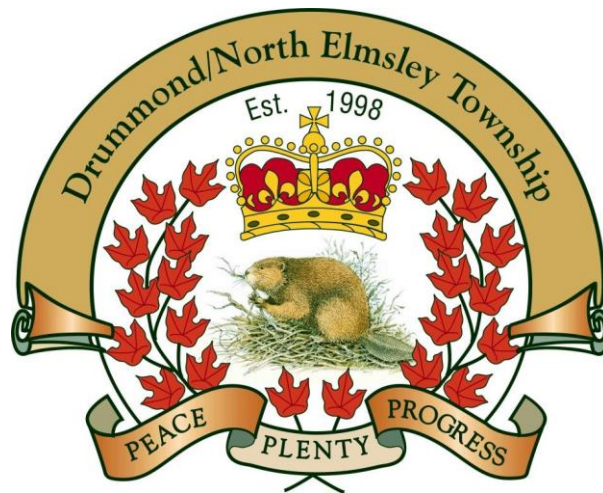


# Township of Drummond/North Elmsley



## Comprehensive Zoning By-Law No. 2012-060

Adopted by Council October 23, 2012  
Office Consolidation: November 1, 2019



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**TOWNSHIP OF DRUMMOND/NORTH ELMSLEY  
ZONING BY-LAW NO. 2012-060**

A Zoning By-law, being a By-law, comprising the following text and Schedule A attached hereto, for prohibiting the use of land for or except for such purposes as may be set out in this By-law and for prohibiting the erection, location or use of buildings or structures for or except for such purposes as may be set out in this By-law within the said lands; and for regulating the character of buildings or structures to be erected on the said lands.

The Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

## **TITLE**

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### **1. TITLE**

This By-law may be cited as the "Zoning By-law" of the Township of Drummond/North Elmsley.



## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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### **2. NON-CONFORMITY/NON-COMPLYING USES AND EXCEPTIONS**

#### **2.1 Conformity and Compliance**

1. Save as otherwise provided in this By-law, no land, building or structure shall be used for any purpose, and no building or structure shall be erected or altered for any purpose except as hereafter stated in this By-law and in compliance with all of the applicable provisions of this By-law.
2. No person shall change the purpose for which any lot, building or structure is used, or erect any new building or structure or addition to any existing building or structure, or sever any lands from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new use, building or structure or lot to be in contravention of this By-law.
3. Nothing in this By-law shall apply to exempt any person from complying with the requirements of any By-law in force within the Municipality, or from obtaining any license, permission, consent, permit, authority or approval required by this or any other By-law of the Municipality or by any other Federal, Provincial or Municipal Law in force at the time of the passing of this By-law.
4. This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
5. Notwithstanding anything in this By-law, no person shall reduce any lot in area or frontage, either by conveyance or other alienation of title of any portion thereof so as to contravene any of the provisions of this By-law. However, no person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

#### **2.2 Non-Conforming and Non-Complying Uses**

##### **2.2.1 Continuation of Non-Conforming Uses**

The provision of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose prior to the adoption of this By-law, so long as it continues to be used for that purpose.

##### **2.2.2 Change of Non-Conforming Uses**

A use of a lot, building or structure which, under the provisions hereof, is not permitted within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permitted within such zone or to a use which is authorized by the Committee of Adjustment pursuant to its powers under the *Planning Act*, RSO 1990, as amended.

## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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### **2.2.3 Termination of Non-Conforming Uses**

A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use.

### **2.2.4 Repair and Replacement of Non-Conforming and Non-Complying Uses**

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

### **2.2.5 Removal of Second Dwelling Units**

Where an existing building or structure is to be altered, enlarged or renovated for use as a seasonal dwelling or single detached dwelling, or where an existing building or structure is to be demolished and replaced by a seasonal dwelling or a single detached dwelling, any existing second dwelling or dwelling unit located on the lot, whether a guest cabin, guest quarters in an accessory building, apartment in the main building or similar second dwelling unit, shall be removed, demolished or rendered uninhabitable as a dwelling unit.

### **2.2.6 Permitted Extensions to Non-Complying Uses**

Except as may otherwise be permitted in Section 2.5, nothing in this By-law shall prevent an extension or an addition being made to a use, building or structure which existed at the date of passing of this By-law and which is a permitted use in the zone in which it is located under this By-law, but which does not comply with one or more of the zone provisions of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

## **2.3 Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure for a purpose prohibited by this By-law, the plans for which have been approved by the Chief Building Official prior to the date of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within one year after the date of the passing of this By-law, and such building or structure is completed within a reasonable time after the erection thereof is commenced. Further, this policy shall also apply to the application of a decision of the Committee of Adjustment, following the passing of a new Zoning By-Law by the municipality.

## **2.4 Lots in More than One Zone**

1. Except as provided for in Section 2.5.2, where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the

## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.

2. Notwithstanding the foregoing, where a shoreline area of a lot is placed in an Environmental Protection (EP) Zone, such area may be considered as part of the lot for the purpose of determining the required setback from a waterbody, provided that written approval of the sewage disposal system is obtained from the Health Unit or its agent.

### **2.5 Lots Having Less Area and/or Frontage**

2.5.1 Except as may otherwise be provided for in Section 2.5.2, where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, or where such a lot is created as a result of any expropriation by or conveyance to a Public Authority, or of any dedication required for site plan approval, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are met, and provided further that written approval of the sewage disposal facilities is obtained from the Health Unit or its agent.

2.5.2 In any zone where a lot having a lesser lot area and/or lot frontage than that required herein is enlarged by a lot addition, whether or not such lot addition results in the lot having the minimum required lot area and/or frontage, the following provisions shall apply.

1. The lot addition need not be located in the same zone as such smaller lot.
2. Where the lot addition is located in another zone, it shall be deemed to be located entirely in the zone of the recipient lot, and the zone regulations of this By-law shall apply as though the entire lot is located in the zone in which the recipient lot is located. Where such smaller lot and the lot addition are separated by a road allowance, both lots shall be deemed to be one lot for the purposes of this By-law.
3. Where an existing building or structure is to be altered, enlarged or renovated for use as a seasonal dwelling or a single detached dwelling, the provisions of Section 2.2 shall apply except that any yards which would be made not to conform to the minimum yard requirements of this By-law by virtue of the lot addition shall be deemed to conform to the regulations of this By-law.

2.5.3 In any zone where a minimum dwelling house area requirement is prescribed, the minimum dwelling house area requirement shall not apply on a lot where the maximum lot coverage for the zone on which the dwelling house is proposed would otherwise be exceeded.

### **2.6 Lots Divided by a Road Allowance**

In the Limited Services Residential (LSR) zone, where a parcel of land is held in the same ownership as an adjacent parcel of land, and where said parcels are

## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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separated by a Municipal road allowance or a private road or right-of-way, both parcels shall be deemed to be one lot for the purposes of permitting the construction of accessory dwellings and structures.

Notwithstanding the above, where a parcel of land is held in the same ownership as an adjacent parcel of land, and where said parcels are separated by a Municipal road allowance or a private road or right-of-way, only the parcel of land where the dwelling is being constructed shall be considered for the purposes of total lot coverage.

### **2.7 Construction Uses**

1. A building or structure, incidental to construction on the lot where such building or structure is situated such as a construction camp or other such temporary work camp, tool shed, scaffold or other similar building or structure shall be permitted in all zones for as long as it is necessary for the construction in progress to be completed or abandoned, but only while a valid building permit for such construction remains in full force and effect.
2. Abandoned in this subsection shall mean the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during a continuous 12-month period.

### **2.8 Yard, Setback and Height Encroachments Permitted**

The following yard, setback and height encroachments shall be permitted provided such encroachments do not encroach on any required parking or sight triangles.

#### **1. Ornamental Structures**

Notwithstanding the yard provisions of this By-law to the contrary, sills, belt courses, chimneys, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard a maximum distance of 0.5 m. In the case of a main dwelling on the lot, said ornamental structures may project a maximum of 1.0 metres into any required yard.

#### **2. Window Bays**

Notwithstanding the yard provisions of this By-law to the contrary, a window bay, excluding eaves and cornices, may project into any required yard a maximum distance of 1 m, provided the bay window does not exceed a maximum width of 3 m.

#### **3. Accessory Structures**

Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, flag poles, garden trellises, fences, retaining walls, signs or similar accessory structures shall be permitted in any required yard.

## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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### **4. Unenclosed Porches, Balconies, and Steps**

Notwithstanding the yard provisions of this By-law to the contrary, and unless otherwise prescribed through a decision of the Committee of Adjustment, unenclosed porches, balconies, and steps, whether covered or uncovered, may project into any required yard a maximum distance of 2.5 m but not closer than 2.5 m to an interior lot line, provided they do not exceed a maximum width of 3 m, and provided that they do not encroach on the required setback from a waterbody. In the case of encroaching porches and steps, such structures shall not be more than 1 m above grade.

### **5. Terraces, Decks and Patios**

Except as otherwise permitted under Section 4.26.2 and unless otherwise prescribed through a decision of the Committee of Adjustment, uncovered terraces or patios may extend into any yard but not closer than 2.5 m to an interior side lot line, provided that they do not encroach on the required setback from a waterbody. In the case of encroaching terraces and patios such structures shall not be more than 1 m above grade.

### **6. Fire Escapes**

Notwithstanding the yard provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one and in which guards consist only of hand rails and the structural members necessary to their support, may project into any required side or rear yard a maximum distance of 1 m but not closer than 2.5 m to an interior side lot line.

### **7. Building Setback in Built-Up Area**

Notwithstanding anything else in this By-law, in any Residential Zone except the Limited Services Residential (LSR) Zone, structures built between existing buildings or adjacent to existing buildings which are located on the same block and which are separated by no more than 120 m may be built with a setback equal to the average setback of the adjacent buildings, but this depth need be no greater than the front yard and setback regulations prescribed in the zone in which it is situated. Notwithstanding the foregoing, the front yard shall not be less than 3 m for interior lots and 3.5 m for corner lots, provided that the driveway which provides access to the required parking space(s) is at least 6 m in length, and provided further that there is no encroachment on the required setback from a waterbody.

### **8. Height Exceptions**

Notwithstanding the height provisions of this By-law to the contrary, nothing in this By-law shall apply to prevent the erection and/or use of an elevator housing, a roof stairway, a water tank, a skylight, a steeple or church spire, a silo, a belfry, a flag pole, a clock tower, a chimney or

## **SECTION 2: NON-CONFORMING/NON-COMPLYING USES AND EXCEPTIONS**

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smokestack, a radio or television tower or antenna, a satellite dish, a ventilation fan housing, a firewall or a parapet wall, or a roof sign.

### **9. Satellite Dishes**

Satellite dishes shall be permitted in any yard provided they do not exceed an area of one (1) square metre in size.

### **2.9 Yard Exceptions for Waterbodies, Watercourses, Embankments and Cliffs**

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

**SECTION 3: DEFINITIONS**

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**3. DEFINITIONS**

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

**3A**

ABATTOIR: Means a building or structure wherein animals are slaughtered, and processed for packaging, distribution and resale.	<b>Abattoir</b>
ACCESSORY APARTMENT (See DWELLING, ACCESSORY APARTMENT)	<b>Accessory Apartment</b>
ACCESSORY DWELLING (See DWELLING, ACCESSORY)	<b>Accessory Dwelling</b>
ACCESSORY USE (See USE, ACCESSORY)	<b>Accessory Use</b>
AGRICULTURE, GENERAL: Means the use of land, buildings and/or structures for the growing, harvesting and storing of field crops, fruits, vegetables, trees, flowers, bushes, and/or for the keeping, breeding, raising and grazing of livestock and/or poultry, and may include an agricultural products outlet where products grown on the farm are sold.	<b>General Agriculture</b>
AGRICULTURE, INTENSIVE: Means use of land, buildings and/or structures for feedlots and other similar enterprises, mushroom farms, and greenhouses, and may include an agricultural produce outlet where products grown on the farm are sold.	<b>Intensive Agriculture</b>
AISLE: Means a portion of a parking lot which abuts one or more off-street parking spaces to which it provides access and which is not used for the parking of vehicles.	<b>Aisle</b>
ALTER: When used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word alter means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking lot; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise. Altered and Alteration shall have corresponding meanings.	<b>Alter</b>
ANIMAL CARE: Means caring and grooming of domestic animals, excluding overnight care or accommodation, and shall not include an animal clinic.	<b>Animal Care</b>
ANIMAL CLINIC: Means a building or part of a building used by veterinarians, their staff and their patients to provide grooming, medical or surgical treatments or similar services and includes overnight care or accommodation.	<b>Animal Clinic</b>

### **SECTION 3: DEFINITIONS**

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APARTMENT DWELLING HOUSE: (See DWELLING, APARTMENT HOUSE)	<b>Apartment Dwelling House</b>
AREA (See LOT, AREA)	<b>Area</b>
ASSEMBLY HALL: Means a building or part of a building in which facilities are provided for civic, educational, political, religious or social purposes and shall include a banquet hall or private club.	<b>Assembly Hall</b>
ATTACHED: Means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.	<b>Attached</b>
ATTIC: Means the portion of a building situated wholly or in part within the roof and which is not a half storey.	<b>Attic</b>
AUCTION HALL: Means the sale, by highest bid, of new or used goods, wares, merchandise, substances, articles or things to the general public, but does not include the sale of vehicles or livestock.	<b>Auction Hall</b>
AUTOMOBILE BODY SHOP: Means a building or structure used for complete motor vehicle repairs to bodies, frames or motors and/or painting, upholstery and/or complete collision work, but shall not include a wrecking or salvage yard.	<b>Automobile Body Shop</b>
AUTOMOBILE CARE: Means a building or a portion of a building where mufflers, glass, tires or other similar minor parts and items are offered for sale and installation on motor vehicles.	<b>Automobile Care</b>
AUTOMOBILE GAS BAR: Means a building and/or structure including fuel pump islands where gasoline and/or oil is kept for sale with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, but where no servicing, repair or equipping of motor vehicles is carried on.	<b>Automobile Gas Bar</b>
AUTOMOBILE RENTAL: Means a parking space or parking lot and/or a building or part thereof where motor vehicles, as defined by the Highway Traffic Act, are rented or kept or used for rental purposes.	<b>Automobile Rental</b>
AUTOMOBILE SALES: Means a building and/or lot where motor vehicles, as defined by the Highway Traffic Act, are kept for display and/or sale. Permitted accessory uses may include those normally required for performing maintenance and repair on motor vehicles, including service centre, service bays, body shop, storage of parts, etc.	<b>Automobile Sales</b>
AUTOMOBILE SERVICE STATION: Means a building and/or structure where retail goods including gasoline, oil, grease, antifreeze, tires, sparkplugs, batteries and other automobile accessories may be sold incidentally and where minor or running repairs essential to the operation of motor vehicles are executed or performed, but shall not include any other use otherwise defined herein.	<b>Automobile Service Station</b>



### **SECTION 3: DEFINITIONS**

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**AUTOMOBILE WASHING ESTABLISHMENT:** Means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.

**Automobile  
Washing  
Establishment**

### **3B**

**BAKE SHOP:** Means a building or portion of a building where baked foods are made for retail sale on the premises.

**Bake Shop**

**BAKERY:** Means a building or portion of a building wherein baked foods are produced and processed for packaging, distribution and resale off the premises. A bakeshop is a permitted accessory use in a bakery.

**Bakery**

**BASEMENT:** Means a portion of a building which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the adjacent finished grade.

**Basement**

**BED AND BREAKFAST:** Means a single detached dwelling in which not more than 3 guest rooms are used to accommodate the travelling or vacationing public for gain or profit, and may include the provision of meals to the guest room occupants.

**Bed and  
Breakfast**

**BEVERAGE ROOM:** Means a building or portion of a building or premises, other than a restaurant, where liquor, spirits and food are stored, sold and consumed and which is licensed under The Liquor License Act.

**Beverage  
Room**

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

**Boarding or  
Lodging House**

**BUILDING:** Means a structure occupying an area greater than ten (10) square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof, including all plumbing, works, fixtures and service systems appurtenant thereto.

**Building**

**BUILDING, ACCESSORY:** Means a subordinate detached building or structure designed or intended for the better or more convenient enjoyment of the main building, to which it is accessory and which is located on the same lot therewith. An accessory building shall be uninhabitable unless otherwise specifically permitted.

**Accessory  
Buildings**

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

**Main Building**

**BUILDING INSPECTOR:** (See CHIEF BUILDING OFFICIAL)

**Chief Building  
Official**

**BUILDING LINE:** Means a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

**Building Line**

### **SECTION 3: DEFINITIONS**

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**BUILDING SUPPLY OUTLET:** Means a building, structure or lot where building supplies including lumber, siding, roofing, plumbing, electrical, heating, air conditioning and similar items are kept for display and/or sale and may include the assembly and/or finishing of the items and contracting the construction or installation of the items.

**Building Supply Outlet**

**BULK STORAGE:** Means the use of a building, structure or lot for the purpose of storing and selling coal, fuel oil, chemicals and similar items, but does not include any manufacturing, assembling or processing uses.

**Bulk Storage**

**BUSINESS OFFICE:** (See OFFICE, BUSINESS)

**Business Office**

**BUTCHER SHOP:** Means a building or portion of a building where animals, poultry and/or fish carcasses are processed and packaged for retail sale on the premises, but shall not include an abattoir.

**Butcher Shop**

### **3C**

**CARPORT:** Means a partially enclosed structure, which is attached to the main building and which is used primarily for the storage of one or more motor vehicles and in which no business, occupation or service is conducted for profit.

**Carport**

**CEMETERY:** Means a place used for the interment of human bodies as defined under the Cemeteries Act and includes accessory uses such as crematorium, columbarium and chapel.

