are in addition to any controls that may be imposed under site plan control.)

4.7 Existing Undersized Non-Complying Lots

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

4.8 Front Yard Reduction Within a Settlement Area

Notwithstanding any minimum front yard requirement of this By-law to the contrary, on a lot within the Settlement Area designation of the Official Plan, the front yard may be reduced to 3 m or the average of the front yards of existing main buildings located on the two immediately adjacent lots, whichever is greater.

4.9 Frontage on an Improved Street

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

1. A non-residential building or structure accessory to an agricultural, mineral aggregate or conservation use;
2. A lot on a registered plan of subdivision with frontage on a street which will become an improved street pursuant to provisions in, and financial security associated with, a subdivision agreement that is registered on the title to the lot;
3. A lot located in a Limited Services Residential (RLS) zone;
4. A lot located on an island;
5. A Hunting or Fishing Camp.

4.10 Group Homes

Type "A" Group Homes may be a permitted use in all zones in which a single detached dwelling is permitted as a principal use in accordance with the following provisions:

1. Type “A” Group Homes shall not be permitted in accessory single detached dwelling houses nor in accessory dwelling units.
2. Type “A” Group Homes may be permitted in single detached dwellings and in both units of semi-detached and duplex dwellings, provided that both units are occupied by one group home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed ten.

Type “B” Group Homes shall be permitted subject to a site-specific Zoning By-law amendment.

4.11 Height Exceptions

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

1. Air conditioning, heating, or similar mechanical equipment
2. Antenna
3. Barn
4. Belfry, spire, or dome associated with a place of worship
5. Chimney
6. Clock tower
7. Communications tower
8. Electrical supply structure
9. Elevator or mechanical penthouse
10. Farm implement storage building
11. Flagpole
12. Grain elevator
13. Lightning rod
14. Silo
15. Solar collector
16. Water tower
17. Wind turbine

Notwithstanding the foregoing, all buildings and structures shall comply with height and lighting requirements of Transport Canada and Nav Canada, as applicable.

4.12 Home-Based Businesses

A home-based business shall be permitted as an accessory use to a residential use in accordance with the following provisions:

1. No more than 30% or 40 m² of the floor area of the dwelling unit, whichever is lesser, shall be used for the home-based business.
2. There shall be no visible indication from the exterior of the building of the presence of a home-based business other than one non-illuminated sign not larger than 1 m².
3. There shall be no open storage of inoperative or unlicensed motor vehicles or other materials, or outdoor animal enclosures.

4. There shall be no storage of hazardous materials such as paint or other flammable, corrosive or explosive substances.
5. There shall be no direct retail sale of goods other than those produced on the premises or those which are clearly incidental to a personal service or service outlet home-based business.
6. Where instruction, respite care or day care is provided, there will be no more than six persons, other than the instructor or caregiver, in attendance at any one time. In the case of all other home-based businesses, not more than one individual client or customer shall be served at any one time.
7. A maximum of one person in addition to the dwelling occupant(s) may be employed in the home-based business, provided that the maximum number of persons employed in the home-based business shall not exceed three. For the purposes of this subsection, the number of persons shall be calculated on the basis of full-time equivalence.
8. Except in the case of lots designated Settlement Area in the Official Plan, up to 40m² of floor area within an accessory building may be used for the home-based business, provided that:
 - a) The accessory building shall be located a minimum of 15 m from the closest dwelling on another lot.
 - b) The combined total floor area used for the home-based business within the accessory building and dwelling unit shall not exceed 40 m².
9. Not more than two commercial-use vehicles related to the home based-business shall be kept on the premises.
10. The home-based business shall not, in the opinion of the Township, change the predominantly residential character of the property or create or become a public nuisance with regard to noise, odours, vibration, heat, traffic, lighting or other annoyance.

4.13 Loading Space Requirements

1. Number of Loading Spaces Required

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

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

2. Loading Space Size

A required loading space shall be a minimum of 9.0 m long, 3.5 m wide, have vertical clearance of at least 4.5 m and driveway access that is a minimum of 3.5 m in width.

3. Loading Area Surface

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

4. Cumulative Loading Requirements

Where a lot, building or structure accommodates more than one use, the loading space requirement shall be calculated on the basis of the total floor area of all commercial and industrial uses.

4.14 Lots Containing More Than One Use

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

4.15 Lots Divided for Freehold Unit Ownership

Notwithstanding the division of a lot or block for the purpose of freehold ownership of a dwelling unit and its associated parcel of land, zoning provisions shall continue to apply on the basis of the entire lot or block.

4.16 Lots Divided into More Than One Zone

Where a lot is divided into more than one zone such that it has split zoning, each portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. In no case shall split zoning be interpreted to allow more dwellings or dwelling units on the lot than would otherwise be permitted by the least restrictive of the applicable zones.

4.17 Moving of Buildings

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

4.18 Non-Conforming Uses and Non-Complying Uses, Buildings and Structures

1. Buildings Accessory to Non-Conforming Uses

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

2. Change of Non-Conforming Use

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

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

A legal non-conforming or non-complying use, building or structure shall only be repaired, restored, or reconstructed in accordance with the rights conveyed to legal non-conforming uses pursuant to the applicable provisions of the *Planning Act*.

The Township will require the voluntary replacement of an existing, non-complying building to conform to the 30 m setback requirement from watercourses unless the lot size and physical constraints do not provide sufficient space.

Any additions or expansions to an existing, non-complying building shall not encroach further into the area of the 30 m water setback.

4. Replacement of Non-Complying Sewage Disposal Systems

Notwithstanding any provision of this By-law to the contrary, a sewage disposal system which was legally constructed under the regulations governing sewage disposal systems that were in force and effect at the time of such construction but that is non-complying with respect to the water setback provisions, may be permitted less than 30 m from a water body only in situations where the existing lot or existing development precludes the reasonable possibility of achieving the setback, but shall be located no closer than the current septic system. In situations where there is sufficient area outside of the water setback, not impacted by development constraints, the replacement septic system shall be located outside of the 30 m water setback.

5. Enlargements of Non-Conforming Uses

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

Applications for changes to non-conforming uses or enlargements or extensions to such uses shall only be considered where the use was:

- a) legally established prior to the adoption of the Zoning By-law which rendered it non-conforming;
- b) continuous in nature since the use's establishment; and
- c) located on lands owned and used in connection with the use on the day the Zoning By-law was passed.

In considering applications, the following criteria shall be applied:

- d) Any proposed extension or enlargement shall be in an appropriate proportion to the existing size of the non-conforming use.
- e) Any proposed extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use.

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

A legal non-complying use, building or structure shall not be enlarged, except in compliance with all applicable provisions of this By-law.

7. Non-Conforming Uses and Land Use Compatibility

The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved.

4.19 Occupancy Restrictions

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

- 1. Any truck, bus, coach, railway, or streetcar body;
- 2. Any marine facility or building or structure accessory to a residential use, other than a sleeping cabin, unless permitted elsewhere in this By-law;
- 3. Any recreational vehicle, travel trailer or tent trailer, except in a tourist campground or as a temporary use in accordance with Section 4.31 of this By-law.
- 4. Any dwelling unit the entirety of which is located in a cellar.