**Cemetery**

**CELLAR:** Means that portion of a building which has more than one-half of its height from finished floor to finished ceiling below the adjacent finished grade and which is in compliance with all applicable provisions of the Ontario Building Code.

**Cellar**

**CHIEF BUILDING OFFICIAL:** Means an officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, the Zoning By-law and similar By-laws of the Corporation.

**Chief Building Official**

**CHIP WAGON:** Means a motor vehicle that is stationary in one designated site and is licensed or required to be licensed and is designed for or intended to be used for the selling, offering for sale, servicing and/or dispensing of refreshments.

**Chip Wagon**

**CHURCH:** Means a building dedicated to religious worship. Permitted accessory uses may include a church or parish hall, rectory, Sunday school and licensed day nursery.

**Church**

**CLINIC, ANIMAL:** (See ANIMAL CLINIC)

**Animal Clinic**

**CLINIC, MEDICAL:** (See MEDICAL CLINIC)

**Medical Clinic**

### **SECTION 3: DEFINITIONS**

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CLUB, COMMERCIAL: (See COMMERCIAL SPORTS AND RECREATION CENTRE)	<b>Commercial Club</b>
COMMERCIAL SCHOOL: (See SCHOOL, COMMERCIAL)	<b>Commercial School</b>
COMMERCIAL SPORTS AND RECREATION CENTRE: Means an athletic, recreational or social club operated for gain or profit or for the private use of members.	<b>Commercial Sports and Recreation Centre</b>
COMMERCIAL STORAGE: Means a building or structure in which more than one storage unit is rented and used for the temporary storage of household items, vehicles and/or commercial goods and materials, but does not include any business operation or use associated with the storage. Each unit is physically separated from other units within the building and has its own entrance.	<b>Commercial Storage</b>
COMMERCIAL YARD SALE: Means the sale of new or used household items including, but not limited to, clothing, furniture, appliances, housewares, sporting or recreational equipment and toys which is conducted by a person or persons on a regular basis, whether or not seasonally and whether or not on the same lot.	<b>Commercial Yard Sale</b>
COMMUNICATION FACILITY: Means any use of land that is primarily for the transmission of electronic signals through the air and includes a transmitting station or tower.	<b>Communication Facility</b>
COMMUNITY CENTRE: Means any land, building and/or structure that is used for community activities, whether used for commercial purposes or not, the control of which is vested in the corporation, a local board or agent thereof.	<b>Community Centre</b>
CONSERVATION: Means the maintenance of the natural environment for the purposes of preservation, research, observation and outdoor uses such as hiking and fishing. This definition may include the construction and use of trail shelters and other similar structures ancillary to the foregoing uses, but shall not include a dwelling house, a mobile home or a tourist vehicle.	<b>Conservation</b>
CONTRACTORS OR TRADESMANS ESTABLISHMENT: Means a building or part of a building where mechanical, electrical, structural, plumbing or like contractors conduct their businesses, whether in conjunction with a retail store or not, and may include offices, display areas and storage areas, but shall not include open storage.	<b>Contractors or Tradesmans Establishment</b>
CONVENIENCE STORE: Means a building or part of a building wherein convenience commercial goods and foodstuffs which serve the day-to-day needs of local residents are offered for sale and may include an automobile gas bar. Such stores shall be limited to a maximum gross leasable floor area of 400 m <sup>2</sup> .	<b>Convenience Store</b>

### **SECTION 3: DEFINITIONS**

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CONVERTED DWELLING: (See DWELLING, CONVERTED).	<b>Converted Dwelling</b>
CORNER LOT: (See LOT, CORNER).	<b>Corner Lot</b>
CORPORATION: Means the Corporation of the Township of Drummond/North Elmsley.	<b>Corporation</b>
COVERAGE: (See LOT, COVERAGE)	<b>Coverage</b>
CUSTOM WORKSHOP: Means a building or part of a building where individual custom productions such as drapes, Venetian blinds, handmade leather goods, orthopedic and prosthetic appliances, weaving, awnings and other non-offensive, non-dangerous custom production is carried out, but does not include any factory production or any shop or factory otherwise classified or defined in this By-law. A custom workshop may include an accessory retail use up to 25% of the gross leasable floor area.	<b>Custom Workshop</b>
<b>3D</b>	
DAIRY: Means a building or portion of a building where dairy products are produced and processed for packaging, distribution and resale off premises. A dairy may include an accessory retail use up to 25% of the gross leasable floor area.	<b>Dairy</b>
DAY LIGHTING TRIANGLE: (see SIGHT TRIANGLE)	<b>Day Lighting Triangle</b>
DAY NURSERY, PRIVATE: Means a dwelling in which the owner or tenant conducts a home occupation by providing temporary care, supervision and board for less than 5 children who are not of common parentage.	<b>Private Day Nurseries</b>
DAY NURSERY, LICENSED: Means a building or part of a building in which temporary care, supervision and/or board for more than 5 children who are not of common parentage is provided and which is licensed under the Day Nurseries Act.	<b>Licensed Day Nurseries</b>
DENSITY: Means the ratio of the number of dwelling units to the lot area.	<b>Density</b>
DEPTH: (See LOT, DEPTH)	<b>Depth</b>
DRIVEWAY: Means an unobstructed passageway used to provide vehicular access to one lot from a public highway, right-of-way or private road. This definition shall include a shared driveway where such driveway provides access to no more than two lots. Further, a driveway shall mean the area between the traveled portion of a street and a parking lot used by motor vehicles for access to and from the parking lot, but does not include an aisle. A driveway on a residential lot may be used as one or more parking spaces, excluding the required parking spaces, where specifically permitted herein.	<b>Driveway</b>

### **SECTION 3: DEFINITIONS**

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**DRY CLEANING DISTRIBUTION STATION:** Means a building or part of a building used for receiving clothing articles, or fabric goods to be subjected to the process of dry cleaning, dry dyeing, or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process. Notwithstanding the foregoing, on-site dry cleaning, dry dyeing, cleaning and pressing of personal clothing and household articles are permitted.

**Dry Cleaning  
Distribution  
Station**

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

**Dry Cleaning  
Plant**

**DWELLING HOUSE:** Means a building containing one or more dwelling units, each of which is occupied or intended to be occupied by one household and excluding hotels/motels, trailers, recreational vehicles, or tents.

**Dwelling  
House**

**DWELLING HOUSE AREA:** Means the total area of the storeys contained within the exterior walls of the dwelling or dwelling unit, exclusive of any carport, garage, porch, veranda, unfinished basement or unfinished cellar where such basement or cellar has a height of less than 2.1 m measured between its floor surface and the underside of the joists of the storey above it.

**Dwelling House  
Area**

**DWELLING HOUSE, ACCESSORY:** Means a single detached dwelling house which is accessory to a permitted Non-Residential use and is occupied by either the owner of the lot or by one employee employed on the lot where such accessory dwelling house is located.

**Dwelling House,  
Accessory**

**DWELLING HOUSE, APARTMENT:** Means a building containing a number of dwelling units which share a common entrance from the street level wherein the occupants have the right to use common halls and/or stairs and/or elevators and yards.

**Dwelling House,  
Apartment**

**DWELLING HOUSE, BOARDING/ROOMING:** Means a single-detached dwelling house in which rooms are rented individually, with or without meals, for three or more persons who are not a household but does not include any other establishment otherwise defined or classified herein.

**Dwelling House,  
Boarding/Rooming**

**DWELLING HOUSE, CONVERTED:** Means a single-detached dwelling house existing at the time of the passing of this By-law which because of size and design, has been or can be converted by partition and the addition of sanitary facilities and cooking facilities into more than one dwelling unit.

**Dwelling House,  
Converted**

**DWELLING HOUSE, DUPLEX:** Means the whole of a dwelling house divided horizontally into two dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

**Dwelling House,  
Duplex**

### **SECTION 3: DEFINITIONS**

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DWELLING HOUSE, GROUP: Means a dwelling house that is part of a group of dwelling houses on the same lot.

**Dwelling House,  
Group**

DWELLING HOUSE, MOBILE: Means a dwelling house that is designed, constructed and/or manufactured to provide a permanent residence, but cannot meet the definition of a modular dwelling house, motor home, travel trailer, tent trailer or other trailer as defined under the Township's Zoning By-law. A Mobile Home shall be designed in accordance with the CSA-Z240 standard and shall only be permitted in a zone where it is clearly defined as a permitted use.

**Dwelling House,  
Mobile**

DWELLING HOUSE, MODULAR: Means a dwelling house built in one or more major pieces/modules in a manufacturing facility and transported to the site where the unit is assembled on a foundation. The structure must have a CSA-A277 certification. For the purposes of this By-law, a modular dwelling house shall be deemed to be a single detached dwelling house or constituent part of a semi detached, row house or multiple dwelling houses.

**Dwelling House,  
Modular**

DWELLING HOUSE, PARK MODEL: Means a manufactured dwelling designed and constructed in conformity with CAN/CSA-Z241. Park Model homes shall only be used as seasonal dwellings.

**Dwelling House,  
Park Model**

DWELLING HOUSE, MULTIPLE: Means a dwelling containing three or more dwelling units not otherwise defined herein.

**Dwelling House,  
Multiple**

DWELLING HOUSE, SEASONAL: Means a single detached dwelling house used as an occasional resort for vacation, recreation, rest and relaxation purposes by a household which regularly resides in a permanent dwelling at another location.

**Dwelling House,  
Seasonal**

DWELLING HOUSE, SEMI DETACHED: Means one of a pair of dwelling units divided vertically into two DWELLING units, each of which has an independent entrance either directly from the outside or through a common vestibule.

**Dwelling House,  
Semi Detached**

DWELLING HOUSE, SINGLE DETACHED: Means a completely detached dwelling unit.

**Dwelling House,  
Single Detached**

DWELLING HOUSE, TOWNHOUSE: Means a dwelling house divided vertically into 3 or more dwelling units, each of which has independent entrances to front and rear privacy yards.

**Dwelling House,  
Townhouse**

1. STREET TOWNHOUSE, DWELLING HOUSE: Means a townhouse dwelling house that abuts a street and is designed as an independent dwelling unit for freehold occupancy.

**Street Townhouse**

2. PLANNED UNIT TOWNHOUSE, DWELLING HOUSE: Means a townhouse dwelling house, which forms part of a group of such dwelling houses and which shares common facilities with the other dwelling houses such as access to a public road, parking facilities, open space, recreation areas, and is designed as an integral part

**Planned Unit  
Townhouse**

### SECTION 3: DEFINITIONS

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of a complex for condominium, cooperative and/or rental occupancy.

### 3E

**EMPLOYEE:** Means a person who is hired, contracted, engaged or otherwise employed by another person or persons or by a company, partnership, corporation or similar organization to perform or carry out work. For the purpose of this definition, an employee includes any person who is employed full time or part time, whether for a salary, commission, hourly wage, other consideration or as a volunteer, and includes the owner, owners, partners, principals and officers of the company, partnership, corporation or organization.

**Employee**

**ERECT:** Means to build, construct, reconstruct, alter and relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension, and any other work which requires a building permit.

**Erect**

**ESTABLISHED BUILDING LINE:** Means the average distance between the street and the building line for all main buildings on the same side of the street within the same block as of the date of the passing of this By-law.

**Established Building Line**

**EXISTING:** Means existing as of the date of the passing of this By-law.

**Existing**

**EXISTING USE:** Means the purpose for which any land, building, structure or combination thereof is designed, arranged, occupied or maintained as of the date of the passing of this By-law.

**Existing Use**

**EXTERIOR SIDE LOT LINE:** (See LOT LINE)

**Exterior Side Lot Line**

**EXTERIOR SIDE YARD:** (See YARD)

**Exterior Side Yard**

### 3F

**FARM:** (See AGRICULTURE)

**Farm**

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

**Farm Custom Workshop**

**FARM IMPLEMENT SALES:** Means a building and/or lot where new and/or used farm implements are kept for display, sale and/or rental. Accessory uses may include those normally required for performing maintenance on and repair of farm implements, including service centres, service bays, storage of farm implement parts, etc.

**Farm Implement Sales**

### **SECTION 3: DEFINITIONS**

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**FARM SUPPLY SALES:** Means a building wherein farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel, etc. are sold or rented.

**Farm Supply Sales**

**FILL LINE:** (See REGULATION LIMIT).

**Fill Line**

**FLOOD PLAIN:** For river, stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards during a 1:100 year flood. Where floodplain mapping has been undertaken, the limits of the floodplain are based on the one in one hundred year flood level. Where mapping has not been undertaken, the limit of the floodplain may have to be determined based on a hydro-technical study undertaken by a qualified professional engineer, consistent with the guidelines for the delineation of flood hazard areas in Ontario (the MNR Natural Hazards Guides) and to the satisfaction of the Conservation Authority having jurisdiction in the watershed in question.

**Flood Plain**

**FINANCIAL OFFICE:** Means a building or part of a building in which a bank, trust company, finance company, mortgage company or investment company is located.

**Financial Office**

**FINISHED GRADE:** (See GRADE, FINISHED)

**Finished Grade**

**FLOOR AREA:** (See GROSS LEASABLE FLOOR AREA)

**Floor Area**

**FORESTRY USE:** Means the planting, management and/or harvesting of timber resources including the establishment of a temporary or portable sawmill as an accessory use for the processing of timber resources taken from the lot on which the temporary or portable sawmill is located, but does not include the establishment of a permanent sawmill, as herein defined.

**Forestry Use**

**FRONTAGE:** (See LOT, FRONTAGE)

**Frontage**

**FUEL PUMP ISLAND:** Means a structure on a lot of an automobile gas bar, retail propane/compressed natural gas transfer facility or automobile service station where the fuel pumps are located.

**Fuel Pump Island**

**FUNERAL HOME:** Means a building used for the preparation of deceased human bodies for interment or cremation, for the viewing of deceased persons, and for the holding of funeral services.

**Funeral Home**

### **3G**

**GARAGE, PRIVATE:** Means an accessory building or part of a residential building located on a residential lot intended for the storage of one or more vehicles, in which no business, occupation or service is conducted for profit. Freestanding garages are accessory buildings.

**Private Garage**

**GARAGE SALE:** Means an informal, irregularly scheduled event for the sale of used goods from the home or yard, and shall be operated by the

**Garage Sale**



### **SECTION 3: DEFINITIONS**

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usual inhabitant of a residential dwelling. Garage sales, which shall also include yard sales, rummage sales and like events, shall not include commercial yard sales as defined herein.

**GOLF COURSE:** Means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, but does not include driving ranges, miniature courses and similar uses.

**Golf Course**

**GRADE, FINISHED:** With reference to a building, means the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment or entrenchment, and when used with reference to a street means the elevation of the street established by the Corporation or other designated authority.

**Finished Grade**

**GREENHOUSE:** Means a building and/or structure used for the growing of flowers, vegetables, shrubs, trees and similar vegetation including any part of a building, structure or area used for the sale of garden supplies and landscaping materials which may include seeds, bulbs, tools, etc. This definition shall not include any premises for the growing of mushrooms.

**Greenhouse**

**GROSS LEASABLE FLOOR AREA:** Means the sum total of the area of the floor or floors, above and below grade, measured from the exterior faces of the exterior walls of a building or structure at the level of each floor but shall not include:

**Gross Leasable  
Floor Area**

1. any part of the building or structure below grade which is used for heating equipment, storage, laundry facilities and similar accessory uses.
2. any part of the building or structure used for the storage or parking of motor vehicles.

**GROUP HOME, TYPE A:** Means a single household unit in a dwelling, in which 3 to 10 residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents, and which is licensed or approved under Provincial Statute and is in compliance with Municipal by-laws. This definition does not include residences for young offenders, adult offenders, or boarding/rooming dwelling houses.

**Type A Group  
Home**

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

**Type B Group  
Home**

### **SECTION 3: DEFINITIONS**

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GUEST HOUSE: (See TOURIST GUEST HOUSE)

**Guest House**

GUEST CABIN: (See SLEEPING CABIN)

**Guest Cabin**

### **3H**

**HABITABLE ROOM:** Means a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a bathroom, den, library or enclosed sun room but shall not include any porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

**Habitable Room**

**HEIGHT:** Means the vertical distance of a building between the finished grade, and:

**Height**

1. the highest point of the roof surface or the parapet, whichever is the greater of a flat roof; or
2. the deckline of a mansard roof; or
3. the mean level between eaves and ridge of a gabled, hip, gambrel, cottage or other type of pitched roof; or
4. the highest point of a roof in which one side of the roof is parallel to the main wall; or
5. the highest point of the roof in the case of a fabric covered (domed) structure.

In no case shall the height of a residential dwelling exceed 15 metres.

**HIGHWAY:** (See STREET)

**Highway**

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

**Highway  
Commercial Mall**

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

**Hobby Farm**

**HOME FOR THE AGED:** Means a building established and/or maintained by the Corporation under *The Homes for the Aged and Rest Homes Act*.

**Home for the Aged**

**HOME OCCUPATION:** Means an occupation conducted for gain or profit as an accessory use to a residential use in accordance with the regulations herein.

**Home Occupation**

**HOME OCCUPATION, RURAL:** Means an occupation conducted for gain or profit as an accessory use within a dwelling unit and/or within an accessory building on the same lot in accordance with the regulations herein.

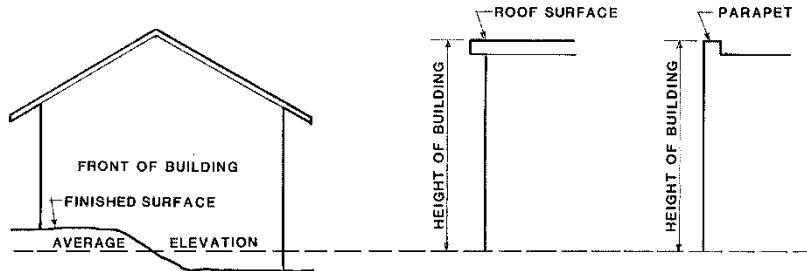
**Rural Home  
Occupation**

**SECTION 3: DEFINITIONS**

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

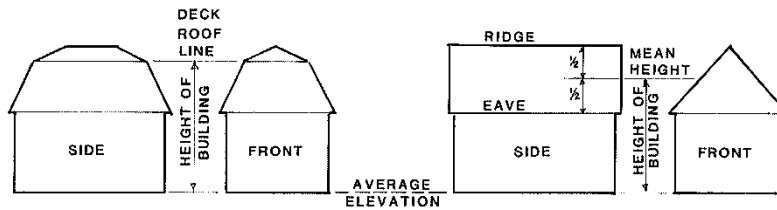
**Hospital**

**Illustration of Heights of Buildings**



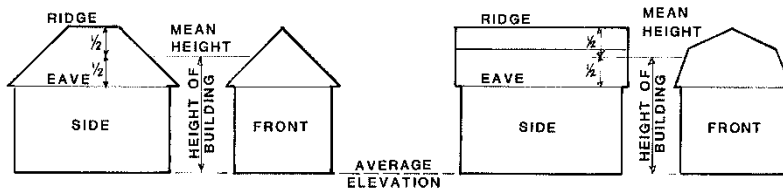
AVERAGE ELEVATION

FLAT ROOF



MANSARD ROOF

GABLE ROOF



HIP ROOF

GAMBREL ROOF

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

HOTEL: Means a building, or part of a building, or two or more disconnected or detached buildings, designed to be used for the purpose of catering to the needs of the traveling or vacationing public by furnishing sleeping accommodation with or without kitchens, with or without supplying food, and may include meeting rooms, banquet halls, public dining rooms, and any premises licensed under the *Liquor License Act* and shall include a motel or motor inn but shall not include, boarding/rooming dwelling houses, beverage rooms or apartment

**Hotel**

**SECTION 3: DEFINITIONS**

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dwelling houses.

HOUSEHOLD: Means the collection of all individuals normally resident in a dwelling unit.

**Household**

HOUSEHOLD PET: (See PET, HOUSEHOLD).

**Household Pet**

HUNTING OR FISHING CAMP: Means a building or structure, with a maximum area of 50 square metres, which is occupied for limited times during the year as a base for hunting, fishing and similar outdoor activities but which is not a single detached dwelling or a seasonal dwelling as defined herein.

**Hunting or Fishing Camp**

**3I**

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

**Industrial Mall**

INSTITUTION: Means a building or part of a building used for a non-commercial purpose by an organized body or society for promoting a particular purpose. This definition may include a library, college, university, convent, monastery, public museum or similar use, but shall not include an assembly hall.

**Institution**

INTERIOR LOT: (See LOT)

**Interior Lot**

INTERIOR SIDE YARD: (See YARD)

**Interior Side Yard**

**3J**

Reserved for future use.

**3K**

KENNEL: Means a building or structure or part of a building or structure where more than five (5) dogs or more than ten (10) cats are lodged, bred, kept or boarded. A kennel facility will be classified as one of the following:

**Kennel**

KENNEL, COMMERCIAL: Means a kennel used primarily for boarding dogs or cats 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.

KENNEL, HOBBY: Means a kennel where dogs or cats are housed for the primary purpose of pleasure (pets) or hunting, and where there is no boarding or revenue derived from the sale of the offspring of the dogs or cats.

**SECTION 3: DEFINITIONS**

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**Kitchen Facilities**

**KITCHEN FACILITIES:** Means any area of a building and/or structure whose design and/or purpose is to coordinate and/or whose use is the storage, preparation or consumption of food and/or drink.

**3L**

**Landscaped Open Space**

**LANDSCAPED OPEN SPACE:** Means the area of a lot comprised of lawn with or without natural or ornamental shrubs, flowers and trees including space occupied by paths, walks, courts, patios and pools, but shall not include parking lots, aisles, driveways, loading spaces, curbs, or ramps for vehicles.

**Lane**

**LANE:** Means a public thoroughfare which affords a means of access to abutting lots but which is not a street as defined herein and is not intended for general traffic circulation.

**Laundromat**

**LAUNDROMAT:** Means a building or part of a building containing two or more washing and/or self-service dry-cleaning machines and/or dryers for use by the public which is operated for profit or gain.

**Loading Space**

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

**Lot**

**LOT:** Means any parcel of land described in a registered deed or shown in a registered plan of subdivision, which is capable of being legally conveyed from one party to another and including any parts of the parcel which are subject to right of easement.

**Corner Lot**

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

**Interior Lot**

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

**Irregular Lot**

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

**Through Lot**

**THROUGH LOT:** Means a lot bounded on two opposite sides by streets provided, however, that if any lot qualifies as being both a corner lot and a through lot as herein defined, such lot shall be conclusively deemed to be a corner lot.

**Waterfront Lot**

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

**Lot Area**

**LOT AREA:** Means the total horizontal area within the lot lines of a lot. For calculating the minimum lot area requirement such area shall exclude areas covered by a waterbody or watercourse, or areas located within the mapped flood plain, or areas between the top and toe of cliffs or

### **SECTION 3: DEFINITIONS**

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embankments having a slope of 30 degrees or more from the horizontal shall not be included.

**LOT COVERAGE:** Means the percentage of the lot area covered by buildings or structures exclusive of canopies, balconies and overhanging eaves and private swimming pools protruding not more than 1.5 m above finished grade.

**Lot Coverage**

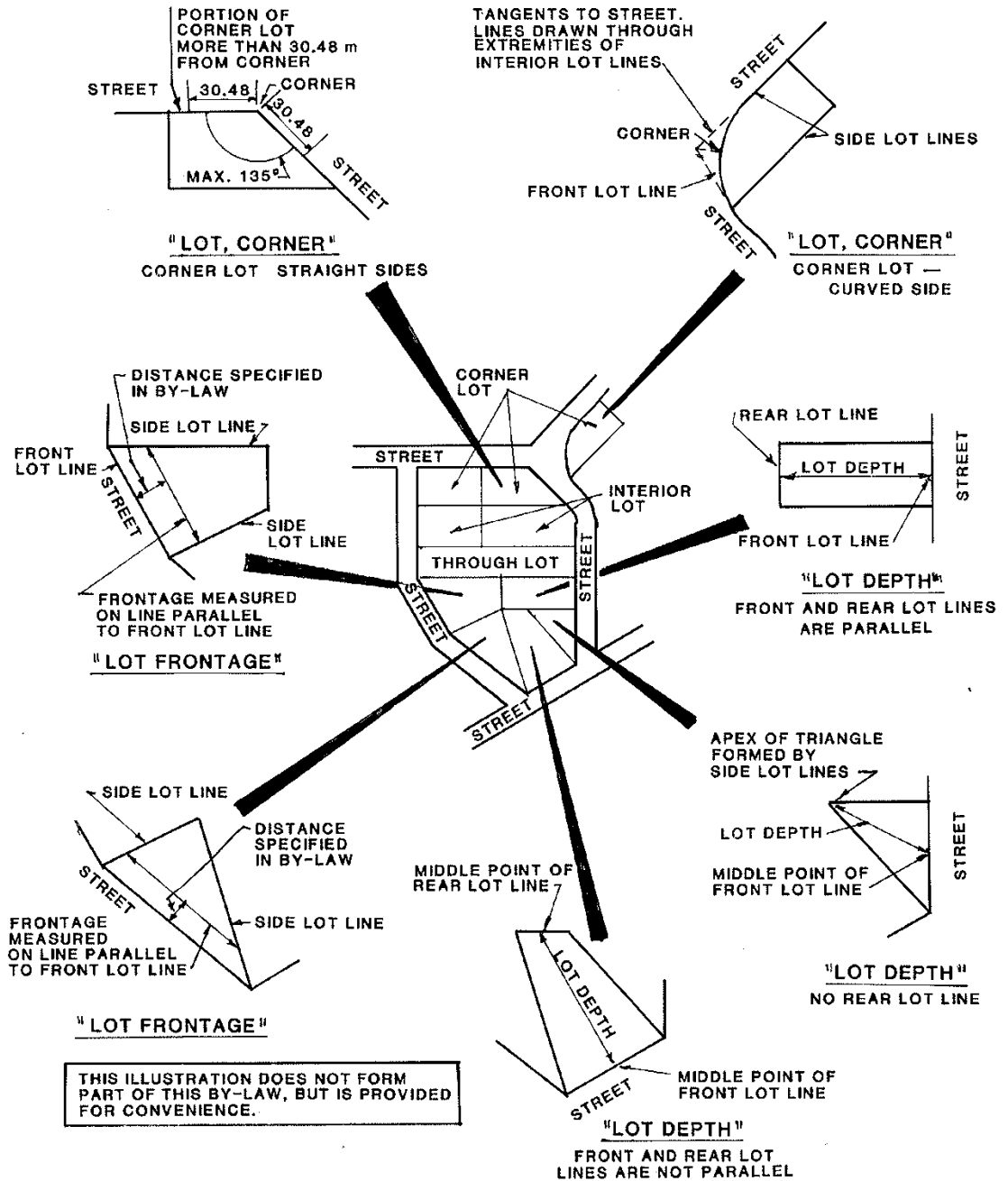
**LOT DEPTH:** Means the horizontal distance between the front lot line and the rear lot line.

**Lot Depth**

For the purpose of determining the required minimum lot depth for lots which are not square or rectangular the following shall apply:

1. If the front and rear lot lines are not parallel, the lot depth shall be measured by joining the mid-point of the front lot line with the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.
2. In the case of a corner lot with a curved front lot line, the lot depth shall be measured by first extending the front and exterior side lot lines as tangents, from the point where each lot line begins to curve, in a straight line to their point of intersection. The lot depth shall then be measured by joining the mid-point of the tangent to the front lot line and the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.

Illustration of Lot Definitions



### **SECTION 3: DEFINITIONS**

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**LOT FRONTAGE:** Means the width of the lot between the side lot lines at the front lot line.

**Lot Frontage**

For the purpose of determining the required minimum lot frontage in the case of a lot without parallel side lot lines and/or without a straight front lot line, the following shall apply:

1. The minimum required lot frontage shall be measured as the length of the front lot line; or
2. The minimum required lot frontage shall be measured as the horizontal distance between the side lot lines, measured between the points on the side lot lines equal to the front yard requirement for the use in the zone in which the lot is located.

**LOT LINE, FRONT:** Means the line dividing the lot from the street.

**Front Lot Line**

For the purpose of determining the front lot line the following shall apply:

1. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting a street shall be deemed an exterior lot line. If such lot lines are of equal length, the front lot line shall be deemed to be the lot line as established by building orientation and/or main access.
2. In the case of a through lot the shorter of the lines dividing the lot from the streets shall be deemed the front lot line. If such lines are of equal length, the front lot line shall be deemed to be the line as established by building orientation and/or main access.
3. In the case of a waterfront lot, the shoreline shall be deemed to be the front lot line.
4. In the case of an irregular lot, the shortest lot line abutting a street shall be deemed to be the front lot line, or the front lot line shall be deemed to be the lot line as established by building orientation and/or main access, whichever is the more appropriate.

**LOT LINE, REAR:** Means the lot line furthest from and opposite to the front lot line. In the case of a lot having 4 or more lot lines, the one lot line farthest from and opposite to the front lot line shall be deemed to be the rear lot line. In the case of a lot having 3 lot lines, there shall be deemed to be no rear lot line. In the case of a waterfront lot, the lot line furthest from and opposite to the shoreline shall be deemed to be the rear lot line.

**Rear Lot Line**

**LOT LINE, SIDE:** Means the lot line or lines other than a front lot line or rear lot line.

**Side Lot Line**



## SECTION 3: DEFINITIONS

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### 3M

**MAIN WALL:** Means the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

**Main Wall**

**MARINA:** Means a lot, building or structure containing docking facilities, boat launching ramps, lifts, boathouses, and located on a waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided, and may include a building or structure for the sale of accessories or refreshments, but does not include a marine facility.

**Marina**

**MARINE FACILITY:** Means an accessory building or structure located on a waterfront lot which is used to take a boat into or out of a waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or a marina.

**Marine Facility**

**MARKET:** Means the sale of new or used goods, wares, merchandise, substances, articles or things to the general public, including but not limited to: arts, crafts and other homemade articles, fresh and prepared food products; nursery products; and used furniture and other household items, by one or more independent vendors, but does not include the sale of vehicles or livestock. A market may be located in a permanent or temporary building or structure, or may be located partially or entirely in the open. For the purposes of this By-law, a market is considered to be a retail store.

**Market**

**MEDICAL CLINIC:** Means a building or part of a building used solely by physicians, dentists, and/or drugless practitioners, their staff and their patients, for the purpose of consultation, diagnosis and office treatment.

**Medical Clinic**

**MERCHANDISE SERVICE SHOP:** (See SERVICE SHOP)

**Merchandise Service Shop**

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

**Mine**

**MOBILE CANTEEN:** Means a temporary business containing a vehicle equipped for the cartage, storage, preparation and sale of food products and soft drinks. If the vehicle is motorized, it shall have a current license to be driven on a highway pursuant to the *Highway Traffic Act* R.S.O. 1990 as amended. A motorized Mobile Canteen is a vehicle which operates at locations of employment or specific events which are held for a specific time period. A hand or pedal powered Mobile Canteen is a vehicle which may sell food products on the roads in the Township.

**Mobile Canteen**

### SECTION 3: DEFINITIONS

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**MOBILE HOME:** Means a dwelling house that is designed, constructed and/or manufactured to provide a permanent residence, but cannot meet the definition of a modular dwelling house, motor home, travel trailer, tent trailer or other trailer as defined under the Township's Zoning By-law. A Mobile Home may be certified by CSA-Z240 or CAS-A277, have a dimension less than 6 metres (19.7 feet) or be a deformation-resistant structure. A Mobile Home is only permitted in a zone where it is clearly defined as a permitted use.

**Mobile Home**

**MODULAR DWELLING:** Means a single detached dwelling house built in two or more major pieces/modules in a manufacturing facility and transported to the site where the unit is assembled on to a permanent foundation. The modular dwelling house, once assembled, must have no dimension smaller than 6 metres (19.7 feet) nor be a deformation-resistant structure. The structure must have a CSA-A277 certification. For the purposes of this By-law, a modular dwelling house shall be deemed to be a single detached dwelling house.

**Modular Dwelling**

**MOTEL:** (See HOTEL)

**Motel**

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

**Motor Home**

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

**Motor Vehicle**

**MUNICIPALITY:** (See CORPORATION).

**Municipality**

**MUSEUM:** Means a lot, building and/or structure used for the storing and exhibition of objects illustrating antiquities, natural history, arts, etc. and which may be publicly or privately owned and/or managed.

**Museum**

### 3N

**NON-COMPLYING:** Means an existing use, building or structure which is a permitted use in the zone in which it is located but which does not comply, or agree with one or more of the required zone provisions of this By-law.

**Non-Complying**

**NON-CONFORMING:** With reference to a use, means an existing use which is not a permitted use in the zone in which it is located, and with reference to a lot means a lot having less than the minimum lot area and/or lot frontage required in the zone in which such lot is located.

**Non-Conforming**

**NURSING HOME:** Means a building containing multiple rooms with common access to eating, bathroom, recreation and leisure areas for temporary occupancy by those requiring nursing or other care and where meals, personal care, nursing services and medical care and treatment are provided or made available, as defined under the Nursing Homes Act.

**Nursing Home**

## SECTION 3: DEFINITIONS

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### 3O

**OBNOXIOUS USE:** Means a use which is offensive by reason of its emission of odour, smoke, dust, noise, gas, fumes, vibration, or refuse matter, or is a use which under *The Health Protection and Promotion Act* or its regulations is likely to have an adverse affect on the health of any person.

**Obnoxious Use**

**OFFICE:** Means a building or part of a building used or intended to be used in the performance and transaction of business including professional, administrative and clerical activities.

**Office**

**OPEN STORAGE AREA:** Means a lot or part of a lot used for the storage of equipment, goods or materials excluding a parking lot and a salvage yard.

**Open Storage Area**

### 3P

**PARK, PRIVATE:** Means a recreational area other than a public park.

**Private Park**

**PARK, PUBLIC:** Means a recreational area consisting largely of open space, which may include a playground, swimming pool, arena, playfield, or similar use, owned or controlled by the Corporation, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and includes a community centre as herein defined.

**Public Park**

**PARKING LOT:** Means an area, building or structure used for the temporary parking of motor vehicles and includes any related aisles and parking spaces but shall not include any part of a driveway, street or lane. This definition may include a parking garage.

**Parking Lot**

**PARKING SPACE:** Means a portion of a parking lot or parking garage used for the temporary parking or storage of a motor vehicle, exclusive of any aisles, or driveways, which:

**Parking Space**

1. in the case of a private garage or carport consists of an area of not less than 14.3 m<sup>2</sup> with a minimum width of 2.6 m;
2. in the case of regular or angled parking spaces consists of a minimum width of 2.75 m and a minimum length of 5.75 m, with the parking space measured at right angles to the angle of parking; and
3. in the case of parallel parking spaces, consists of a minimum width of 2.75 m and a minimum length of 6.7 m.
4. in the case of an accessible parking space consists of a minimum of 3 metres in width and a minimum length of 5.75 metres.