4.20 Open Storage

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

- 1. No part of an open storage area shall be located within a front yard or any minimum side or rear yard or water setback required by this By-law;
- 2. Open storage shall not occupy any driveway or parking or loading area required by this By-law;

3. Where open storage that is not accessory to an agricultural use is situated less than 30 m from a Residential zone, a street or a dwelling on another lot, a continuous buffer strip consisting of a berm, fence or landscaping having a minimum combined height of 1.5 m shall be provided so as to screen the open storage area from the street or dwelling. Such buffer strip shall be broken only by a driveway or walkway from the street.

4.21 Organic Soils

Despite any other provision contained in this By-law, no habitable building or structure shall be constructed, erected, altered or used on land which, by reason of its rocky, low-lying, marshy, unstable character or which is located or may be located on organic soil, unless the developer or applicant can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the Ontario Building Code can be met. The Schedule attached to this By-law identifies the location of organic soils within the municipality.

4.22 Parking Requirements

1. Number of Parking Spaces Required

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

<u>Type of Use</u>	<u>Number of Parking Spaces Required</u>
One and two-unit dwellings, mobile homes	1 parking space per dwelling unit
Dwellings of three units or more	1 parking space per dwelling unit
Additional Residential Units	1 parking space per dwelling unit, which may be a tandem space
Campground	1 parking space per site
Group home	3 parking spaces in addition to the applicable dwelling requirement
Boarding house, Residential care home	1 parking space, plus 1 parking space per 3 rooming units
Home-based business	1 parking space in addition to the applicable dwelling requirement
Bed and breakfast	1 parking space per guest room in addition to the applicable dwelling requirement

Lodging Establishment	1 parking space per guest room or cabin plus 1 parking space per 20 m ² of floor area devoted to dining or meeting uses
Restaurant, banquet hall	1 parking space per 12 m ² of floor area
Place of worship or assembly	1 parking space per 12 m ² of floor area devoted to public assembly
Recreational use, Instructional Facility	1 parking space per 4 persons' design or 1 parking space per 20 m ² of floor area, whichever is greater
Retail store, personal service, merchandise service outlet	1 parking space per 20 m ² of floor area
Clinic	1 parking space per 20 m ² of floor area
Commercial use not defined	1 parking space per 20 m ² of floor area
Professional or business office	1 parking space per 25 m ² of floor area
School - elementary	1.5 parking spaces per classroom
School - secondary	4 parking spaces per classroom
Institutional or public use	1 parking space per 40 m ² of floor area
Industrial, warehouse or storage use	1 parking space per 70 m ² of floor area

2. More than One Use on a Lot

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

3. Parking Space Size and Access

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

4. Accessible Parking

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

5. Driveway Access to Parking Areas

The maximum width of any driveway shall be 9 m.

Driveways designated for two-way traffic shall have a minimum width of 6 m. One-way driveways and driveways serving only one dwelling unit shall have a minimum width of 3 m. For portions of a driveway that directly abut a parking space, the minimum driveway width shall be as follows:

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

6. Parking Area Surface

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

7. Parking Area Location

1. Except as set out in the following subsection, required parking shall be provided on the same lot as the use.
2. In the case of an existing building, the use of which is being changed to a non-residential use that has a higher parking requirement than the previous use, required parking for such non-residential use may be provided on another lot within 150 m of the existing building that it is intended to serve, provided that:
 - a) No part of any such required parking area shall be permitted on another lot unless such other lot is zoned for the use with which the parking is associated.
 - b) Where required parking is provided on another lot, such lot shall be under the same ownership for the duration of the use for which the parking is required.

8. Parking Requirements for Additions to Existing Buildings

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

2. Notwithstanding any provision of this By-law to the contrary, within any lands designated Settlement Area in the Official Plan, an existing building the use of which is being changed to a new use with a greater parking space requirement than the previous use shall not be required to provide any additional parking, provided that any parking deficiency shall not be increased by more than 10 parking spaces.

4.23 Public Uses

Except in the case of lands zoned Environmental Protection - A or B (EP-A or EP-B), any land may be used and any building or structure erected or used for the purpose of a public use, provided that:

1. Lot coverage, setback, and yard requirements of the zone in which such land, building or structure is located shall be complied with, except in the case of towers, poles, lines and transmission facilities for natural gas, electricity, cable, water, storm, and sanitary sewage and wired and wireless communications.
2. Any building or structure erected or used shall be designed, maintained, and used in a manner compatible with the buildings and structures permitted in the zone in which it is located.
3. Where a public use is to be located in the Environmental Protection - B (EP-B) or Flood Plain (FP) zone, Sections 15.2.3.2 and 16.1.2, respectively, shall apply.

4.24 Separation Distances from Other Land Uses

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

- | | | |
|----|---|--|
| 1. | From a Class "B" pit with no excavation below the water table | 150 m |
| 2. | From any other pit or concrete plant | 300 m |
| 3. | From a quarry or asphalt plant | 500 m |
| 4. | From land zoned Salvage Yard Industrial | 300 m |
| 5. | From land zoned Disposal Industrial | 500 m |
| 6. | From livestock facilities | As per the Minimum Distance Separation I (MDS I) formula, as issued by the Ontario Ministry of Agriculture, Food and Rural Affairs |
| 7. | From a rail line | 30 m |
| 8. | From an EP-A zone * | 120 m |

9. From an EP-B zone

30 m

** A variance to this setback may be considered by the Committee of Adjustment, with the necessary supporting studies, to the satisfaction of the Township.*

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

Except in relation to water setbacks and setbacks from Environmental Protection (EP) zones, sewage disposal systems shall not be subject to the provisions of this By-law and shall be regulated under the *Ontario Building Code*.

4.26 Shoreline Area Occupancy

Notwithstanding any provisions of this By-law to the contrary, on any lot abutting a water body and used for purposes other than a marina, a maximum of 20% or 15 m of the shoreline area, whichever is lesser, shall be occupied by marine facilities, pump houses, stairs, and decks limited to 20 m². For the purposes of this section, the shoreline area shall include that portion of the lot lying within 30m of the high-water mark.

4.27 Sight Triangles

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

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

4.28 Site Plan Control

No development shall take place on any parcel of land designated as a Site Plan Control Area in the Site Plan Control By-Law passed under the *Planning Act*, unless the Corporation has approved such plans and drawings required under the provisions of the Site Plan Control By-Law.

4.29 Source Water Protection

This Section applies to lands within the Source Water Protection Overlay Zone as shown on Schedules A and A1 of this By-law. On these lands, the following provisions shall apply:

1. All applications for development within the Source Water Protection Overlay shall be accompanied by a completed "Source Water Protection Checklist" unless exempted by the Municipality and/or the Risk Management Official (RMO).
2. The RMO is that person appointed by the Township in accordance with the *Clean Water Act*.