**PERSONAL SERVICE SHOP:** (see SERVICE SHOP, PERSONAL)

**Personal Service Shop**

### **SECTION 3: DEFINITIONS**

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

**Household Pet**

**PIT:** Means a lot or portion of a lot where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit. Uses associated with the extractive operation using on-site aggregate are included in this definition, including washing or screening operations, batching plants, etc.

**Pit**

**PLACE OF ENTERTAINMENT:** Means a motion picture or other theatre, arena, auditorium, public hall, dance hall, or music hall, but does not include a place of recreation or commercial sports and recreation centre.

**Place of Entertainment**

**PLACE OF RECREATION:** Means a lot, building or structure in which various forms of recreation are provided for a fee, including amusement parks, mini-golf courses, billiard or pool room, bowling alley, curling rink, ice or roller rink, and arcades, but does not include any place of entertainment, commercial sports and recreation centre, public parks or private parks.

**Place of Recreation**

**PLAY AREA:** Means an outdoor area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for the common recreation of the residents of a dwelling house.

**Play Area**

**PRINCIPAL:** (See MAIN).

**Principal**

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

**Printing Shop**

**PRINTING ESTABLISHMENT:** Means an establishment used for printing, typesetting, blueprinting, engraving, stereotyping or electrotyping and shall include such uses as newspaper or book publishing and shall also include a print shop.

**Printing Establishment**

**PRIVATE AMENITY AREA:** Means a privacy yard immediately adjacent to the dwelling unit which serves the household and with access controlled by the household of the dwelling unit.

**Private Amenity Area**

**PRIVATE ROAD:** Means a road under private ownership which provides access or services three or more legally conveyable lots and may include a right-of-way registered on title.

**Private Road**

**SECTION 3: DEFINITIONS**

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**PROPANE/COMPRESSED NATURAL GAS TRANSFER AND HANDLING FACILITY:**

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

1. Retail propane/compressed natural gas transfer facility means a transfer facility that is licensed under the provisions of *The Energy Act*, R.S.O. 1980 C.139, from which petroleum fuels (propane and compressed natural gas) may be retailed to the public.
2. Consumer outlet propane/compressed natural gas transfer facility means a non-retail transfer facility licensed under *The Energy Act*, R.S.O. 1980 C.139, where vehicles, appliances and other equipment of the business or establishment to which the said facility belongs are refueled with petroleum fuels (propane and compressed natural gas).
3. Gas cylinder handling facility means a facility licensed under *The Energy Act*, R.S.O. 1980 C.139, where bottled gases are handled and stored in cylinders and where there is no element of transfer.
4. Bulk propane storage depot means a propane transfer facility that has an aggregate capacity in excess of 7571 litres (2000 U.S. gallons).

**PUBLIC AUTHORITY:** Means any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners of Police, or other board or commission or committee of a local authority established or exercising any power or authority under any general or special Statute of Ontario with respect to any of the affairs or purposes of a municipality or a portion thereof and includes any committee or local authority established by By-law of the municipality.

**Public  
Authority**

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

**Public Use**

**PUBLIC UTILITY:** Means the use of any land, building or structure by a telephone, gas or railway company or similar company for purposes of installing and maintaining public utilities.

**Public Utility**

**PUMP ISLAND:** (See FUEL PUMP ISLAND)

**Pump Island**

**3Q**

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

**Quarry**

**3R**

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

**Railway Spur**

### **SECTION 3: DEFINITIONS**

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RECREATIONAL VEHICLE: Means a vehicle designed for use principally for recreation and includes a travel trailer, tent trailer, motor home, boat, boat trailer, snowmobile, all terrain vehicle, etc.	<b>Recreational Vehicle</b>
RECREATIONAL VEHICLE SALES: Means a building and/or lot where recreational vehicles are kept for display and/or sale. Permitted accessory uses may include those normally required for performing maintenance and repair including service centre, service bays, body shop, storage of parts, etc.	<b>Recreational Vehicle Sales</b>
REGULATION LIMIT: Means the areas within and adjacent to a designated Wetland and Flood Plain to which the Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulations of the Conservation Authorities apply.	<b>Regulation Limit</b>
RELIGIOUS INSTITUTION: Means a building or part of a building used for bible institute, a Christian science reading room, a religious library, a religious school, a monastery, a convent, a religious retreat or similar use but shall not include a church.	<b>Religious Institution</b>
REPAIR SHOP: (See SERVICE SHOP, REPAIR)	<b>Repair Shop</b>
RESTAURANT: Means a building or part of a building where food is offered for sale to the public for consumption on or off the premises and includes restaurants, cafes, cafeterias, ice cream parlours, tea or lunch rooms, dairy bars, coffee shops, snack bars and which may be licensed by The Liquor Board. This definition does not include a take-out restaurant, although a take-out counter within a restaurant is permitted.	<b>Restaurant</b>
RESTAURANT, TAKE-OUT: Means a building or structure where food is offered for sale to the public solely for consumption off the premises, but shall not include a Chip Wagon or Mobile Canteen.	<b>Take-Out Restaurant</b>
RETAIL STORE: Means a building or part of a building in which goods, wares, merchandise, substances, articles or things are kept and offered for sale directly to the general public, but does not include any establishment otherwise defined herein. A retail store shall also include minor fabricating, processing, assembling and/or manufacturing operations where customers and/or employees produce a finished product from the goods, wares, merchandise, substances or things which are sold on the premises and without limiting the generality of the foregoing includes such uses as picture framing, wine and beer making, and arts and crafts. A retail store also includes the sale of used goods, wares, merchandise, substances, articles or things and without limiting the generality of the foregoing includes such uses as an antique store and market.	<b>Retail Store</b>
RIGHT-OF-WAY: (See STREET)	<b>Right-of-Way</b>
RIGHT-OF-WAY, PRIVATE: Means land which is owned by other than a public authority over which right-of-way has been granted to others for access purposes.	<b>Right-of-way, Private</b>

### **SECTION 3: DEFINITIONS**

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ROAD: (See STREET)	<b>Road</b>
ROW HOUSE DWELLING: (See DWELLING, TOWNHOUSE)	<b>Row House Dwelling</b>
RURAL HOME OCCUPATION: (See HOME OCCUPATION, RURAL)	<b>Rural Home Occupation</b>
<b>3S</b>	
SALVAGE YARD: Means a lot, building and/or structure where goods, wares, merchandise articles or things are stored, handled, processed for further use and/or are abandoned, and includes a junk yard, a scrap metal yard, an automobile wrecking yard or premises, but does not include a waste disposal site.	<b>Salvage Yard</b>
SAMPLE AND SHOWROOM: Means a building or part of a building used for the display of samples, patterns or other goods for viewing by the consumer and where purchase orders are taken, provided that articles from the display are not taken from the premises.	<b>Sample and Showroom</b>
SAWMILL: Means a building or structure where timber resources are debarked, cut, planed or similarly processed and includes storage and treating of finished products, where the timber resources are obtained from the lot on which the sawmill is located or are transported to the sawmill from elsewhere.	<b>Sawmill</b>
SCHOOL: Means a school under the jurisdiction of a Board as defined in <i>The Education Act</i> .	<b>School</b>
SCHOOL, COMMERCIAL: Means a school conducted for hire or gain, other than a private, academic, religious or philanthropic school, and includes the studio of a dancing teacher or a music teacher, an art school or golf school, a school of calisthenics, a business or trade school and any other such specialized school conducted for hire or gain.	<b>Commercial School</b>
SCHOOL, PRIVATE: Shall mean an educational establishment, other than a SCHOOL, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, arts, religion, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography or arts and crafts.	<b>School, Private</b>
SCREENING: Means the use of landscaping, walls, fences, hedges and/or other ornamental fixtures to shield the view from one lot to another.	<b>Screening</b>
SEASONAL DWELLING (see DWELLING, SEASONAL)	<b>Seasonal Dwelling</b>
SEMI-DETACHED DWELLING: (See DWELLING HOUSE, SEMI-DETACHED)	<b>Semi-Detached Dwelling</b>

### **SECTION 3: DEFINITIONS**

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**SERVICE, INDUSTRIAL OR BUSINESS:** Means a building or part of a building used primarily to provide goods or services to other industries and businesses and, without limiting the generality of the foregoing, includes such uses as courier, equipment and supply, data processing, research, training, rental and similar uses not otherwise defined herein.

**Industrial or  
Business Service**

**SERVICE SHOP, REPAIR:** Means a building or part of a building wherein articles, goods or materials such as appliances, furniture, office equipment or similar items may be repaired or serviced. This definition shall not include any manufacturing operation, building or structure used for the service or repair of vehicles, or a custom workshop.

**Repair Service  
Shop**

**SERVICE SHOP, PERSONAL:** Means a building or part of a building wherein a personal service is provided. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, an artist's or photographic studio or similar use.

**Personal Service  
Shop**

**SERVICE STATION:** (See AUTOMOBILE SERVICE STATION)

**Service Station**

**SETBACK:** The least horizontal dimension between the centreline of a street allowance or right-of-way, measured at right angles to such centreline, and the nearest part of any excavation, building or structure on the lot, or the nearest open storage use on the lot.

**Setback**

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

**Shopping Centre**

**SIGHT TRIANGLE:** Means the triangular space formed by intersecting street lines and a line drawn from a point in one street line to a point on the other street line, each such point being 7.5 m from the point of intersection of the street lines measured along the street lines. Where the 2 street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**Sight Triangle**

**SINGLE-DETACHED DWELLING** (See DWELLING HOUSE, SINGLE DETACHED)

**Single-Detached  
Dwelling**

**SLEEPING CABIN:** May also be referred to as a Guest Cabin. Means an accessory and subordinate detached building or structure with a maximum gross floor area of 50 square metres (538 square feet), designed and used for sleeping accommodation only, to permit the better or more convenient enjoyment of the principle residential dwelling. A Sleeping Cabin or Guest Cabin may contain plumbing or sanitary waste disposal systems provided that such system(s) are connecting to the primary system servicing the principle dwelling on the property, and

**Sleeping Cabin**



### **SECTION 3: DEFINITIONS**

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providing the system is approved by the authority having jurisdiction over the sewage system. No kitchen facilities, as defined herein, shall be permitted in a Sleeping Cabin or Guest Cabin. In no case shall the definition of Sleeping/Guest Cabin be deemed to include a building or structure for the temporary accommodation of guests for a fee. A Sleeping Cabin or Guest Cabin shall only be permitted in the Limited Services Residential (LSR) zone.

**STOREY:** Means that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 2 m above grade. Provided also that any portion of a storey exceeding 4.5 m in height shall be deemed an additional storey for each 4.5 m or fraction thereof of such excess.

**Storey**

**STOREY, HALF:** Means the portion of a building located wholly or partly within a sloping roof, having a floor area of not less than one-half or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1 m in height and a ceiling with a minimum height of 2.5 m over an area equal to at least 50 percent of its floor area.

**Half Storey**

**STREET, OPEN PUBLIC:** Means an opened and maintained thoroughfare under the jurisdiction of the Corporation, the County of Lanark, the Province of Ontario, or the Government of Canada. This definition includes highways, roads, right-of-ways and road allowances, but excludes a lane and a private right-of-way.

**Open  
Public Street**

**STREET, UNOPENED PUBLIC:** Means a street which has not been assumed by the Corporation as an open thoroughfare.

**Unopened  
Public Street**

**STREET, PRIVATE:** Means a street, not otherwise defined herein, which is described on a plan of subdivision or on a plan of condominium which is not under the jurisdiction of the Corporation, but which has been approved by the Municipality.

**Private Street**

**STREET LINE:** Means the limit of the street allowance and is the dividing line between a lot and a street.

**Street Line**

**STRUCTURE:** Means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground. For the purposes of this By-law, a fence not exceeding 2 m in height shall be deemed not to be a structure.

**Structure**

**SWIMMING POOL, PRIVATE:** Means any body of water, permanently located outdoors on privately owned property, contained by artificial means, and used and maintained for the purpose of swimming, wading, diving or bathing.

**Private Swimming  
Pool**

### **3T**

**TAXI STATION:** Means a building or structure or a part thereof used in whole or in part to dispatch taxis and includes land used to store vehicles

**Taxi Station**

### **SECTION 3: DEFINITIONS**

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used for the taxi business.

**TEMPORARY BUSINESS:** Means any business engaged in the preparing and/or offering of goods for sale outside an enclosed building for a period of not longer than 120 days in any calendar year and which, in furtherance of such purpose, hires, leases, uses or occupies any location for the exhibition, sale and delivery of such products. Such a definition shall include and not be limited to produce stands, mobile canteens, chip wagons, refreshment carts, stands and all other commercial operations otherwise not deemed as a “structure” under the provisions of the Ontario Building Code. Each individual location, regardless of any common ownership, shall be considered one temporary business.

**Temporary  
Business**

**TOURIST CAMPGROUND:** Means a lot which is used to provide temporary accommodation for the public, or members of an organization in tents, or recreational vehicles, or in tourist trailers, whether or not a fee is charged or paid for such accommodation, including accessory uses such as recreation and leisure areas, restaurant, convenience store, souvenir shop, etc.

**Tourist  
Campground**

**TOURIST ESTABLISHMENT:** Means a building or buildings which are used to accommodate the traveling public for gain or profit by supplying them with sleeping accommodation with or without meals, and shall include a tourist guest house, tourist cabins, a motel, and a hotel. Accessory uses such as recreation and leisure areas, restaurant, convenience store, souvenir shop, etc are included in this definition. A resort and/or all buildings operating under the Act respecting Tourist Establishment 1959 and the Act respecting the regulations of Tourist Camps, 1946 are also included in this definition.

**Tourist  
Establishment**

**TOURIST GUEST HOUSE:** Means a single detached dwelling and/or an accessory building to a single detached dwelling in which more than two guest rooms are used to accommodate the traveling public for gain or profit and may include the provision of meals to the guest room occupants.

**Tourist Guest  
House**

**TOURIST TRAILER:** A trailer which is used or intended to be used for short term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

**Tourist  
Trailer**

**TOWNHOUSE DWELLING:** (See DWELLING HOUSE, TOWNHOUSE)

**Townhouse  
Dwelling**

**TRANSPORTATION TERMINAL:** Means a lot, building or structure where trucks or tractor trailers are kept for hire, rent or lease, are stored or parked for remuneration, or from which trucks or tractor trailers are dispatched for hire as common carriers and includes buildings or structures used for storage or distribution of goods, wares and merchandise.

**Transportation  
Terminal**

**SECTION 3: DEFINITIONS**

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**3U**

UNDERTAKER'S ESTABLISHMENT: (See FUNERAL HOME)

**Undertaker's  
Establishment**

USE: Means the purpose for which any land, building, structure or combination thereof is designed, arranged, occupied, or maintained.

**Use**

USE, ACCESSORY: Means a use customarily incidental and subordinate to the main use or main building and located on the same lot with such main use or main building.

**Accessory Use**

**3V**

VEHICLE: (See MOTOR VEHICLE)

**Vehicle**

VETERINARY CLINIC: (See ANIMAL CLINIC)

**Veterinary Clinic**

**3W**

WAREHOUSE: Means a building or portion of a building used for the bulk storage of goods, wares, merchandise, or materials and includes accessory office space, space but does not include bulk storage.

**Warehouse**

WASTE DISPOSAL: Means either:

**Waste Disposal**

1. a municipal solid waste disposal facility which is owned and operated by the Township and which is operated under a Certificate of Approval from the Ministry of the Environment wherein non-hazardous household, commercial and industrial wastes are disposed, and includes related recycling and composting operations; or,
2. a sanitary sewage treatment facility, including a treatment plant and/or lagoon(s), which is owned and operated by a municipality or is owned and operated under contract to a municipality, and which is operated under a Certificate of Approval from the Ministry of the Environment, but does not include a private communal sewage disposal system which is operated under a responsibility agreement with the Township or a private sewage disposal system.

WASTE RECYCLING Means the storage, separation, processing and/or packaging of non-hazardous solid waste products for shipment to another location for re-use. Waste Recycling shall require a Certificate of Approval from the Ministry of the Environment.

**Waste Recycling**

WATERBODY: Means any bay, lake, river, canal as well as any flood plain associated with the waterbody, but excluding a drainage or irrigation channel and any other watercourse.

**Waterbody**

### **SECTION 3: DEFINITIONS**

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

**Watercourse**

**WATER FRONTAGE:** Means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.

**Water Frontage**

**WATERBODY SETBACK:** Means the straight line horizontal distance from the high water mark of a waterbody to the nearest part of any excavation, building, structure or open storage use on the lot.

**Waterbody  
Setback**

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

**Wayside Pit  
Quarry**

**WHOLESALE OUTLET:** Means a building or portion of a building used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.

**Wholesale  
Outlet**

### **3X**

Reserved for future use.

### **3Y**

**YARD:** Means a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such buildings, accessory use or structures as are specifically permitted elsewhere in this By-law.

**Yard**

**YARD, REQUIRED:** Means the minimum yard required by the provisions of this By-law.

**Required Yard**

**YARD, FRONT:** Means the space extending across the full width of a lot between the front lot line and the nearest part of any main wall of any building or structure on the lot.

**Front Yard**

**YARD, REAR:** Means the space extending across the full width of a lot between the rear lot and the nearest part of any rear wall of any main building or structure on the lot. In the case of a lot which has no rear lot line, the rear yard shall be the area between the point where the side lot lines meet and the nearest part of any wall of any main building or structure on the lot.

**Rear Yard**

**SECTION 3: DEFINITIONS**

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YARD, SIDE: Means the space extending from the front yard to the rear yard and from the side lot line to the nearest part of any side wall of any main building or structure on the lot. **Side Yard**

YARD, EXTERIOR SIDE: means a side yard immediately adjacent to a public street. **Exterior Side Yard**

YARD, INTERIOR SIDE: Means a side yard other than an exterior yard. **Interior Side Yard**

**3Z**

ZONE: Means a designated area of land shown on Schedule A to this By-law to which certain provisions and restrictions apply. **Zone**

## **SECTION 4: GENERAL PROVISIONS**

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### **4. GENERAL PROVISIONS**

#### **4.1 Accessory Apartments**

One accessory apartment dwelling, as herein defined, shall be a permitted use within all single detached, semi detached and row house dwellings, other than accessory single detached dwelling houses and single detached dwellings or seasonal dwellings in the Limited Services Residential (LSR) Zone, provided that written approval of the sewage disposal facilities is obtained from the Health Unit or its agent. Prior to establishing an Accessory Apartment, the applicant shall obtain an appropriate Certificate of Approval from the Health Unit.

#### **4.2 Accessory Uses**

No accessory use, building or structure shall be built on a lot until the principal or main use, building or structure has been built on the lot.

No accessory building or structure shall be used for human habitation except where a dwelling is a permitted accessory use.

##### **4.2.1 General**

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or use but shall not include:

1. Any occupation for gain or profit except as specifically permitted in this By-law; or
2. Any building used for human habitation except as specifically permitted in this By-law.

##### **4.2.2 Location**

Accessory buildings and structures shall be permitted in any zone. Except as otherwise permitted in Section 2.7, accessory buildings and structures shall not:

1. Be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot, except as otherwise required in subsection 4.2.2.2 below;
2. Be built closer to a street line than the main building or closer than 15 m to the street line, whichever is the lesser, where the main building is set back more than the minimum distance required by this By-law;
3. Be built closer than 3 metres to any interior side or rear lot line in the case of an accessory garage building that is greater than or equal to 25 m<sup>2</sup>, and be built closer than 1.5 m to any

## **SECTION 4: GENERAL PROVISIONS**

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interior side or rear lot line in the case of all other buildings or structures accessory to a residential use, except that:

1. Common semi-detached garages may be centered on the mutual side lot line,
2. In the case of a private right-of-way for a waterfront lot, accessory garage buildings may not be built closer to the right-of-way than the minimum rear yard setback in the Zone in which the property is located; and
3. An accessory building may be located not less than 0.5 m from a public lane; and
4. Marine facilities may be built to the lot line when such line corresponds to the water's edge.

### **4.2.3 Height**

1. Buildings or structures which are accessory to a Residential Use shall not exceed 5 m in height.
2. Buildings or structures which are accessory to a Non-Residential Use shall not exceed the maximum height provision of the Zone in which it is located, except that there shall be no height restriction on buildings and structures such as barns and silos which are accessory to an agricultural use.

### **4.2.4 Lot Coverage**

1. In the case of buildings or structures which are accessory to a Residential Use, on lots that are equal to or less than 4 hectares in size, the lot coverage for all such buildings and structures shall not exceed 10% of the lot area or 140 m<sup>2</sup> in total, whichever is the lesser, and this area shall be included in the calculation of the total lot coverage permitted in the zone in which the residential use is located.
2. In the case of all other uses, the total lot coverage of all accessory buildings or structures shall not exceed 10% of the lot area.

### **4.2.5 Separation**

No accessory building or structure shall be located closer than 2 m to the main building.

### **4.2.6 Private Swimming Pools**

Swimming pools are regulated under a separate By-law of the Municipality.

## **SECTION 4: GENERAL PROVISIONS**

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### **4.2.7 Temporary Businesses**

Temporary businesses, including refreshment vehicles, chip wagons and similar uses, shall be subject to the regulations of the Temporary and Mobile Vendor By-law of the Municipality.

### **4.3 Automobile Service Stations, Gas Bars, Propane Facilities, Etc.**

Where automobile service stations, gas bars and retail propane/compressed natural gas transfer facilities are permitted in this By-law, the following provisions shall apply:

1. The minimum lot frontage shall be 45 m;
2. The minimum yard requirements for the main building shall be as follows:
  1. front yard depth 15 m
  2. exterior side yard width 15 m
  3. interior side yard width 7.5 m
  4. rear yard depth 7.5 m
3. The minimum distance between any portion of a fuel pump island and any front or exterior side lot line shall be 7.5 m.
4. The distance between any portion of a fuel pump island and any rear or interior side lot line shall be 4.5 m.
5. Where the lot is a corner lot, no portion of any pump island shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, each such point being 15 m distant from the intersection of such lines.
6. The minimum distance between a driveway and the intersection of street lines, measured along the street line shall be 4.5 m.
7. The minimum interior angle of intersection between a driveway and a street line shall be 45 degrees and the maximum interior angle between a driveway and a street line shall be 90 degrees.

### **4.4 Bed and Breakfast**

A bed and breakfast, as herein defined, shall be a permitted use within any single detached dwelling house that is permitted as a principal use within the zone in which it is located, with the exception of the Limited Services Residential (LSR) Zone. Prior to the establishment of a bed and breakfast in any single detached dwelling, the property owner must obtain a Change of Use permit under the Ontario Building Code from the Township's Chief Building Official or his/her alternate; and further, the property owner must obtain a satisfactory fire inspection from the Township's Fire Chief or his/her designate. A bed and breakfast shall not be interpreted so as to include a lodging or boarding house as defined herein.



## SECTION 4: GENERAL PROVISIONS

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### 4.5 Buildings to be Moved

No building or structure shall be moved within the limits of the Township or shall be moved from outside the Township into the Township unless the building or structure is a permitted use and conforms to all the requirements of the zone in which it is to be located, and then only after a permit has been obtained from the Chief Building Official.

### 4.6 Dangerous Substances

No use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under *The Health Protection and Promotion Act* or regulations there under.

### 4.7 Day Nurseries

Licensed day nurseries shall be permitted in all zones except the Limited Services Residential (LSR), Wetland (W), Environmental Protection (EP), Salvage Yard (S), Waste Disposal (WD), Mineral Aggregate - Pit (AP), Mineral Aggregate - Quarry (AQ) and Mineral Aggregate - Reserve (AR) Zones, in accordance with the following provisions:

- |    |                                    |   |
|----|------------------------------------|---|
| 1. | Lot Area (minimum)                 | 4,000 m <sup>2</sup>  |
| 2. | Lot Frontage (minimum)             | 45 m  |
| 3. | Front Yard Depth (minimum)         | 7.5 m on a lot in a plan of subdivision and 12.5 m on all other lots. |
| 4. | Exterior Side Yard Width (minimum) | 7.5 m   |
| 5. | Interior Side Yard Width (minimum) | 3 m   |
| 6. | Rear Yard Depth (minimum)          | 7.5 m   |
| 7. | Lot Coverage (maximum)             | 20%   |
| 8. | Height of Building (maximum)       | 11 m  |
| 9. | Accessory Uses, Parking, etc.      | in accordance with Section 4  |

### 4.8 Dwelling Units Below Grade

No dwelling unit shall in its entirety be located in a cellar. However, a portion of a dwelling unit may be located in a cellar provided such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage room, recreation room, or for similar use only, and not for residential occupancy.

Notwithstanding the above, a dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is located above the level of the sanitary and storm sewer servicing systems of the building in which such basement is located or provided that the dwelling unit is serviced by appropriate sewer pumping facilities.

### 4.9 Established Building Line

Notwithstanding the front yard provisions of this By-law, where a permitted building or structure is to be erected on a lot where there is an established building line, such permitted building or structure may be erected closer to the

## **SECTION 4: GENERAL PROVISIONS**

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street line than required by this By-law, provided such building or structure is not erected closer to the street line than the established building line.

Where a lot fronts onto a Provincial Highway or a County Road, this provision shall not apply.

### **4.10 Frontage on an Opened Street**

No building or structure shall be erected in any zone except the Limited Services Residential (LSR) Zone or Tourist Commercial (TC) Zone unless the lot on which such building or structure is located has frontage on and direct access to an opened public street which is maintained year round, as herein defined. In the case of the Tourist Commercial (TC) Zone, this provision shall only apply if the lot on which the building or structure is located is a waterfront lot.

This provision shall not apply to:

1. a lot on a registered plan of subdivision where an agreement between the owner and the Corporation, which includes provisions for the construction of the streets in the subdivision, is registered in the Registry Office or the Land Titles Office; or,
2. to conservation, forestry, general agricultural, and hunting/fishing camps, provided that there is no permanent dwelling on the lot.

### **4.11 Frontage on More Than One Street**

Where a lot fronts on more than one street and is not a corner lot, the requirements for front yards contained in this By-law shall apply to each yard abutting the street in accordance with the provisions of the zone or zones in which such lot is located.

### **4.12 Group Homes**

Type A Group Homes shall be a permitted use in all zones in which a single detached dwelling is permitted as a principal use, except in the Limited Services Residential (LSR) Zone, in accordance with the following provisions.

1. A Group Home shall be located a minimum of 300 m from another Group Home within the Hamlet designation and a minimum of 1000 m from another Group Home outside the Hamlet designation, as shown on Schedule A of the Official Plan; such distance to be measured from the closest point of the two properties at the property line.
2. A Group Home shall not be permitted in an accessory single detached dwelling houses nor in accessory dwelling units.
3. A Group Home may be permitted in single-detached dwellings and in both units of semi-detached dwellings and duplex dwellings, provided that both units are occupied by one group home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed ten.

## **SECTION 4: GENERAL PROVISIONS**

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### **4.13 Hobby Farms**

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

1. A hobby farm shall be restricted to one barn with a maximum gross floor area of 140 m<sup>2</sup>.
2. The barn shall comply with the provisions of Section 4.1 for accessory buildings and structures.
3. A hobby farm shall only be permitted on minimum 4 ha lots.
4. A hobby farm shall comply with the Minimum Distance Separation requirements as defined by the Ontario Ministry of Agriculture, Food and Rural Affairs.
5. Notwithstanding Sections 4.13.1 to 4.13.3 inclusive, for the purposes of this By-law, the keeping of fewer than six (6) chickens shall be excluded from the definition of Hobby Farm and shall be permitted in all zones in which a single detached dwelling house is a permitted use, in accordance with the following provisions:
  1. The minimum lot size shall be 0.5 hectares.
  2. All chickens must be kept in a fully fenced pen and any pen shall be restricted to a maximum gross floor area of 100 square metres.
  3. The enclosure shall not be located in the front yard or exterior side yard of any lot and shall be set back a minimum of 15 metres from all side and rear lot lines.
  4. The Minimum Distance Separation criteria shall apply to the keeping of chickens on a residential lot.
  5. Roosters shall not be permitted.

### **4.14 Holding Zones**

1. Any parcel or area of land in any zone of this By-law may be further classified as a holding zone with the addition of the suffix "-h". The intent is to signify Council's approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until such time as the demand for the development of the land is sufficient to warrant immediate development.
2. Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law. Any change from the

## **SECTION 4: GENERAL PROVISIONS**

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holding status shall require an amendment to this By-law and Council may require that the applicant enter into an agreement for the development of the land prior to the amendment being approved.

### **3. Holding Zone Provisions**

#### **1. RU-6h1: Lot 12, Concession I (Drummond Ward)**

**On the lands zoned RU-6h in Lot 12, Concession I, the following provisions apply to the lifting of the holding zone:**

- 1. The holding zone is lifted with respect to all of the permitted uses except a golf course; and,**
- 2. The holding zone shall be lifted for the golf course use only after the owner has completed a study to identify the potential impacts of the golf course on surface and sub-surface water quality and water quantity, and the measures to be implemented to mitigate any identified adverse impacts. This study shall be to the satisfaction of Council, in consultation with the Conservation Authority.**

**2. Repealed by By-law 2019-018.**

**3. Repealed by By-law 2016-023.**

#### **4. MHP-h4, Concession 6, Lot 21, Drummond Ward (By-law 2016-041)**

**On the lands zoned MHP-h4, the holding zone shall be lifted in a minimum of two phases with respect to all of the permitted uses in the MHP Zone following:**

- 1. Approval by the Ministry of Environment and Climate Change (MOECC) for a communal septic system;**
- 2. Execution of a Municipal Responsibility Agreement to provide for the repair and Township assumption of the communal services, at no cost to the Township, in the event that the communal services fail;**
- 3. Registration on Title of a Site Plan Agreement that implements the development standards for mobile home parks as outlined in the Official Plan; and**
- 4. For subsequent phases the Owner shall demonstrate to the satisfaction of the Township that the water quality and quantity is adequate to support subsequent phases of development. Prior to removing the holding symbol for any future phase(s) of development the Owner shall retain a qualified professional to undertake performance assessments**

## **SECTION 4: GENERAL PROVISIONS**

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on the existing and proposed wells, including monitoring of groundwater levels, confirmation of yields, water quality sampling and confirmation that the proposed well(s) will not cause any interference with existing wells.

**5. CT-4-h5-h6 Concession 10, Lot 24, North Elmsley Ward (By-law 2017-010)**

On the lands zoned CT-4-h5-h6 in Lot 24, Concession 10, North Elmsley Ward, the following provisions apply with respect to the lifting of the holding zone. The holding provisions that apply to these lands are described as h5 and h6. The issues to be addressed under each provision are as follows:

1. The first holding provision ('h5') shall be lifted following completion of an access lane providing permanent emergency vehicle access to the lands that avoids flood prone lands. This lane shall be constructed to the satisfaction of the Township and Rideau Valley Conservation Authority.
2. The second holding provision ('h6') shall be lifted following completion of the following:
  1. It is demonstrated to the satisfaction of the Township through the appropriate hydrogeological studies that the proposed development can be satisfactorily serviced and accommodated with no unacceptable impacts on ground water resources.
  2. The required servicing approvals are obtained from the Ministry of Environment and Climate Change.

### **4.15 Home Occupations**

**4.15.1** A home occupation, as herein defined, shall be permitted as an accessory use in any dwelling, except a dwelling in the Limited Services Residential (LSR) zone, unless specifically listed below as a prohibited use, in accordance with the following provisions.

**1. Residential Character**

The home occupation use(s) shall not cause any individual or cumulative effects that change the residential character of the main residential use. The use(s) shall not:

1. be visible or apparent from adjacent properties, other than due to permitted signage if any;

## **SECTION 4: GENERAL PROVISIONS**

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2. cause a nuisance or annoyance or loss of enjoyment to neighbours; or,
3. cause a significant increase in traffic on streets serving the dwelling.

### 2. Compatibility

The home occupation use(s) shall not generate noise, vibration, fumes, dust, effluent, odour, glare, magnetic fields or radiation, which is evident outside of the dwelling unit or which exceeds limits established by existing By-laws and Provincial or Federal legislation or policy.

### 3. Size

The amount of floor area deemed separate and exclusively dedicated for the home occupation use(s) shall not exceed 33% of the total gross leasable floor area of the dwelling unit, or 46 m<sup>2</sup>, whichever is the lesser.

### 4. Location

1. The floor area permitted for home occupation use(s) may be located in any portion of the dwelling unit.
2. Not more than 15 m<sup>2</sup> of the floor area may be located in a private garage or in an accessory building, provided these structures comply with all other provisions of this By-law.

### 5. Employees

The home occupation use(s) may have, in addition to the residents of the dwelling unit, no more than 2 employee(s) at a time working on the premises, provided that if the employees require parking, it shall be provided on the lot.

### 6. Exterior Effects

The home occupation use(s) shall be entirely enclosed within the dwelling unit or accessory building(s). Goods or materials associated with the home occupation use(s) may be stored or displayed only within the floor area of the dwelling unit and/or accessory building permitted for home occupation uses and shall not be visible from adjacent properties.

### 7. Radio, Television and Satellite

The home occupation use(s) shall not interfere with telephone, television, radio, or satellite reception.

### 8. Health/Life/Fire Safety Hazard

The home occupation use(s) shall not be deemed to present a health, life and/or fire safety hazard, as regulated by the Ontario Building Code, the National Fire Code, the Ministry of Environment and Energy of Ontario, or

## **SECTION 4: GENERAL PROVISIONS**

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the Ontario Ministry of Health, or other provincial or federal legislation.  
The

### **9. Water and Sewer Services**

Any proposed home occupation use(s) which places demands on water and sewage disposal services that could possibly exceed normal domestic requirements, whether such services are public or private, will require approval from the government agency which provides or regulates the service.

### **10. Retail Sales and Rental**

The home occupation use(s) shall only permit rental or retail sales at the dwelling unit of merchandise that is:

1. produced, assembled, repaired, or otherwise has value added to, within the dwelling unit or its accessory building(s); or
2. associated with a service being provided as part of the home occupation use(s).

### **11. Distribution Sales**

The home occupation use(s) shall permit the business of transacting a sale where the customer contacts the business to place an order to purchase merchandise, and the merchandise is either picked up by the customer or delivered from the business or from another location to the customer.

### **12. Instruction or Education**

The home occupation use(s) may involve instructional or educational activity, in accordance with the following provisions.

1. The activity shall be limited to a maximum of 3 students at a time per dwelling unit, or if the activity requires that there be 4 or more students this may be permitted provided that all requirements of fire, health and life safety have been met through a building permit application, if required.
2. The teaching of music, dance, or other physical activity that is likely to create noise or vibration shall be permitted only within fully detached dwellings or in multiple attached dwellings where it can be ensured that noise or vibration will not be detectable to the occupants of adjacent dwelling units.

### **13. Delivery Vehicles**

The home occupation use(s) may have any commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment only by modes typically involved in residential deliveries.