3. Properties having parts lying within the Overlay may be developed without consultation with the RMO if the development will take place outside of the area described as being a part of the Overlay Zone.
4. Properties within the Overlay Zone may be developed for solely residential purposes without need for consultation with the RMP.
5. Any non-residential use that is proposed that has the potential to use, store, or undertake the following types of activity, or which may use any of the items listed in this Section (definitions of these activities can be found in the Source Water Protection Plan), shall be prohibited until it is demonstrated to the satisfaction of the Municipality and/or the RMO that the use does not represent a significant threat to drinking water:
 - a) Waste disposal sites
 - b) Large (more than 10,000 Litres) on-site sewage systems
 - c) Agricultural Use
 - d) Handling and storage of commercial fertilizer, organic solvents or commercial pesticide to land
 - e) Handling or storage of fuel at private outlets
 - f) Handling and storage of road salt
 - g) Snow storage/disposal site
6. Any non-residential use that has the potential to impact the supply of water by removing water from an aquifer without returning it to the same aquifer shall not be permitted unless it has been demonstrated to the satisfaction of the RMO that the use would not be a significant drinking water threat.

4.30 Street Setbacks

The following setbacks shall be required:

- | | | |
|----|----------------------|---|
| 1. | County Street | 13 m from the centre line of the street plus the minimum required yard for the appropriate zone |
| 2. | Township Street | 10 m from the centre line of the street plus the minimum required yard for the appropriate zone |
| 3. | Private right-of-way | 6 m from the limit of the right-of-way |

4.31 Temporary Uses

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

1. Construction facilities such as sheds, scaffolds, and other structures incidental to the construction on the premises for so long as the work is in progress in accordance with a building permit issued under the Ontario Building Code;
2. Model Home Dwelling;
3. A travel trailer, tent trailer, recreational vehicle or mobile home occupied on a temporary basis during the course of construction of a dwelling on the same lot, provided that:
 - a) Temporary connection to an approved on-site sewage disposal system is provided;
 - b) A building permit for a dwelling has been issued and remains in force;
 - c) The trailer or recreational vehicle is located in accordance with the required yards and water setbacks applicable to a dwelling;
 - d) In no event shall the trailer, recreational vehicle or mobile home be located on the lot for a period exceeding one year from the date of issuance of the building permit.

4.32 Through Lots

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

4.33 Water Frontage and Water Setbacks

1. Except as otherwise provided by Section 4.7, the minimum water frontage for any lot abutting a water body shall be 50 m.
2. Except as otherwise permitted by Sections 4.1, 4.18, 4.26 and 4.35 of this By-law, the minimum water setback for all buildings and structures, including sewage disposal systems, shall be:
 - a) 30 m from the normal high-water mark; or
 - b) 15 m from the top of bank (top of slope), whichever is greater.

The foregoing water setbacks shall not apply to the following:

- c) Marinas, pump houses, stairs, and marine facilities.
3. All development within 120 m of a watercourse is subject to site plan control.

4.34 Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants

Any lands may be used for the purposes of wayside pits, wayside quarries, portable concrete plants, and portable asphalt plants, except the following:

1. Lands zoned as Environmental Protection - A (EP-A), Environmental Protection - B (EP-B), Natural Hazard (FP) and any Residential zone;
2. Lands designated as Settlement Area in the Official Plan;
3. Lands situated within 150 m of an existing dwelling.

4.35 Yard and Water Setback Encroachments

Notwithstanding the yard and setback provisions of this By-law, the following encroachments are permitted:

1. Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, bay windows, and other ornamental features may project into any required yard or water setback by not more than 0.6 m, provided that they shall not be located closer than 0.4 m to any lot line;
2. Attached unenclosed porches, decks, balconies, exterior stairs, and landings may project from the main building into any minimum required yard or water setback by not more than 3 m, except that where an existing main building is non-complying in relation to the required water setback, an open and unroofed porch, deck exterior stairs or landing may project into the existing water setback by a maximum of:
 - a) 2 m, where the water setback of the existing main building is equal to or greater than 15 m but less than 30 m, provided the combined horizontal surface area is 20 m² or less; or
 - b) 1.25 m, where the water setback of the existing main building is equal to or greater than 6 m, but less than 15 m, provided the combined horizontal surface area is 12.5 m² or less; or
 - c) 0 m, where the water setback of the existing main building is less than 6 m.
 - d) Awnings, clothes poles, flag poles, garden trellises, fences, plant materials, handicapped ramps and similar accessory structures shall be permitted in any required yard or water setback;
 - e) Swimming pools, including all related equipment, shall be permitted in any required yard, except for a required front or exterior side yard, and shall not be located closer than 1.5 m to any lot line or encroach into the required 30 m water setback.

SECTION 5 - ZONES

5.1 General

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

5.2 Zones and Zone Symbols

<u>Zone Name</u>	<u>Symbol</u>
<u>Residential Zones</u>	
• General Residential	RG
• Rural Residential	RR
• Limited Services Residential	RLS
• Mobile Home Park Residential	RMH
<u>Commercial Zones</u>	
• General Commercial	CG
• Highway Commercial	CH
• Tourist Commercial	CT
<u>Industrial Zones</u>	
• General Industrial	MG
• Light Industrial	ML
• Business Park Industrial	MBP
• Salvage Yard Industrial	MS
• Disposal Industrial	MD
<u>Institutional Zones</u>	
• Institutional	I
<u>Open Space Zones</u>	
• Open Space	OS
<u>Airport Zones</u>	
• Airport	AP
<u>Rural Zones</u>	
• Rural	RU
<u>Agriculture Zones</u>	
• Agriculture	A
<u>Mineral Resource Zones</u>	
• Mineral Aggregate Extraction - Pit	EX-P
• Mineral Aggregate Extraction - Quarry	EX-Q

Natural Heritage Zones

- Environmental Protection - A EP-A
- Environmental Protection - B EP-B

Natural Hazard Zones

- Flood Plain FP

5.3 Boundaries of Zones

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

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

5.4 Holding Zones

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

5.5 Mandatory Municipal Services Overlay

The area identified by the Mandatory Municipal Services Overlay on Schedules A and A1 of this By-law denotes an area in which no person shall use any lot or erect, alter or use any building or structure unless such lot is served by a municipal water system and a municipal sanitary sewer system to which such building or structure shall be connected.

Notwithstanding the foregoing, within such overlay area where an existing use, building or structure is situated but not connected to municipal water and sanitary sewer services, a change of use, addition, or alteration shall be permitted, provided that such change of use, addition or alteration does not increase the sanitary service flow as measured through the plumbing fixture count, and provided the change of use or alteration complies with all other applicable provisions of this By-law.

5.6 Special Zones

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

5.7 Temporary Zones

Where a temporary zone is established for the purpose of accommodating a temporary use pursuant to the provisions of the *Planning Act*, the lands so zoned shall be subject to all the provisions of the zone, except that a temporary use shall be permitted for a certain limited period of time. The zone symbol shall be followed by a hyphen, the letter “T” and a letter or a number other than “-h”, (for example, “-Tx” or “-T1”).