## SECTION 4: GENERAL PROVISIONS

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### 14. Specifically Prohibited Uses

The following uses do not fall within the definition of home occupation uses:

1. a use which does not comply with any one of the preceding provisions;
2. a use which has not received a license under any other municipal by-law, as required;
3. licensed day nursery per Section 4.7 of this Zoning By-Law;
4. dry cleaning distribution station;
5. home for the aged or nursing home;
6. laundromat;
7. restaurant of any type;
8. retail store;
9. sales or service of motorized vehicles, machinery or equipment;
10. commercial yard sale; or
11. sales or installation of automotive and audio parts and products.

### 15. Signage

One sign, not to exceed 1.5 square metres in size shall be permitted on the same property as the home occupation. Notwithstanding this policy, where a property containing a Home Occupation abuts a Provincial Highway or a County Road, the relevant access and signage regulations applicable to those jurisdictions shall apply.

16. Prior to establishing a new Home Occupation, the property owner shall be required to obtain a Change of Use permit from the Chief Building Official or his/her designate, and further, shall be required to have a fire safety inspection undertaken by the Township's Fire Chief or his/her designate.

**4.15.2** A rural home occupation, as herein defined, shall be permitted as an accessory use in any dwelling, except a dwelling in the Residential (R), Multiple Residential (MR), Mobile Home Development (MHP) and Limited Services Residential (LSR) zones in accordance with the following provisions.

1. The provisions of Section 4.15.1 shall apply, except as provided below.
  2. Rural home occupations shall also be permitted within an accessory building or structure and shall occupy an area of not more than 100 m<sup>2</sup> of the building or structure.
  3. Rural home occupations may include accessory open uses and storage provided such open uses and storage are limited to 200 m<sup>2</sup>, and provided such open uses and storage are not located within any of the required yards of the zone in which such rural home occupation is located.
  4. Rural home occupations shall only be permitted on lots having a minimum area of 4 ha.
2. In addition to the permitted uses in Section 4.14.1, a rural home occupation includes a business which is accessory to an agricultural use and may include the servicing and repair of farm equipment, the



## **SECTION 4: GENERAL PROVISIONS**

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grading of produce or similar activities.

### **4.16 Illumination**

1. Lighting fixtures, designed to illuminate wharves and other waterfront facilities, which are not public uses, shall be installed with the light directed downward or away from the water.
2. One automatic photo-cell operated lawn lamp may be located at the edge of any driveway or laneway.
3. All lighting fixtures, other than those specified above, which are designed for exterior illumination and which are not public uses, shall be installed with the light directed and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 m above finished grade and no closer than 4.5 m to any street line.
4. All driveway lamps shall be located so as not to interfere with night time traffic movement.

### **4.17 Kennels**

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

### **4.18 Landscaped Open Space**

#### **4.18.1 Requirements**

1. Where any lot in a commercial or industrial zone abuts a lot in another zone or where any lot is used for institutional purposes, a continuous strip of landscaped open space having a minimum width of 3 m shall be provided along the abutting lot line.
2. In any yard in a non-residential zone, where the required parking abuts a lot in a residential zone, then a continuous strip of landscaped open space a minimum width of 3 m shall be provided along the abutting lot line.
3. In any zone where the required parking abuts a street, then a strip of landscaped open space a minimum width of 1.5 metres shall be provided along the lot line abutting the street and the landscaped strip shall be continuous except for aisles and driveways required for access to the parking area.
4. Any portion of any front yard which is not used for any other purpose permitted in this By-law shall be devoted to landscaped open space.

## SECTION 4: GENERAL PROVISIONS

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### 4.18.2 Driveways or Walks

In all cases where driveways or walks extend through the landscaped open space, it is permitted to interrupt the strip within 3 m of the edge of such driveway or within 1.5 m of the edge of such walk.

### 4.18.3 Accessory Uses

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

## 4.19 Loading Space Regulations

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares or merchandise and raw materials shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane, within the zone in which such use is located, loading or unloading facilities comprising one or more loading or unloading spaces 9 m long, 3 m wide, and having a vertical clearance of at least 4 m and in accordance with the following:

### 4.19.1 Number of Spaces Required

TOTAL FLOOR AREA OF BUILDING OR STRUCTURE	NUMBER OF LOADING SPACES REQUIRED
280 m <sup>2</sup> or less	1
Exceeding 280 m <sup>2</sup> but not 2,300 m <sup>2</sup>	2
Exceeding 2,300 m <sup>2</sup>	2 plus 1 additional space for each additional 2,300 m <sup>2</sup> or part thereof
provided, however, that in addition to the above number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading spaces.	

### 4.19.2 Access

Access to loading or unloading spaces shall be by means of an aisle at least 3.7 m wide contained within the lot on which the spaces are located, and leading to a street or lane located within or adjoining the zone in which the use is located.

### 4.19.3 Location

The loading space or spaces required shall be located in the interior side or rear yard. Loading spaces may be in front yards if set back from the street line a minimum distance of 18 m.

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### **4.19.4 Surface**

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

### **4.19.5 Cumulative Standards**

Where there are two or more uses located on the same lot, the loading space requirements shall be the sum of the requirements of each use.

### **4.19.6 Additions to Building**

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading spaces shall be provided for such addition as required above.

## **4.20 Minimum Distance Separation**

**4.20.1** Notwithstanding any other provision of this By-law to the contrary, no building or structure shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I), as calculated in accordance with the MDS I formulae prescribed by the Ministry of Agriculture, Food and Rural Affairs, except that this provision shall not apply to the following:

1. any building or structure which is permitted as a Public Use under Section 4.25 of this By-law;
2. any building or structure which is located on the same lot as the agricultural use for which the MDS I formulae would otherwise be calculated;
3. any lot existing at the date of the passing of this By-law on which no building or structure would be permitted if the MDS I formulae were to be applied to the said lot, except that the MDS I formulae shall apply if the said lot is large enough to accommodate the building or structure in compliance with the MDS I formulae; or,
4. any lot which is located in a Hamlet, as identified on Schedule "A" of the Official Plan.

**4.20.2** Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II), as calculated in accordance with the MDS II formulae prescribed by the Ministry of Agriculture, Food and Rural Affairs, and in compliance with the *Nutrient Management Act*.

## **4.21 Mobile Homes and Recreational Vehicles as Temporary Dwellings**

**4.21.1** Except as otherwise permitted in this By-law, a mobile home or recreational vehicle shall not be used for residential or non-residential purposes within the municipality except as a temporary office, temporary residence, tool storage shed

## **SECTION 4: GENERAL PROVISIONS**

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or similar use on a construction site provided that the use is terminated when the work is completed or abandoned.

**4.21.2** Notwithstanding the generality of the foregoing, a mobile home or recreational vehicle shall only be used as a temporary residence for such period as there is a valid building permit for the construction of a permanent single-detached or seasonal dwelling and provided that written approval in the form of an agreement is obtained from the Municipality.

### **4.22 One Dwelling Per Lot**

Except where second farm dwellings are permitted, not more than one dwelling house shall be located on a lot.

### **4.23 Objects and Vehicles Stored in Yards**

**4.23.1** In any zone in which a dwelling is permitted as a principal use, and except as hereinafter provided, no person shall obstruct any required front yard or exterior side yard by the location of a building or structure, or by the storage of lumber, salvage or similar material.

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

1. The parking or storage of one commercial vehicle, not in excess of 4,500 kg. vehicle weight, shall be permitted except in the LSR Zone.
2. Where a recreational vehicle is parked anywhere on a lot, such vehicle shall not be used for regular or continuous habitation, except in compliance with Section 4.21 of this By-law; and in no event shall such living or sleeping accommodation be leased or rented. A recreational vehicle shall not block any sight triangles or sight lines in a required front yard or exterior side yard.
3. Recreational vehicles shall only be permitted to be parked or stored on vacant lots with a lot area that meets or exceeds the minimum lot size required in the zone in which the lot is located.
4. No person shall use any lot for the outside storage of:
  1. a motor vehicle which has had part of or all of its superstructure removed; or,
  2. a motor vehicle which is unlicensed.
5. On any lot with an area of less than 0.4 hectares, no person shall use any lot for the purpose of outside parking or storage of a recreational vehicle, except as provided below:
  1. one boat and boat trailer;
  2. two snowmobiles;
  3. one tourist trailer, motor home or travel trailer.

## SECTION 4: GENERAL PROVISIONS

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

5. Notwithstanding the foregoing, where a lot is used for a dwelling house containing more than three (3) dwelling units, the limitations imposed herein shall not restrict the number of recreational vehicles that are stored on the lot provided the area, building or structure used for such storage complies with the yard provisions of the zone in which such area, building or structure is located and has been approved by the Corporation under a site plan agreement. Such area, building or structure shall be in addition to the required parking.

### 4.24 Occupancy Restrictions

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

1. any private garage or other building which is accessory to a residential use;
2. any truck, bus, coach or street car body whether or not the same is mounted on wheels;
3. any cellar, as defined in this By-law;
4. any building or structure before the main wall and roof have been erected, application of the exterior siding and roofing has been completed and the kitchen, heating and sanitary conveniences have been installed, unless approval of the Chief Building Official has been obtained in advance.
3. any trailer other than as temporary or seasonal accommodation, pursuant to Section 4.23.2 herein.

### 4.25 Parking Area Regulations

**4.25.1** The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas in accordance with the following table. Where the minimum requirement by zone differs from the minimum requirement by type of use, the higher standard shall apply.

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Single-detached Dwelling Semi-detached Dwelling Duplex Dwelling Seasonal Dwelling	2 parking spaces per dwelling unit.
Street Townhouse Dwelling	1 parking space per dwelling unit located in a private garage.
Other Residential Uses	1.25 parking spaces per dwelling unit or fraction thereof.

## SECTION 4: GENERAL PROVISIONS

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Boarding/Rooming House	1 parking space plus 0.25 spaces per boarder.
Group Home	1 parking space per on duty employee plus 1 space per 5 beds, or fraction thereof.
Senior Citizens Housing	1 parking space per 3 dwelling units, or fraction thereof.
Elementary School	<p>The lesser of:</p> <p>1.5 parking spaces per classroom, and 1 parking space per 4 m<sup>2</sup> of floor area in the gymnasium; or</p> <p>1 parking space per 4 m<sup>2</sup> of floor area in the auditorium, or fraction thereof.</p>
Secondary School	<p>The lesser of:</p> <p>4 parking spaces per classroom and 3 spaces per 4 m<sup>2</sup> of floor area in the gymnasium; or</p> <p>3 parking spaces per 4 m<sup>2</sup> of floor area of the auditorium, or fraction thereof.</p>
Assembly Hall Community Centre Church Commercial Sports and/or Recreation Centre Place of Recreation Place of Entertainment (other than listed separately)	<p>The greater of:</p> <p>1 parking space for every 8 fixed seats or fraction thereof; or</p> <p>1 parking space for every 3 metres of bench space, or 1 parking space per 12 m<sup>2</sup> of gross floor area, or fraction thereof.</p>
Bowling Alley Curling Rink	2 parking spaces per bowling lane or curling sheet, plus 1 parking space per 6 seats design capacity of the area for accessory uses.
Funeral Home	1 parking space per 18 m <sup>2</sup> of gross floor area, or fraction thereof, with a minimum of 8 parking spaces.
Institution	1 parking space per 100 m <sup>2</sup> of display/assembly area, or fraction thereof, including basement area used for display, with a minimum of 4 parking spaces.
Licensed Day Nursery	1 parking space per on duty employee plus 1 space per 12 children.
Hospital Nursing Home Home for the Aged	1 parking space for every 2 beds.

## SECTION 4: GENERAL PROVISIONS

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Tourist Establishment Bed and Breakfast	1 parking space per guest room, plus 1 parking space per 8 persons design capacity of the beverage room, eating area, or meeting room.
Restaurant Beverage Room	The greater of:  1 parking space per 14 m <sup>2</sup> of gross floor area; or 1 parking space per 4 persons design capacity of the eating area or beverage room.
Restaurant, Take-out	1 parking space per 9.5 m <sup>2</sup> of gross floor area, or fraction thereof.
Medical Clinic Animal Clinic Animal Care	1 parking space per 30 m <sup>2</sup> of gross floor area with a minimum of 3 parking spaces.
Office Public Building	1 parking space per 34 m <sup>2</sup> of gross floor area on the first storey and 1 parking space per 36 m <sup>2</sup> of gross floor area above the first storey.
Contractor or Tradesman Establishment Printing Shop Industrial or Business Service Shop Custom Workshop	1 parking space per 30 m <sup>2</sup> of gross floor area or fraction thereof, with a minimum of 4 parking spaces.
Furniture, Appliance, Carpet Stores and similar commercial uses requiring large display areas Building Supply Outlet Greenhouse Repair Service Shop Wholesale Outlet	2 parking spaces per 100 m <sup>2</sup> of gross floor area or fraction thereof, with a minimum of 8 parking spaces.
Retail, other than listed elsewhere Convenience Store Financial Office Bake Shop Butcher Shop Personal Service Shop Dry Cleaning Distribution Station Laundromat	1 parking space per 25 m <sup>2</sup> of gross floor area or fraction thereof, with a minimum of 4 parking spaces.
Automobile Sales Automobile Rental Automobile Body Shop Automobile Care Automobile Gas Bar Automobile Service Station Recreation Vehicle Sales Farm Implement Sales Commercial Storage Transportation Terminal	2 parking spaces per 100 m <sup>2</sup> of gross floor area, with a minimum of 4 parking spaces.  The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause.
Automobile Washing Establishment	Self-service operation: 2 waiting and 1

## SECTION 4: GENERAL PROVISIONS

TYPE OF USE	MINIMUM PARKING REQUIREMENT
	drying space per wash rack.  Conveyer operation: 5 waiting spaces per wash rack.
Warehouse Bulk Storage Bakery Dairy Dry Cleaning Plant	1 parking space per 120 m <sup>2</sup> of gross floor area, or fraction thereof.
Shopping Centre	5.5 parking spaces per 100 m <sup>2</sup> of gross leasable floor area.
Other Non-Residential uses permitted by this By-law	1 parking space per 25 m <sup>2</sup> of gross floor area.

### 4.25.2 Parking Space Size

As per definition.

### 4.25.3 Ingress and Egress

1. Ingress and Egress, to and from the required parking spaces and lot, shall be provided by means of unobstructed driveways or passageways at least 3 m, but not more than 9 m, excluding curb ramps, except in a Residential zone where the maximum width of all driveways or passage ways shall be 9 m or 20% of the lot width, whichever is less.
2. The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 m, excluding curb ramps.
3. The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such a driveway, shall be 7 m, except for automobile service stations, gas bars and retail propane/compressed natural gas transfer facilities, where the minimum distance shall be 4.5 m.
4. The minimum distance between two separate driveways on one lot, measured along the street line, shall be 7 m.
5. The minimum angle of intersection between a driveway and a street line shall be 60 degrees.

### 4.25.4 Aisle Widths

Aisles between parking spaces shall provide unobstructed access from each parking space to a driveway and shall be established on the basis of the following:



## SECTION 4: GENERAL PROVISIONS

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<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
0° to less than 55°	4 m
55° to less than 75°	5.8 m
75° to 90°	6.7 m

### 4.25.5 Parking Lot and Driveway Surface

Each parking lot and driveway connecting the parking lot with a street shall be surfaced with asphalt, concrete, interlocking pavers or similar hard surfaces or any stable surface treated so as to prevent the raising of dust or loose particles.

### 4.25.6 Multiple Use Developments

When a building or structure accommodates more than one type of use as set out in sub-section 4.25.1 above, the parking area requirements shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.

### 4.25.7 Additions to Buildings or Change of Use

When a building or structure has insufficient parking at the time of the passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or change of use to a permitted use in the zone in which the building is located. No addition may be built and no change of use may occur, however, the effect of which would be an increase in that deficiency.

### 4.25.8 Parking Area Location

USE	YARD IN WHICH REQUIRED PARKING PERMITTED
1. Residential	Required parking spaces are permitted in all yards, except the required front yard, wherein a driveway may be located provided no parking spaces and no driveways shall be located within 6 m and 3.5 m respectively of a habitable room window, unless the parking spaces and/or driveways are reserved for the exclusive use of the occupants of the dwelling unit containing the habitable room window.
2. Non-Residential	All yards, subject to the provisions of Section 4.17.

### 4.25.9 Parking Space Location on Other Lot

Where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than on the same lot as the use that requires such spaces and areas, then such spaces and areas shall be located not more than 150 m from the said lot and shall be located within the same zone as the said lot.

## **SECTION 4: GENERAL PROVISIONS**

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Furthermore, such spaces and areas shall:

1. be in the same possession, either by deed or renewable long term lease, as the property occupied by the use or building to which the parking facilities are accessory; or
2. be subject to an agreement between the owner of the use or building served by the parking facilities and the owner of the parking facility allocating the required number of parking spaces.

In addition, the required number of parking spaces shall be maintained for the duration of the use.

### **4.25.10 Accessible Parking Spaces**

Where a new building or an addition to an existing building must be barrier free in accordance with the *Building Code Act*, one (1) parking space, as defined herein, shall be provided at the rate of one (1) space for every one hundred (100) parking spaces required to be provided by this By-law, but not less than one (1) such space shall be provided. These spaces shall be included in the calculation of the required parking. All barrier free parking spaces shall be identified by an above ground sign.