Temporary zones in force and effect are as follows:

(reserved)

5.8 Source Water Protection Overlay Zone

Lands zoned Source Water Protection Overlay, as shown on Schedules A and A1 of this By-Law, shall be subject to all of the provisions of the underlying zones in which the lands are located. However, on the lands in which this overlay is identified, the General Provisions for Source Water Protection shall apply in addition to those of the applicable underlying zone and the other provisions of this By-law.

SECTION 6 - RESIDENTIAL ZONES

6.1 General Residential (RG)

1. Permitted Uses

Additional Residential Unit (see Section 4.2)
Bed and Breakfast
Group Home - Type "A" (see Section 4.10)
Home-Based Business (see Section 4.12)
Single Detached Dwelling

2. Zone Provisions

a)	Lot Area (minimum)	
	i) Lots served by both public water and sanitary sewer	665 m ²
	ii) All other cases	4000 m ²
b)	Lot Frontage (minimum)	
	i) Lots served by both public water and sanitary sewer	18 m
	ii) All other cases	46 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	3 m
	iv) Rear	7.5 m
d)	Building Height (maximum)	10 m
e)	Lot Coverage (maximum)	
	i) Lots served by both public water and sanitary sewer	30%
	ii) All other cases	20%
f)	Floor Space Index for lot abutting a water body (maximum)	10%

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

a) **RG-1** (*Part of Lot 29, Concession 5*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned RG-1, a semi-detached dwelling shall be an additional permitted use.

b) **RG-2** (*Part of Lot 29, Concession 4*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned RG-2, a semi-detached dwelling shall be an additional permitted use.

c) **RG-3** (*Part of Lot 29, Concession 4*)

Notwithstanding the provisions of Section 6.1.1 to the contrary, on the lands zoned RG-3, a 3-unit multiple dwelling shall be an additional permitted use.

6.2 Rural Residential (RR)

1. Permitted Uses

Additional Residential Unit (see Section 4.2)
Group Home - Type "A" (see Section 4.10)
Home-Based Business (see Section 4.12)
Single Detached Dwelling

2. Zone Provisions

a)	Lot Area (minimum)	0.4 ha
b)	Lot Frontage (minimum)	50 m
c)	Yards (minimum)	
	i) Front	13.5 m
	ii) Exterior Side	10 m
	iii) Interior Side	6 m
	iv) Rear	7.5 m
d)	Building Height (maximum)	10 m
e)	Lot Coverage (maximum)	20%
f)	Floor Space Index for lot abutting a water body (maximum)	10%

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

(reserved)

6.3 Limited Services Residential (RLS)

1. Permitted Uses

Home-Based Business (see Section 4.12)
Hunting or Fishing Camp
Single Detached Dwelling

2. Zone Provisions

a) Lot Area (minimum)	0.4 ha
b) Lot Frontage (minimum)	46 m
c) Yards (minimum)	
i) Front	7.5 m
ii) Exterior Side	7.5 m
iii) Interior Side	
• Lots designated Settlement Area in Official Plan	3 m
• All other lots	6 m
iv) Rear	7.5 m
d) Building Height (maximum)	10 m
e) Lot Coverage (maximum)	10%
f) Floor Space Index for a lot abutting a water body (maximum)	10%
g) Dwellings per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

(reserved)

6.4 Mobile Home Park Residential (RMH)

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Home-Based Business (see Section 4.12)
Mobile Home
Mobile Home Park
Mobile Home Park Management Office
Recreational Facilities Accessory to a Mobile Home Park

2. Zone Provisions

2.1 Mobile Home Park

a)	Lot Area (minimum)	4 ha
b)	Lot Frontage (minimum)	60 m
c)	Yards (minimum)	
	i) Front	15 m
	ii) Exterior Side	10 m
	iii) Interior Side	10 m
	iv) Rear	15 m
d)	Building Height (maximum)	10 m
e)	Lot Coverage (maximum)	20%

2.2 Mobile Home Site

a)	Site Area (minimum)	700 m ²
b)	Site Frontage (minimum)	20 m
c)	Site Yards (minimum)	
	i) Front	6 m
	ii) Exterior Side	6 m
	iii) Interior Side	3 m
	iv) Rear	6 m
d)	Site Coverage (maximum)	30%
e)	Mobile Homes per Site (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

(reserved)

SECTION 7 - COMMERCIAL ZONES

7.1 General Commercial (CG) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Automobile Service Station
Bank
Building Supply Centre
Clinic
Commercial Parking Lot
Community Service
Custom Workshop
Equipment Rental Outlet
Funeral Home
Garden Centre
Home-Based Business (see Section 4.12)
Hotel
Instructional Facility
Motel
Open Market
Personal Service
Place of Assembly
Private Park
Professional or Business Office
Recreational Establishment
Retail Store
Restaurant
Service Outlet
Tradesperson's Establishment
Vehicle Sales or Rental Establishment
Veterinary Clinic

2. Zone Provisions

a)	Lot Area (minimum)	0.4 ha
b)	Lot Frontage (minimum)	46 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	6 m
	iv) Rear	10 m
d)	Building Height (maximum)	10 m

- | | |
|--|-----|
| e) Lot Coverage (maximum) | 20% |
| f) Accessory Dwellings or Accessory Dwelling Units per Lot (maximum) | 1 |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Automobile Service Station Pump Islands and Canopies

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

4. Special Exception Zones

(reserved)

7.2 Highway Commercial (CH) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Automobile Service Station
Building Supply Centre
Community Service
Custom Workshop
Equipment Rental Outlet
Garden Centre
Home-Based Business (see Section 4.12)
Hotel
Instructional Facility
Motel
Open Market
Personal Service
Place of Assembly
Recreational Establishment
Retail Store
Restaurant
Tradesperson's Establishment
Vehicle Sales or Rental Establishment
Veterinary Clinic

2. Zone Provisions

a)	Lot Area (minimum)	0.4 ha
b)	Lot Frontage (minimum)	60 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	6 m
	iv) Rear	10 m
d)	Building Height (maximum)	10 m
e)	Lot Coverage (maximum)	20%
f)	Accessory Dwellings or Accessory Dwelling Units per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Automobile Service Station Pump Islands and Canopies

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

4. Special Exception Zones

a) **CH-1** (*Part of Lot 27, Concession 6*)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on the lands zoned CH-1, a self-storage facility shall be an additional permitted use.

b) **CH-2** (*Part of Lot 28 and 29, Concession 5*)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on the lands zoned CH-2, permitted uses shall be limited to the following:

- garden centre
- open storage, limited to vehicle storage
- personal service
- professional or business office
- retail store
- self storage facility
- service outlet
- vehicle sales or rental establishment
- warehouse

c) **CH-3** (*Part of Lot 29, Concession 4*)

Notwithstanding the provisions of Section 7.2.1 and 7.2.2 to the contrary, on the lands zoned CH-3, the existing storage and transfer of propane and similar gas fuel cylinders shall be an additional permitted use, subject to the following provisions:

- There shall be no onsite filling of gas fuel cylinders.
- Any gas fuel cylinder storage shall be set back a minimum of 10m from any lot line abutting a residential use.

The holding provision (“h”) shall only be removed upon execution of a site plan agreement for the lands to which the holding provision applies.

d) **CH-4** (*Part of Lot 14, Concession A – By-Law 3609-2017*)

Notwithstanding the provisions of Section 7.2.1 to the contrary, on the lands zoned CH-4, permitted uses shall be limited to the following:

- Retail Store, which shall include the outdoor storage and retail of sheds
- Garden Centre

- Tradesperson's Establishment
- Self-Storage Facility

e) **CH-5** (*Part of Lot 29, Concession 4 – By-Law 3720-2019*)

Notwithstanding the provisions of Section 7.2.2 to the contrary, on the lands zoned CH-5, a self storage facility shall be an additional permitted use.

f) **CH-2-h** (*Part of Lot 28, Concession 5 – By-Law 3983-2023*)

The holding provision (“h”) shall only be removed upon execution of a site plan agreement for the lands to which the holding provision applies.

7.3 Tourist Commercial (CT) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Antique Shop
Bed and Breakfast
Community Service
Custom Workshop
Golf Course
Home-Based Business (see Section 4.12)
Marina
Marine Facility
Park
Restaurant
Campground
Lodging Establishment

2. Zone Provisions

a) Lot Area (minimum)	
i) Tourist Campground	2 ha
ii) Other uses	0.4 ha
b) Lot Frontage (minimum)	60 m
c) Yards (minimum)	
i) Front	7.5 m
ii) Exterior Side	7.5 m
iii) Interior Side	6 m
iv) Rear	10 m
d) Building Height (maximum)	10 m
e) Tourist Campground Site (minimum)	230 m ²
f) Lot Coverage (maximum)	20%
g) Accessory Dwellings or Accessory Dwelling Units per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. **Special Exception Zones**

a) **CT-1** (*Part of Lot 18, Concession B*)

Notwithstanding the provisions of Section 7.3.1 to the contrary, on the lands zoned CT-1, a campground shall be subject to the following additional provisions:

- Number of tourist camp sites (maximum) 50

SECTION 8 - INDUSTRIAL ZONES

8.1 General Industrial (MG) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Agricultural Products Processing Facility
Automobile Body Shop
Automobile Service Station
Building Supply Centre
Cannabis Cultivation Facility (see Section 4.5)
Contractor's Yard
Custom Workshop
Equipment Rental Outlet
Feed Supply Outlet
Fuel Storage Facility
Garden Centre
Heavy Equipment Sales or Rental Establishment
Printing Establishment
Self-Storage Facility
Service Outlet
Tradesperson's Establishment
Transportation Depot
Vehicle Sales or Rental Establishment
Veterinary Clinic
Warehouse
Wholesale Establishment

2. Zone Provisions

a)	Lot Area (minimum)	0.4 ha
b)	Lot Frontage (minimum)	60 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	6 m
	iv) Rear	10 m
d)	Building Height (maximum)	12 m
e)	Lot Coverage (maximum)	20%
f)	Accessory Dwellings or Accessory Dwelling Units per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Automobile Service Station Pump Islands and Canopies

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

3.3 Increased Yard Requirements

Where an MG zone abuts a lot in any zone other than an Industrial zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones

a) MG-1 (Part of Lot 26, Concession 4)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned MG-1, industrial uses shall be limited to a sawmill and the processing of fence posts.

b) MG-2 (Part of Lot 28 and 29, Concession 5 and 6)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned MG-2, permitted uses shall be limited to the following:

- agricultural products processing facility
- automobile service station
- building supply centre
- contractor's yard
- industrial facility
- self-storage facility
- tradesperson's establishment
- transportation depot
- warehouse
- wholesale establishment
- vehicle sales or rental establishment

c) MG-3 (Part of Lot 29, Concession 4 – By-Law 3538-2016)

Notwithstanding any provisions of Section 8.1.1 to the contrary, on the lands zoned MG-3, a chip wagon shall be an additional permitted use, subject to the requirements of the Township's Chip Wagon By-Law currently in effect.

d) **MG-4** (*Part of Lots 28 and 29, Concession 6 – By-Law 3696-2019*)

Notwithstanding the provisions of Section 8.1.1 to the contrary, on the lands zoned MG-4, permitted uses shall be limited to the following:

- Accessory dwelling
- Agricultural Products Processing Facility
- Automobile Service Station
- Building Supply Centre
- Contractor's Yard
- Garden Centre
- Heavy Equipment Sales or Rental Establishment
- Industrial Facility
- Professional or Business Office
- Retail Store
- Self-Storage Facility
- Tradesperson's Establishment
- Transportation Depot
- Warehouse
- Wholesale Establishment
- Vehicle Sales or Rental Establishment

8.2 Light Industrial (ML) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Automobile Service Station
Building Supply Centre
Cannabis Cultivation Facility (see Section 4.5)
Custom Workshop
Equipment Rental Outlet
Feed Supply Outlet
Garden Centre
Home-Based Business (see Section 4.12)
Instructional Facility
Printing Establishment
Professional or Business Office
Self-Storage Facility
Service Outlet
Tradesperson's Establishment
Vehicle Sales or Rental Establishment
Veterinary Clinic
Warehouse
Wholesale Establishment

2. Zone Provisions

a) Lot Area (minimum)	0.4 ha
b) Lot Frontage (minimum)	46 m
c) Yards (minimum)	
i) Front	7.5 m
ii) Exterior Side	7.5 m
iii) Interior Side	6 m
iv) Rear	10 m
d) Building Height (maximum)	12 m
e) Lot Coverage (maximum)	20%
f) Accessory Dwellings or Accessory Dwelling Units per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Automobile Service Station Pump Islands and Canopies

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

3.3 Increased Yard Requirements

Where an ML zone abuts a lot in any zone other than an Industrial zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones

a) **ML-1** (*Part of Lot 29, Concession 4*)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on the lands zoned ML-1, permitted uses shall be limited to the following:

- industrial facility
- retail store
- wholesale establishment

b) **ML-2** (*Part of Lot 28, Concession 4*)

Notwithstanding the provisions of Section 8.2.1 to the contrary, on the lands zoned ML-2, permitted uses shall be limited to the following:

- industrial facility
- professional or business office
- service outlet
- warehouse

A retail use that is accessory to a permitted industrial use shall be permitted within this zone and shall be limited to a maximum floor space of 30m².

c) **ML-3** (*Part of Lot 5, Concession 19 – By-law 3851-2021*)

Notwithstanding any provisions of this By-Law to the contrary, on the lands zoned ML-3, the permitted uses shall be limited to “Professional Office” and “Technology Industry”, whereby the following shall apply:

- “Technology Industry” shall mean a business whose primary business activities are associated with the technology, computer, and electronics fields, where electronic devices are designed, tested, assembled, packaged or stored in an office, studio or laboratory setting. For the purposes of this Section, the Technology Industry shall be a Class 1 Industrial Facility as defined in the applicable Ministry of the Environment D-Series Guidelines (or equivalent successor);

- The minimum interior side yard setback shall be that which existed at the time of the passing of this Zoning By-Law;
- Outdoor open storage is prohibited.