### **4.26 Public Uses and Services**

**4.26.1** The provisions of this By-law shall not apply to the use of any lot or the location or use of any building or structure for the purpose of a public use by the Corporation or by any local board of the Corporation as defined by *The Municipal Act*, R.S.O. 1990 as amended, any telephone, telegraph or telecommunications corporation, any natural gas distribution system operated by the Corporation or on its behalf by a company distributing gas to the residents of the Corporation and possessing all the necessary powers, rights, licenses and franchise, any Conservation Authority established by the Government of Ontario, any department of the Government of Ontario or Canada, including Ontario Hydro, any use permitted under The Railway Act or any other statutes of Ontario or Canada governing railway operations, including tracks, spurs and other railway facilities, provided that where such lot, building, structure, use or transmission facility is located in any zone:

1. no goods, materials or equipment shall be stored in the open, except as permitted in such zone;
2. any above-ground use carried on under the authority of this paragraph in any Residential zone shall be maintained in general harmony with Residential buildings in such zone.
3. the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with.

**4.26.2** Nothing in this By-law shall prevent the use of land as a street or prevent the installation of a public utility such as a watermain, sanitary sewer main, storm sewer main, gas main, pipeline or overhead or underground hydro electric or telephone line, traffic or other sign, or other supply and/or communication line, including their distribution transformer, pumping and/or regulation stations.

## **SECTION 4: GENERAL PROVISIONS**

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### **4.27 Setbacks**

#### **4.27.1 Streets**

1. All buildings and structures located along Provincial Highways and County Roads shall comply with the specific setback requirements established by the Ministry of Transportation and the County. Development permits for such lands shall be obtained from the Ministry of Transportation and County Roads Department as required.
2. All buildings and structures located along a street under the jurisdiction of the Corporation shall be setback a minimum distance of 10 m plus the required front yard depth of the zone in which the use is located; this setback shall be measured from the centerline of the street.

#### **4.27.2 Waterbody**

1. All buildings and structures, including septic systems and tile fields but excepting a marina or a marine facility, shall be set back a minimum horizontal distance of 30 m from the normal high water mark of a waterbody. Except for a marina, within the 30 m setback, a maximum of 25% or 15 m of the shoreline area, whichever is the lesser, may be used for marine facilities, pump houses, stairs, decks, patios, gazebos and all other accessory structures. For the purposes of this Section, the shoreline area shall include that portion of the lot lying within 3 m of the shoreline.
2. A marine facility may be permitted within the front yard on a waterfront lot, except where the front yard is in an Environmental Protection (EP) Zone.

#### **4.27.3 Watercourse**

All buildings and structures including septic tanks and tile fields shall be set back a minimum horizontal distance of 30 m from the top-of-bank of a watercourse as herein defined.

### **4.28 Sight Triangles and Sight Distance**

#### **4.28.1 Sight Triangles**

In a sight triangle, as herein defined, no uncovered surface parking lot or loading space may be constructed or used and no building or structure, landscaping or finished grade shall be constructed or located thereon which exceeds 0.8 m in height above the centreline of the street.

#### **4.28.2 Railway Crossings**

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

## **SECTION 4: GENERAL PROVISIONS**

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### **4.29 Signs**

Nothing in this By-law shall apply to prevent the use of signs on any land, building or structure, but the erection, use and maintenance of such signs shall be subject to the provisions of the Sign By-law of the Corporation and the provisions of this By-law for Home Occupations and Sight Triangles.

### **4.30 Site Plan Requirements**

No development shall take place on any parcel of land designated as Site Plan Control Area in the Site Plan Control By-law unless the Council of the Corporation has approved such plans and drawings required under the provisions of the Site Plan Control By-law.

### **4.31 Temporary Use Zones**

**4.31.1** Where the zone symbol zoning certain lands as shown on Schedule A is a use or uses in addition to the uses permitted in the zone in which the lands are located for a specified period of time following which the use or uses shall cease. Temporary uses shall only be permitted by an Amendment to this By-law which amends Schedule A by adding the letter "t" to the zone symbol on the lands where the temporary use is located and by amending this section:

1. to describe the lands on which the temporary use or uses is/are permitted including the municipal address where appropriate;
2. to list the permitted temporary use or uses;
3. to specify the time period for which the temporary use or uses is/are permitted including the date on which the use or uses is/are to cease, on which date the Amendment shall be deemed to be repealed and the temporary use(s) shall be deemed to be repealed and the temporary use(s) no longer permitted; and,
4. to describe any conditions which apply to the temporary use or uses.

### **4.31.2 Temporary Use Provisions**

1. **Repealed April 12, 2012.**
2. **Repealed March 26, 2012.**
3. **Repealed June 29, 2015.**
4. **Repealed March 22, 2013.**
5. **RU-t5: Part of Lot 11, Concession 5, Drummond Ward (2017-047)**

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-t5, a garden suite is permitted as a temporary accessory use to the existing single detached dwelling house. The Garden Suite shall be permitted for a period of twenty (20) years to October 10, 2037, or until

## **SECTION 4: GENERAL PROVISIONS**

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such earlier time as the garden suite is no longer needed for the purpose for which it is to be used, at which time the temporary use shall cease and this provision shall be deemed to be repealed.

### **6. RU-t6: Part of Lot 10, Concession 9, North Elmsley Ward (2017-053)**

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-t6, a garden suite is permitted as a temporary accessory use to the existing single detached dwelling house. The Garden Suite shall be permitted for a period of twenty (20) years to December 12, 2037, or until such earlier time as the garden suite is no longer needed for the purpose for which it was intended at the passing of this By-law, at which time the temporary use shall cease and this provision shall be deemed to be repealed.

### **7. RU-t7: Part of Lot 14 and 15, Concession 11, Drummond (2019-038)**

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-t7, a garden suite is permitted as a temporary accessory use to the existing single detached dwelling house. The Garden Suite shall be permitted for a period of twenty (20) years to June 25, 2039, or until such earlier time as the garden suite is no longer needed for the purpose for which it was intended at the passing of this By-law, at which time the temporary use shall cease and this provision shall be deemed to be repealed.

#### **4.32 Source Water Protection**

This Section applies to lands within the Source Water Protection Overlay Zone as shown on Schedule "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 Zone 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 RMO.
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 for these activities can be found in the Mississippi Rideau Source Water Protection Plan), shall be prohibited until it is demonstrated to the satisfaction of the Township

#### **SECTION 4: GENERAL PROVISIONS**

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and/or the RMO that the use does not represent a significant threat to drinking water:

- i) Waste disposal sites
  - ii) On-site sewage systems with an effluent flow exceeding 10,000 litres per day;
  - iii) Agricultural Uses
  - iv) Handling and storage of commercial fertilizer, organic solvents or commercial pesticide to land
  - v) Handling or storage of fuel at private outlets
  - vi) Handling and storage of road salt
  - vii) 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.

## SECTION 5: ZONES

### 5 ZONES

#### 5.1 Classification

The provisions of this By-law shall apply to all lands within the limits of the Corporation which lands are divided into various zones. Schedule A symbols refer to zone classifications as shown below:

ZONE	SYMBOL
Agricultural	A
Rural	RU
Residential	R
Multiple Residential	MR
Limited Services Residential	LSR
Mobile Home Development	MHP
General Commercial	CG
Highway Commercial	CH
Tourist Commercial	CT
General Industrial	M1
Rural Industrial	M2
Institutional	I
Salvage Yard	S
Waste Disposal	WD
Aggregate - Pit	AP
Aggregate - Quarry	AQ
Aggregate - Reserve	AR
Mineral Resource	M
Wetland	W
Environmental Protection	EP
Open Space	O
Flood Plain	(shaded overlay)
Lands Adjacent to Wetlands	(shaded overlay)
Holding Zone	h
Temporary Use Zone	t

#### 5.2 Zone Regulations

The permitted uses, the minimum size and dimensions of lots, the minimum size of yards, the maximum lot coverage, the minimum setback, gross leasable floor area, the minimum landscaped open space, and all other zone provisions are set out herein for the respective zones.

##### *Zone Boundaries*

The extent and boundaries of all the said zones are shown on the Schedules which form a part of this By-law and are attached hereto.

## **SECTION 5: ZONES**

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### *Zone Symbols*

The symbols listed in Section 5.1 may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word Zone is used, preceded by any of the said symbols, such zones shall mean any area within the Corporation within the scope of this By-law, delineated on the Schedules and designated thereon by the said symbol.

### **5.3 Exception Zones**

Where the zone symbol as shown on the Schedules is followed by a dash and a number (for example R-1), then special provisions apply to such lands and such special provisions may be found by reference to that part of the by-law which deals with that particular zone. Lands zoned in this manner shall also be subject to all the provisions of the zone, except such special provisions as specified.

### **5.4 Holding Zones**

Where the zone symbol zoning certain lands is followed by a dash and the letter "h" (for example LSR-h), then special holding provisions apply to such lands and such special provisions may be found by reference to Section 4.13.

### **5.5 Temporary Use Zones**

Where the zone symbol zoning certain lands is followed by the letter "t" (for example Rt), then special provisions apply to permit a use or uses in addition to the uses permitted in the zone in which the lands are located for a specified period of time, following which the use or uses shall cease, and such special provisions may be found by reference to Section 4.30.

### **5.6 Flood Plain Zones**

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

### **5.7 Lands Adjacent to Wetlands**

Where any land is located within 120m of the boundary of a Wetland (W) Zone, as shown on the Schedules by shading, the provisions of the zone in which the land is located shall apply. Where required by the Conservation Authority having jurisdiction, no building or structure including septic systems shall be erected, or enlarged and no change in the use of the land shall be permitted other than in accordance with an Environmental Impact Study as approved by the Corporation, if said Environmental Impact Study has been required by the Township and/or the Conservation Authority.



## **SECTION 5: ZONES**

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### **5.7.1 Source Water Protection Overlay Zone**

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

### **5.8 Interpretation of Zone Boundaries**

Zone boundaries, where possible, are construed to be lot lines, street lines, centrelines of streets or railway rights-of-way. In the case where uncertainty exists as to the boundary of any zone, then the location of such boundary shall be determined in accordance with the scale of Schedule A at its original size.

### **5.9 Building, Structure and Use Classification**

1. The buildings, structures and use of buildings, structures and lots specifically named as uses permitted and classified under the headings of "Residential" and "Non-Residential" refer only to the uses as are specifically named under such headings in each zone.
2. For the purpose of reference, all buildings, structures and uses of buildings, structures and lots named as Permitted Uses and classified under the headings of "Residential" and "Non-Residential" may be referred to as "Residential and "Non-Residential" buildings, structures, or uses respectively.

## **SECTION 6: AGRICULTURAL (A) ZONE**

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### **6 AGRICULTURAL (A) ZONE**

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

#### **6.1 Permitted Uses**

1. Non-Residential Uses

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

2. Residential Uses

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

#### **6.2 Zone Provisions**

- |   |   |
|---|---|
| 1. Lot Area (minimum)   | 39 ha, except for a single detached dwelling house in which case the minimum lot area shall be 4,000 m <sup>2</sup> |
| 2. Lot Frontage (minimum)   | 45 m  |
| 3. Front Yard Depth (minimum)   | 15 m  |
| 4. Exterior Side Yard Width (minimum)   | 15 m  |
| 5. Interior Side Yard Width (minimum)   | 6 m   |
| 6. Rear Yard Depth (minimum)  | 15 m  |
| 7. Lot Coverage (maximum)   | 20%   |
| 8. Height of Building (maximum)   | 11 m  |
| 9. Dwellings per Lot (maximum)  | 1   |
| 10. Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4 |   |

#### **6.3 Special Provisions**

Notwithstanding anything in this By-law to the contrary, a second single-detached dwelling may be erected in the Agricultural (A) Zone as an accessory dwelling house on a lot having an area of at least 39 ha, provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons, whose principal occupation is the conduct of a general agricultural or intensive agricultural use.

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

## **SECTION 6: AGRICULTURAL (A) ZONE**

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### **6.4 Exception Zones**

#### **6.4.1 A-1: Part of Lot 6, Concession 6, Drummond Ward (2017-052)**

Notwithstanding the provisions of Sections 6.1 and 6.2, on the lands zoned A-1 a single detached dwelling and accessory housing to an agricultural use will not be permitted and the minimum lot area shall be 16 ha.

## SECTION 7: RURAL (RU) ZONE

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### 7 RURAL (RU) ZONE

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

#### 7.1 Permitted Uses

1. Non-Residential Uses

animal clinic  
conservation  
forestry  
general agriculture  
hunting/fishing camp  
intensive agriculture  
kennel  
private park  
other uses in accordance with the provisions of Section 4

2. Residential Uses

single-detached dwelling house  
accessory housing to an agricultural use

#### 7.2 Zone Provisions

- |     |   |   |
|-----|---|---|
| 1.  | Lot Area (minimum)  | 10 ha, except for a single detached dwelling house in which case the minimum lot area shall be 4,000 m <sup>2</sup> . |
| 2.  | Lot Frontage (minimum)  | 45 m  |
| 3.  | Front Yard Depth (minimum)  | 7.5 m on a lot in a plan of subdivision and 12.5 m on all other lots.   |
| 4.  | Exterior Side Yard Width (minimum)  | 7.5 m   |
| 5.  | Interior Side Yard Width (minimum)  | 3 m   |
| 6.  | Rear Yard Depth (minimum)   | 7.5 m   |
| 7.  | Lot Coverage (maximum)  | 20%   |
| 8.  | Height of Building (maximum)  | 11 m  |
| 9.  | Dwellings per Lot (maximum)   | 1   |
| 10. | Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4 |   |
| 11. | Dwelling House Area (minimum)   | 75 m <sup>2</sup>   |

#### 7.3 Special Provisions

Notwithstanding anything in this By-law to the contrary, a second single-detached dwelling may be erected in the Rural (RU) Zone as an accessory dwelling house on a lot having an area of at least 39 ha, provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons, whose principal occupation is the conduct of a general agricultural or intensive agricultural use.

## **SECTION 7: RURAL (RU) ZONE**

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

### **7.4 Exception Zones**

#### **7.4.1 RU-1: Lot 10, Concession I, Drummond Ward**

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-1, a 2-unit dwelling shall be a permitted use.

#### **7.4.2 RU-2: Lot 21, Concession I, Drummond Ward**

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-2, a single-detached dwelling house and an accessory dwelling house to an agricultural use shall not be permitted.

#### **7.4.3 RU-3: Lot 16, Concession XII, Drummond Ward**

Notwithstanding the provisions of Section 7.1 and 7.2, on the lands zoned RU-3, 2 single-detached dwellings shall be permitted and the minimum lot frontage shall be 18 m.

#### **7.4.4 RU-4: Lot 22, Concession XI, Drummond Ward**

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-4, a sheet metal business may be operated in the existing detached garage.

#### **7.4.5 RU-5: Lot 10, Concession III, Drummond Ward**

Notwithstanding the provisions of this By-law to the contrary, on the lands zoned RU-5, one single-detached dwelling shall be permitted provided that it is located a minimum of 60 m from the boundary of the Mineral Aggregate - Quarry (AQ) zone.

#### **7.4.6 RU-6: Lot 12, Concession I, Drummond Ward**

DELETED

#### **7.4.7 RU-7: Lot 10, Concession III, Drummond Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-7, no part of any single-detached dwelling shall be located more than 50 m from the road allowance of Tennyson Road.

#### **7.4.8 RU-8: Lot 19, Concession IV, Drummond Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-8, the dwelling shall be located a minimum of 142 m from the nearest point of the barn located on the north side of the 5th Concession Road to the east of the subject lot.

## **SECTION 7: RURAL (RU) ZONE**

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### 7.4.9 RU-9: Lot 1, Concession III, Drummond Ward

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-9, a commercial storage use shall be a permitted use.

### 7.4.10 RU-10: Lot 22, Concession VI, Drummond Ward

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-10, a sales office and display area for mobile homes and modular homes shall be a permitted use.

### 7.4.11 RU-11: Lot 9, Concession VII, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-11, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.

### 7.4.12 RU-12: Lot 9, Concession VII, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-12, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law, and the minimum rear yard depth shall be 76.2 m.

### 7.4.13 RU-13: Lot 9, Concession VII, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-13, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law, and the minimum rear yard depth shall be 45.7 m.

### 7.4.14 RU-14: Lots 10 & 11, Concession VII, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-14, the minimum lot area shall be 0.8 ha.

### 7.4.15 RU-15: Lots 10 & 11, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-15, the minimum lot area shall be 0.8 ha and the minimum rear yard depth shall be 30 m.

### 7.4.16 RU-16: Lot 2, Concession VI, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-16, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law, and all other zone provisions shall be the lesser of those which are set out in Section 7.2 or which exist on the date of passing of this By-law.

## **SECTION 7: RURAL (RU) ZONE**

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### 7.4.17 RU-17: Lot 6, Concession VI, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-17, the minimum lot frontage shall be 27 m, provided that not more than 2 lots shall be permitted in the RU-17 zone.

### 7.4.18 RU-18: Lot 3, Concession VI, North Elmsley Ward

Notwithstanding the provisions of Sections 7.2 and 4.9, on the lands zoned RU-18, the minimum lot area shall be 440 m<sup>2</sup>, and there is no requirement for frontage on an opened street.

### 7.4.19 RU-19: Lot 6, Concession II, Drummond Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-19, the minimum lot frontage shall be 28 m.

### 7.4.20 RU-20: Lot 5, Concession I, Drummond Ward

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-20, a group home for 6 adolescent female residents plus staff shall be a permitted use.

### 7.4.21 RU-21: Lots 29 & 30, Concession VIII, North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-21, the following shall apply:

1. The minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.
2. Where a lot in the RU-21 zone is also zoned in an Environmental Protection zone or where such lot is located next to a lot which is zoned in an Environmental Protection zone, any portion of the land which is zoned in the Environmental Protection zone and which is above the normal high water mark may be included in the minimum required setback from a waterbody.