8.3 Business Park Industrial (MBP) Zone

1. Permitted Uses

Agricultural Products Processing Facility
Animal Shelter
Automobile Body Shop
Automobile Service Station
Building Supply Centre
Cannabis Cultivation Facility (see Section 4.5)
Contractor's Yard
Custom Workshop
Equipment Rental Outlet
Feed Supply Outlet
Fuel Storage Facility
Garden Centre
Heavy Equipment Sales or Rental Establishment
Industrial Facility
Instructional Facility
Printing Establishment
Professional or Business Office
Restaurant
Retail Store, Accessory to A Permitted Use
Self-Storage Facility
Service Outlet
Tradesperson's Establishment
Transportation Depot
Vehicle Sales or Rental Establishment
Veterinary Clinic
Warehouse
Wholesale Establishment

2. Zone Provisions

a)	Lot Area (minimum)	0.4 ha
b)	Lot Frontage (minimum)	46 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	6 m
	iv) Rear	10 m
d)	Building Height (maximum)	12 m
e)	Lot Coverage (maximum)	20%

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Automobile Service Station Pump Islands and Canopies

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

3.3 Increased Yard Requirements

Where an MBP zone abuts a lot in any zone other than an Industrial zone, the interior side yard or rear yard, as applicable, shall be increased by 7.5 m.

4. Special Exception Zones

(reserved)

8.4 Salvage Yard Industrial (MS) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Home-Based Business (see Section 4.12)
Salvage Yard

2. Zone Provisions

a)	Lot Area (minimum)	2 ha
b)	Lot Frontage (minimum)	60 m
c)	Yards (minimum)	
	i) Front	15 m
	ii) Exterior Side	15 m
	iii) Interior Side	15 m
	iv) Rear	15 m
d)	Building Height (maximum)	12 m
e)	Lot Coverage (maximum)	20%
f)	Accessory Dwellings or Dwelling Units per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Minimum Separation Distance for a Salvage Yard

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

4. Special Exception Zones

(reserved)

8.5 Disposal Industrial (MD) Zone

1. Permitted Uses

Portable Asphalt Plant
Waste Disposal Site
Waste Recycling Facility
Waste Transfer Facility

2. Zone Provisions

- | | |
|------------------------------|------|
| a) Lot Area (minimum) | 2 ha |
| b) Lot Frontage (minimum) | 60 m |
| c) Yards (minimum) | |
| i) Front | 30 m |
| ii) Exterior Side | 30 m |
| iii) Interior Side | 30 m |
| iv) Rear | 30 m |
| d) Building Height (maximum) | 12 m |
| e) Lot Coverage (maximum) | 20% |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Minimum Separation Distance for a Waste Disposal Site

- | | |
|--|-------|
| i) From a residential use on another lot or a vacant lot in a Residential zone | 500 m |
| ii) From a non-residential use on another lot | 200 m |
| iii) From a watercourse or water body | 500 m |

4. Special Exception Zones

(reserved)

SECTION 9 - INSTITUTIONAL ZONES

9.1 Institutional (I) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Cemetery
Community Service
Day Nursery
Home-Based Business (see Section 4.12)
Instructional Facility
Park
Place of Assembly
Place of Worship
School
Recreational Establishment
Residential Care Home

2. Zone Provisions

a) Lot Area (minimum)	0.4 ha
b) Lot Frontage (minimum)	46 m
c) Yards (minimum)	
i) Front	7.5 m
ii) Exterior Side	7.5 m
iii) Interior Side	6 m
iv) Rear	10 m
d) Building Height (maximum)	12 m
e) Lot Coverage (maximum)	20%
f) Accessory Dwellings or Accessory Dwelling Units per Lot (maximum)	1

3. Additional Provisions

a) General Provisions

In accordance with Section 4 hereof.

4. **Special Exception Zones**

a) **I-1** (*Part of Lot 30, Concession 2*)

Notwithstanding the provisions of Section 9.11, 9.12 and 4.22.1 to the contrary, on the lands zoned I-1, a residential care home is permitted, and may include such facilities as a common kitchen area, a common dining room, common leisure rooms and a maximum of 35 bedrooms all designed to provide accommodation and care for persons who, although retired by reasons of age or health, do not require the specialized facilities of a nursing home or a hospital, and further provided that such residential care home is established in accordance with the following provisions:

- Exterior Side Yard (minimum) 6 m
- Interior Side Yard (minimum) 3.4 m
- Required Parking Spaces (minimum) 0.7 spaces per bedroom

SECTION 10 - OPEN SPACE ZONES

10.1 Open Space (OS) Zone

1. Permitted Uses

Agricultural Use, Excluding Buildings
Conservation Use
Golf Course
Marine Facility
Park

2. Zone Provisions

- | | |
|--|------|
| a) Yards (minimum) | 15 m |
| b) Building Height (maximum) | 12 m |
| c) Lot Coverage (maximum) | 20% |
| d) Accessory Dwellings or Dwelling Units per Lot (maximum) | 1 |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

a) OS-1 (*Part of Lot 9, Concession 5*)

Notwithstanding the provisions of Section 10.1.1 to the contrary, on the lands zoned OS-1, permitted uses shall be restricted to a golf driving range, including practice holes and an accessory dwelling house.

SECTION 11 - AIRPORT ZONES

11.1 Airport (AP) Zone

1. Permitted Uses

Production and sale of general aviation aircraft, avionics, and associated equipment
Provision of support services such as flight schools, aircraft maintenance and fixed base operators

Aviation compatible commercial and industrial uses such as:

- contractor yards
- transportation terminals
- warehousing
- wholesale establishments
- tradesperson's shop
- assembly plants
- fabricating plants
- manufacturing plants
- wholesale establishments

Office space and retail uses associated with the above permitted uses

2. Zone Provisions

a) Lot Area (minimum)	1 ha
b) Lot Frontage (minimum)	60 m
c) Yards (minimum)	
i) Front	30 m
ii) Exterior Side	30 m
iii) Interior Side	30 m
iv) Rear	30 m
d) Building Height (maximum)	10 m
e) Lot Coverage (maximum)	20%

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

4. Special Exception Zones

(reserved)

SECTION 12 - RURAL ZONES

12.1 Rural (RU) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Additional Residential Unit (see Section 4.2)
Agricultural Use
Bed And Breakfast
Cannabis Cultivation Facility (see Section 4.5)
Conservation Use
Duplex Dwelling
Existing Cemetery
Existing Place of Worship
Group Home - Type "A" (see Section 4.10)
Hobby Farm (see Section 4.3)
Home-Based Business (see Section 4.12)
Hunting or Fishing Camp
Kennel
Semi-Detached Dwelling
Single Detached Dwelling

2. Zone Provisions

- | | |
|--|--------|
| a) Lot Area (minimum) | |
| i) Agricultural use that includes the keeping of livestock
(Also see Section 4.3 – <i>Agricultural Use Restrictions</i>
– <i>Hobby Farms</i>) | 2 ha |
| ii) Commercial Kennel | 2 ha |
| iii) Other permitted uses | 0.4 ha |
| b) Lot Frontage (minimum) | 46 m |
| c) Yards (minimum) | |
| i) Front | 7.5 m |
| ii) Exterior Side | 7.5 m |
| iii) Interior Side | 6 m |
| iv) Rear | 7.5 m |
| d) Dwelling Height (maximum) | 10 m |
| e) Lot Coverage (maximum) | 20% |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

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

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

3.3 Minimum Separation Distance for a Kennel

- i) A Commercial Kennel shall be set back a minimum of 150 m from the boundary of neighbouring properties, and shall be subject to Site Plan Control.
- ii) A Hobby Kennel shall be set back a minimum of 50 m from all adjacent lot lines.

4. Special Exception Zones

a) RU-1 (Part of Lot 27, Concession 7)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-1, an antique shop shall be an additional permitted use, provided that the building also accommodates a permitted residential use.

b) RU-2 (Part of Lot 25, Concession 10)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-2, a garden centre shall be an additional permitted use.

c) RU-3 (Part of Lot 27, Concession 6)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-3, an antique shop shall be an additional permitted use.

d) RU-4 (Part of Lot 17, Concession 5)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-4, an instructional facility, limited to driving, shall be an additional permitted use.

e) RU-5 (Part of Lot 3, Concession 5; Lot 9, Concession 5; Lot 8 and 9, Concession 7)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-5, the provisions of Section 15.2 shall apply.

f) **RU-6** (*Part of Lot 4, Concession 8*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-6, a warehouse shall be an additional permitted use.

g) **RU-7** (*Part of Lot 29, Concession 2*)

Notwithstanding the provisions of Section 12.1.1 and 12.1.2 to the contrary, on the lands zoned RU-7, automobile sales and service shall be permitted, subject to the following provisions:

- Maximum number of automobiles for sale at any one time 5
- Minimum setback from front lot line for automobile display area 12 m

h) **RU-8** (*Part of Lot 3, Concession 6*)

Notwithstanding the provisions of Section 12.1.1 to the contrary, on the lands zoned RU-8, a veterinary clinic shall be an additional permitted use.

i) **RU-9** (*Part of Lot 4, Concession 7*)

Notwithstanding the provisions of Section 12.1.2 to the contrary, the following yard requirements shall prevail:

- Front Yard (maximum) 50 m
- Interior Side Yard – west (maximum) 30 m

j) **RU-10** (*Part of Lot 4, Concession 4*)

Notwithstanding the provisions of Section 12.1.1 and 12.1.2 to the contrary, on the land zoned RU-10, a hunting and fishing retail store and indoor archery range shall be additional permitted uses, subject to the following provisions:

- Floor area (maximum) 670 m²
- Front Yard (minimum) 100 m
- Number of Commercial Buildings (maximum) 1

k) **RU-11** (*Part of Lot 9, Concession 1 – By-Law 3521-2016*)

Notwithstanding any provisions of Section 12.1.2 to the contrary, on the lands zoned RU-11, no additional lots shall be created except through plan of subdivision or condominium process.

l) **RU-h-1** (*Part of Lot 26, Concession 9 – By-Law 3539-2016*)

Notwithstanding any provision of this By-law to the contrary, on the lands zoned RU-h-1, the Holding Symbol (“h”) shall be removed from the zone designation by an amending zoning by-law following:

- The submission of an Environmental Impact Study satisfactory to the Township to address Significant Woodlands;
- The submission of the appropriate studies satisfactory to the Township and Rideau Valley Conservation Authority to address the natural hazards that exist or have potential to exist on the subject property; and
- The completion of a development agreement or site plan control agreement to implement any development conditions arising from the studies referenced in subsections (1) and (2).

m) **RU-12** (*Part of Lot 4, Concession 4 – By-Law 3822-2021*)

Notwithstanding any provision of this By-Law to the contrary, on the lands zoned RU-12, a Class 1 Industrial facility as defined in the applicable Ministry of Environment D-Series Guidelines (or equivalent successor) will be an additional permitted use, subject to the following provisions:

- Floor area of all structures (maximum): 280 m²
- Front yard (minimum): 7.5 m
- Interior side yard (minimum): 15 m
- Building Height (maximum): 12 m
- Open storage shall be prohibited in front or interior side yards.

n) **RU-13** (*Part of Lot 21, Concession 3 - By-Law 3907-2022*)

An “Agricultural Product Processing Facility” shall be a permitted rural use.

o) **RU-14** (*Part of Lot 9, Concession 2 – By-Law 3992-2023*)

Notwithstanding the provisions of Section 12.1.2 of this By-Law to the contrary, on the lands zoned RU-14, the following yard requirements shall prevail

- Interior Side Yard: 30 m
- Rear Yard: 30 m

SECTION 13 – AGRICULTURE ZONES

13.1 Agriculture (A) Zone

1. Permitted Uses

Accessory Dwelling
Accessory Dwelling Unit
Additional Residential Unit (see Section 4.2)
Agricultural Use
Bed And Breakfast, on a Lot That Also Accommodates an Agricultural Use
Cannabis Cultivation Facility (see Section 4.4)
Conservation Use
Existing Cemetery
Existing Place of Worship
Hobby Farm (see Section 4.3)
Home-Based Business (see Section 4.11)
Single Detached Dwelling
Wayside Pit
Wayside Quarry

2. Zone Provisions

a)	Lot Area (minimum)	40 ha
b)	Lot Frontage (minimum)	60 m
c)	Yards (minimum)	
	i) Front	7.5 m
	ii) Exterior Side	7.5 m
	iii) Interior Side	6 m
	iv) Rear	7.5 m
d)	Dwelling Height (maximum)	10 m
e)	Lot Coverage (maximum)	20%
f)	Dwellings per Lot (maximum)	1

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Requirements for Residential Lots Created by Consent

Notwithstanding the zone provisions of Section 13.1.2 to the contrary, where an existing dwelling is deemed surplus to an agricultural use and is severed for residential purposes, such severed lot may be used for a single dwelling in accordance with the zone provisions of Section 6.1.2 and, further, the retained lot shall not require relief from the minimum lot area provision of Section 13.1.2 in the event that the effect of the severance has been to render it non-complying.

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

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

4. **Special Exception Zones**

a) **A-1** (*Part of Lots 24 and 25, Concessions 1 and 2 – By-Law 3665-2018*)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A-1 no residential dwelling unit shall be permitted.

b) **A-2** (*Part of Lot 24, Concession 2 – By-Law 3665-2018*)

Notwithstanding the provisions of Sections 13.1.1 and 13.1.2 to the contrary, on the lands zoned A-2 the minimum lot size shall be 1.74 hectares and agricultural uses shall be permitted.

c) **A-3** (*Part of Lot 22, Concessions 1 and 2 – By-Law 3804-2020*)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A-3, the minimum lot size shall be that which is established through the final approval of Consent Application B20/046 and further, that no residential dwelling unit shall be permitted.

SECTION 14 - MINERAL RESOURCE ZONES

14.1 Mineral Aggregate Extraction - Pit (EX-P) Zone

1. Permitted Uses

Aggregate Processing Operation
Aggregate Transfer Station
Agricultural Use, Excluding Buildings
Asphalt Plant
Concrete Plant
Conservation Use, Excluding Buildings
Passive Outdoor Recreation
Pit
Portable Asphalt Plant
Stockpiling of Glass, Asphalt and Concrete

2. Zone Provisions

- | | |
|--------------------|------|
| a) Yards (minimum) | |
| i) Front | 30 m |
| ii) Exterior Side | 15 m |
| iii) Interior Side | 15 m |
| iv) Rear | 15 m |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Minimum Separation Distance from a Dwelling on Another Lot

- | | |
|--|-------|
| i) Class "B" pit, with no excavation below the water table | 150 m |
| ii) Any other pit or a concrete plant | 300 m |

4. Special Exception Zones

(reserved)

14.2 Mineral Aggregate Extraction - Quarry (EX-Q) Zone

1. Permitted Uses

Aggregate Processing Operation
Aggregate Transfer Station
Agricultural Use, Excluding Buildings
Asphalt Plant
Concrete Plant
Conservation Use, Excluding Buildings
Passive Outdoor Recreation Activities
Portable Asphalt Plant
Quarry
Stockpiling of Glass, Asphalt and Concrete

2. Zone Provisions

- a) Yards (minimum)
- | | |
|--------------------|------|
| i) Front | 30 m |
| ii) Exterior Side | 15 m |
| iii) Interior Side | 15 m |
| iv) Rear | 15 m |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Minimum Separation Distance from a Dwelling on Another Lot

- Quarry or asphalt plant 500 m

4. Special Exception Zones

a) **EX-Q-1** (*Part of Lot 25 and 26, Concession 6*)

Notwithstanding the provisions of Section 14.2.2 to the contrary, on the lands zoned EX-Q-1, the following provisions shall prevail:

- Setback from zone boundary (minimum)
 - Portion of the zone boundary that abuts the wetland and is situated within 210 m of Kelly Jordan Road 15 m
 - All other zone boundaries 30 m
- Setback from railway (minimum) 50 m
- Setback from drainage channel (minimum) 30 m

SECTION 15 - NATURAL HERITAGE ZONES

15.1 Environmental Protection - A (EP-A) Zone

1. Permitted Uses

Existing Agricultural Use
Conservation Use, Excluding Buildings
Passive Outdoor Recreation Activities

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Special Provisions

No site alteration shall occur and no building or structure shall be erected, altered, or used.

4. Special Exception Zones

(reserved)

15.2 Environmental Protection – B (EP-B) Zone

1. Permitted Uses

Existing Use
Conservation Use
Passive Outdoor Recreation Activities
Public Park

2. Zone Provisions

All Yards (minimum) 15 m

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Special Provisions

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

4. Special Exception Zones

(reserved)

SECTION 16 - NATURAL HAZARD ZONES

16.1 Flood Plain (FP) Zone

1. Permitted Uses

Agricultural Use, Including Existing Buildings Only
Conservation Use, Including Existing Buildings Only
Golf Course, Including Existing Buildings Only
Marine Facility
Park, Including Existing Buildings Only

2. Zone Provisions

- | | |
|---------------------------|-------|
| a) Yards (minimum) | |
| i) Front | 7.5 m |
| ii) Exterior Side | 7.5 m |
| iii) Interior Side | 6 m |
| iv) Rear | 7.5 m |
| b) Lot Coverage (maximum) | 20% |

3. Additional Provisions

3.1 General Provisions

In accordance with Section 4 hereof.

3.2 Special Provisions

- a) Where safe access in accordance with the Conservation Authority has been demonstrated, an existing single dwelling or other permitted building may be enlarged provided that:
- i) The enlargement shall be a maximum of 50% of the gross floor area of the existing building or 50 m², whichever is lesser;
 - ii) The number of dwelling units does not increase;
 - iii) The development is floodproofed in accordance with the requirements of the Conservation Authority;
 - iv) All other provisions of this By-law are complied with.
- b) Where safe access in accordance with the Conservation Authority has not been demonstrated, an existing single dwelling or other permitted building may be enlarged provided that:

- i) The enlargement shall be a maximum of 20% of the gross floor area of the existing dwelling or 20 m², whichever is lesser;
 - ii) The number of dwelling units does not increase;
 - iii) The development is floodproofed in accordance with the requirements of the Conservation Authority;
 - iv) All other provisions of this By-law are complied with.
- c) No site alteration shall occur and no building or structure shall be erected, altered, or used except with the written approval of the Conservation Authority pursuant to its Section 28 Regulation.

4. Special Exception Zones

(reserved)

SECTION 17 - APPROVAL

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

This By-law given its first reading on May 21st, 2024.

This By-law given its second reading on May 21st, 2024.

This By-law given its third and final reading and passed under the Corporate Seal on May 21st, 2024.

CORPORATE SEAL OF TOWNSHIP

Karen Jennings
Reeve

Allison Vereyken
Clerk

METRIC CONVERSION CHART					
Imperial Units	Multiplied By	Equals Metric Units	Metric Units	Multiplied By	Equals Imperial Units
LENGTH					
Inches	2.54	Centimetres	Centimetres	0.3937	Inches
Feet	0.3048	Metres	Metres	3.2808	Feet
AREA					
Square Feet	0.0929	Square Metres	Square Metres	10.764	Square Feet
Acres	0.4047	Hectares	Hectares	2.471	Acres

SAMPLE CONVERSIONS			
AREA		LENGTH	
Metric	Imperial	Metric	Imperial
10 m ²	107.6 ft ²	1 m	3.28 ft
12 m ²	129.2 ft ²	2.75 m	9.02 ft
14 m ²	150.6 ft ²	3 m	9.84 ft
20 m ²	215.3 ft ²	4.5 m	14.76 ft
25 m ²	269.1 ft ²	6 m	19.69 ft
40 m ²	430.6 ft ²	7.5 m	24.61 ft
70 m ²	753.5 ft ²	9 m	29.53 ft
75 m ²	807.3 ft ²	10 m	32.81 ft
200 m ²	2,152.8 ft ²	15 m	49.21 ft
230 m ²	2,475.7 ft ²	20 m	65.62 ft
700 m ²	7,534.7 ft ²	30 m	98.43 ft
4,050 m ²	43,593.8 ft ²	45 m	147.64 ft
1 ha	2.47 ac	60 m	196.85 ft
2 ha	4.94 ac	120 m	393.7 ft
40 ha	98.84 ac	150 m	492.1 ft
		300 m	984.3 ft
		500 m	1,640.4 ft