### 7.4.22 RU-22: Lots 25, 26 & 27, Concession VII, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-22, the following provisions shall apply:

1. The minimum lot area shall be 0.8 ha and the minimum lot frontage shall be 45 m.
2. Where a lot in the RU-22 zone is also zoned in an Environmental Protection zone and the Environmental Protection zone is adjacent to a waterbody, any portion of the land which is zoned in the Environmental Protection zone and which is above the normal high water mark may be included in the minimum required setback from a waterbody.  
Notwithstanding the foregoing, the minimum setback from the boundary of the Environmental Protection zone shall be 5 m.

## **SECTION 7: RURAL (RU) ZONE**

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3. Where a lot in the RU-22 zone is also zoned in an Environmental Protection zone and the Environmental Protection zone is adjacent to a slope, the minimum setback from the top of slope shall be 5 m. This provision shall not be interpreted to permit any reduction in the minimum required setback from a waterbody.

### **7.4.23 RU-23: Lots 25 & 26, Concessions VIII & IX, North Elmsley Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-23, the following provisions shall apply:

1. The minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.
2. Where a lot in the RU-23 zone is also zoned in an Environmental Protection zone and the Environmental Protection zone is adjacent to a waterbody, any portion of the land which is zoned in the Environmental Protection zone and which is above the normal high water mark may be included in the minimum required setback from a waterbody. Notwithstanding the foregoing, the minimum setback from the boundary of the Environmental Protection zone shall be 5 m.
3. Where a lot in the RU-23 zone is also zoned in an Environmental Protection zone and the Environmental Protection zone is adjacent to a slope, the minimum setback from the top of slope shall be 5 m. This provision shall not be interpreted to permit any reduction in the minimum required setback from a waterbody.

### **7.4.24 RU-24: Lot 30, Concessions IX, North Elmsley Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-24, the following provisions shall apply:

1. The minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.
2. Where a lot in the RU-24 zone is also zoned in an Environmental Protection zone and the Environmental Protection zone is adjacent to a waterbody, any portion of the land which is zoned in the Environmental Protection zone and which is above the normal high water mark may be included in the minimum required setback from a waterbody.

### **7.4.25 RU-25: Lot 30, Concessions IX North Elmsley Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-25, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.

### **7.4.26 RU-26: Lot 30, Concessions IX, North Elmsley Ward**

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-26, following provisions shall apply:



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1. The minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.
2. The minimum rear yard depth shall be 30 m.

### 7.4.27 RU-27: Lot 3, Concessions IX, North Elmsley Ward

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-27, a pet cemetery shall be a permitted use.

### 7.4.28 RU-28: Lot 3, Concessions VI, North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-28, no further development shall be permitted within 120 of the boundary of the wetland.

### 7.4.29 RU-29: Lots 21 & 22, Concessions VI, North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-29, the minimum lot area shall be 1.9 ha and the minimum lot frontage shall be 60 m.

### 7.4.30 RU-30: Lot 26, Concessions IX, North Elmsley Ward

Notwithstanding the provisions of Sections 7.1 and 7.2, on the lands zoned RU-30, a duplex dwelling shall be permitted in accordance with the following regulations:

- |     |   |        |
|-----|---|--------|
| 1.  | Lot Area (minimum)  | 0.9 ha |
| 2.  | Lot Frontage (minimum)  | 60 m   |
| 3.  | Front Yard Depth (minimum)  | 13.5 m |
| 4.  | Interior Side Yard Width (minimum)                                      | 6 m    |
| 5.  | Rear Yard Depth (minimum)   | 7.5 m  |
| 6.  | Lot Coverage (maximum)  | 25%    |
| 7.  | Height of Building (maximum)  | 11 m   |
| 8.  | Dwelling Units per Lot (maximum)  | 2      |
| 9.  | Parking Spaces (minimum)  | 4      |
| 10. | Accessory Uses, Waterbody Setback, etc.<br>in accordance with Section 4 |        |

### 7.4.31 RU-31: Lot 23, 24 & 25 Concessions VI North Elmsley Ward

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-31, the following provisions shall apply:

1. The minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date of passing of this By-law.
2. The yard requirements as measured from the boundary of the adjacent Environmental Protection zone shall be nil.

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### 7.4.32 RU-32: Lot 6 Concessions V North Elmsley Ward

Notwithstanding the provisions of Section 4.9, on the lands zoned RU-32, a single detached dwelling shall be permitted on a private right-of-way.

### 7.4.33 RU-33: Lot 15, Concession V Drummond Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-33, the minimum separation from the boundary of the Waste Disposal zone shall be 110 m.

### 7.4.34 RU-34: Lots 15 & 16, Concessions IV & V Drummond Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-34, a single detached dwelling shall be permitted on a lot which existed on the date of passing of this By-law.

### 7.4.35 RU-35: Lot 25, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-35, two single- detached dwelling houses shall be permitted.

### 7.4.36 RU-36: Lot 15, Concession IV and Lot 16, Concession V, Drummond Ward

On the lands zoned RU-36, the permitted use provisions of Section 7.1 apply except that no dwellings are permitted and no other use which includes a building or structure for which a well and/or septic system is required.

### 7.4.37 RU-37: Lot 23, Concession IX Drummond Ward

Notwithstanding the provisions of Sections 4.9 and 7.2 hereof to the contrary, on the lands zoned RU-37, a single-detached dwelling house may be permitted on an existing lot of record where the lot does not have frontage on an opened street, provided that the lot has frontage on an unimproved street in a registered plan and has access to an improved street via an unimproved street and/or right-of-way. In addition, the minimum front yard requirement shall be 7.5 m.

### 7.4.38 RU-38: Lot 1, Concession IV Drummond Ward

Notwithstanding the provisions of Section 7.1 to the contrary, on the lands zoned RU-38, no agricultural uses are permitted.

### 7.4.39 RU-39: Lot 1, Concession IV Drummond Ward

Notwithstanding the provisions of Section 7.1 to the contrary, on the lands zoned RU-39, agricultural uses are not permitted, and a building contractor shall be a permitted use provided it is accessory to a residential use and not more than 200 m<sup>2</sup> of gross leasable floor area in one building is used for such purpose.

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### 7.4.40 RU-40: Lot 4, Concession XII Drummond Ward

Notwithstanding the provisions of Section 7.1 to the contrary, on the lands zoned RU-40, a golf course is a permitted use in addition to the uses permitted in Section 7.1, provided that no buildings or structures shall be permitted except for those required for normal course maintenance and operations.

### 7.4.41 RU-41: Lot 8, Concession III Drummond Ward

Notwithstanding the permitted use provisions of Section 7.1, on the lands zoned RU-41, a custom workshop with a maximum gross leasable floor area of 186 m<sup>2</sup> shall be permitted as an accessory use to the permitted single-detached dwelling, provided that there is no outdoor use or outdoor storage associated with the custom workshop.

### 7.4.42 RU-42: Lot 8, Concession IV Drummond Ward

Notwithstanding the permitted use provisions of Section 7.1, on the lands zoned RU-42, the two existing dwellings shall be permitted uses.

### 7.4.43 RU-43: Lot 15, Concession VIII Drummond Ward (2016-049)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-43, an Automobile Service Station shall be a permitted use, subject to the following provisions:

1. The minimum lot size shall be 9.3 ha and lot frontage shall be 52 m;
2. The retail sale of gasoline shall not be permitted;
3. All automotive repair and servicing shall occur within an accessory building that shall not exceed a gross floor area of 195 m<sup>2</sup>;
4. There shall be no commercial activity or vehicle storage within 20 m of the front lot line or 40 m of any side lot line that abuts a residential use; and
5. Subject to subsection (4), any outdoor storage and parking related to a commercial land use shall not exceed an area of 0.15 ha, exclusive of driveways.

### 7.4.44 RU-44: Lot 15, Concession VIII Drummond Ward

Notwithstanding the provisions of Sections 7.2, on the lands zoned RU-44, the minimum lot area shall be 3.7 ha and the minimum lot frontage shall be 122 m.

### 7.4.45 RU-45: Lot 15, Concession VIII Drummond Ward

Notwithstanding the provisions of Sections 7.2, on the lands zoned RU-45, the minimum lot area shall be 6.4 ha and the minimum lot frontage shall be 122 m.

### 7.4.46 RU-46: Lot 15, Concession VIII Drummond Ward

Notwithstanding the provisions of Sections 7.2, on the lands zoned RU-46, the minimum lot area shall be 6.7 ha and the minimum lot frontage shall be 183 m.

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### 7.4.47 RU-47: Lot 11, Concession I Drummond Ward (2004-014)

Notwithstanding the permitted use provisions of Section 7.1, on the lands zoned RU-47, a small engine parts and service business is a permitted use.

### 7.4.48 RU-48: Deleted (2017-010)

### 7.4.49 RU-49: Lot 1, Concession IV, Drummond Ward (2004-040)

Notwithstanding the zone provisions of Section 7.2, on the lands zoned RU-49, no buildings, structures or site alterations are permitted within 50 m of the boundary of the Wetland (W) Zone.

### 7.4.50 RU-50: Lots 23 and 24, Concessions VI and VII, North Elmsley Ward (2006-010)

Notwithstanding the Zone Provisions of Section 7.2, on the lands zoned RU-50, the minimum lot area shall be 18.1 ha and the minimum lot frontage shall be 293 m.

### 7.4.51 RU-51: Lot1, Concession III Drummond Ward (2006-015)

Notwithstanding the provisions of Section 7.2 to the contrary, on the lands zoned RU-51, the minimum rear yard depth shall be 50 m from the boundary of the Wetland (W) Zone.

### 7.4.52 RU-52: Lot11, Concession IV Drummond Ward (2006-017)

Notwithstanding the permitted use provisions of Section 7.1 to the contrary, on the lands zoned RU-52, a market, as herein defined, and accessory food concession use shall be permitted in addition to the permitted uses listed in Section 7.1.

### 7.4.53 RU-53: Lot 7, Concession V Drummond Ward (2006-047)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-53, the following provisions shall apply:

1. No buildings or structures and no site alterations are permitted within 120 m of the boundary of the Wetland (W) Zone; and
2. The minimum interior side along the eastern lot line shall be 150 m.

### 7.4.54 RU-54: Lot 21, Concession I Drummond Ward (2007-017)

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-54, a greenhouse, as herein defined, and accessory uses are permitted in addition to the permitted uses of the Rural Zone.

### 7.4.55 RU-55: Lot 17, Concession VI Drummond Ward (2007-066)

Notwithstanding the provisions of Section 7.1, on the lands zoned RU-55, a golf driving range and accessory uses are permitted in addition to the permitted uses of the Rural Zone.

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### 7.4.56 RU-56: Lot 25, Concession VII North Elmsley Ward (2007-068)

Notwithstanding the permitted use provisions of Section 7.1, on the lands zoned RU-56, a contracting business is permitted as an accessory use to the residential dwelling in accordance with the following regulations:

1. maximum gross floor area (all buildings) 140 m<sup>2</sup>
2. no outside storage is permitted

### 7.4.57 RU-57: Lot 18, Concession IX North Elmsley Ward (2008-016)

Notwithstanding the permitted use provisions of Section 7.1, on the lands zoned RU-57, the following commercial uses shall be permitted in addition to the permitted RURAL uses:

1. retail sales and servicing of lawn and garden equipment; and
2. retail sales and servicing of recreational vehicles.

### 7.4.58 RU-58: Lots 2 and 3, Concession VI Drummond Ward (2008-036)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-58, the minimum lot area shall be 1.2 ha.

### 7.4.59 RU-59: Lots 2 and 3, Concession VI Drummond Ward (2008-036)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-59, the minimum lot area shall be 0.8 ha.

### 7.4.60 RU-60: Lots 2 and 3, Concession VI Drummond Ward (2008-036)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-60, the minimum lot area shall be 1.8 ha.

### 7.4.61 RU-61: Lots 2 and 3, Concession VI Drummond Ward (2008-036)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-61, the minimum lot area shall be 2.0 ha.

### 7.4.62 RU-62: Lot 19, Concession VII Drummond Ward (2008-037)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-62, the minimum lot area shall be 1.4 ha and the minimum lot frontage shall be 95 m.

### 7.4.63 RU-63: Lots 22 & 23, Concession XII Drummond Ward (2008-011)

Notwithstanding the provisions of Section 7.2, on the lands zoned RU-63, the minimum front yard setback is 25 m.

### 7.4.64 RU-64: Lot 9, Concession VI North Elmsley Ward (2009-022)

Notwithstanding the provisions of Section 7, on the lands zoned RU-64, the following shall apply:

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1. a storage building to be used for the storage of construction equipment, to a maximum of size of 130 m<sup>2</sup> shall be permitted in addition to the other permitted uses in the Rural (RU) Zone; and
2. no buildings or structures and no site alterations are permitted within 20 m of the boundary of the wetland.

### 7.4.65 RU-65: Lot 30, Concession VII North Elmsley Ward (2009-077) McKay Farm

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-65, the lot may have its frontage on, and its access via, a Block in a common elements plan of condominium, where such Block has frontage on a public road.

### 7.4.66 RU-66: Part of Lot 26, Concession 9, North Elmsley Ward (2010-052)

Notwithstanding any provisions of this By-Law to the contrary, on the lands zoned RU-66, no additional lots shall be created, except through the plan of subdivision or plan of condominium process.

### 7.4.67 RU-67: Part of Lot 24, Concession 8, North Elmsley Ward (2010-021)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-67, the property may be used for two separate single detached dwelling houses.

### 7.4.68 RU-68: Parts of Lot 25 and 26, Concession 9, North Elmsley Ward (2010-052 and 2012-034)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-68, no additional lots shall be created, except through the plan of subdivision or plan of condominium process.

### 7.4.69 RU-69: Part of Lot 22, Concession XII, Drummond Ward (2010-084) Wilson Subdivision

Notwithstanding the provisions of Section 2.4 and 7.2 of this By-law, on the lands zoned RU-69, the minimum rear yard requirement shall be the boundary of the Environmental Protection (EP) zone.

### 7.4.70 RU-70: Part of Lot 23, Concession 6, North Elmsley Ward (2011-018)

Notwithstanding any provisions of this By-law to the contrary, on the lands Zoned RU-70, the storage of vehicles, boats, equipment and aircraft in accessory buildings not to exceed 700 square metres (7,535 square feet) in size shall be permitted in addition to the other uses in the Rural zone.

### 7.4.71 RU-71: Part of Lot 24, Concession 9, North Elmsley Ward (2011-036)

Notwithstanding any provisions of Section 7.1, on the lands zoned RU-71, no structural development shall be permitted.

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### 7.4.72 RU-72: Part of Lot 3, Concession 5, North Elmsley Ward (2011-054)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-72, the following provisions shall apply:

1. A custom workshop uses accessory to a construction business and the storage of commercial vehicles shall be permitted uses.
2. The zone provisions are as follows:

Front Yard Depth (minimum)	125 m (defined as the minimum setback from the road right-of-way)
Lot Frontage (minimum)	25.6 m

### 7.4.73 RU-73: Part of Lot 5, Concession 3, Drummond Ward (2011-068)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-73, the following provisions shall apply:

1. The minimum lot frontage shall be the lot frontage which existed on the date of passing of this By-Law.
2. The minimum setback for a principal use shall be 15 m from all properties that are zoned for commercial or industrial use.

### 7.4.74 RU-74: Part of Lot 18, Concession 9, North Elmsley Ward (2012-023)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-74, the following provisions shall apply:

1. Minimum lot size shall be 0.14 hectares;
2. Minimum front yard depth shall be 9.87 m;
3. Minimum lot frontage shall be 30.48 m; and
4. Minimum interior side yard width shall be 2.5 m.

### 7.4.75 RU-75: Part of Lot 12, Concession 5, Drummond Ward (2012-030)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-75 the following provisions shall apply:

1. A renovation and contracting business may be operated out of the existing structures on the property; and
2. Any new commercial construction shall be subject to Site Plan Control.

### 7.4.76.1 RU-76: Part of Lot 9, Concession 2, Drummond Ward (2012-050)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-76 an accessory storage garage for the purpose of the storage of goods related to a construction business shall be permitted on the lot in accordance with the following provisions:

1. The maximum total floor area of the storage garage shall be 123 square metres; and

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2. The minimum watercourse setback for the storage garage shall be 11.88 m.

### 7.4.76.2 RU-77: Part of Lot 17, Concession 7, North Elmsley Ward (2012-077)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-77, a single detached dwelling house may be permitted on an existing lot of record where the lot does not have frontage on an opened public street provided the lot has access to an improved street via an unimproved street and/or right-of-way and subject to the following requirements:

1. The minimum size of the lot shall be the size of the lot which existed on the date of the passing of this By-law;
2. The front lot line shall be defined as the line dividing the lot from Rideau Street;
3. The minimum exterior side yard shall be 20.7 metres;
4. The maximum height of the dwelling shall be 7 m; and
5. This By-law shall not come into full force and effect until the final approval of the concurrent Official Plan amendment.

### 7.4.77 RU-78: Part of Lot 24, Concession 8, Drummond Ward (2013-009)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-78, the following provisions shall apply:

1. An existing single family residential dwelling on the lot of record shall be deemed to be a permitted use;
2. The maximum lot coverage for accessory buildings shall be 167 m<sup>2</sup> provided that there shall be no commercial use on the property; and
3. Inclusive of the limitations specified in subsection (2), an accessory building with a floor area of 143 m<sup>2</sup>, height of 6.4 m and front yard setback of 55 m shall be permitted.

### 7.4.78 RU-79: Parts of Lot 9, Concession 1, Drummond Ward (2013-049)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned RU-79 a small engine sales and service shop is permitted as an accessory use to the residential dwelling in accordance with the following provisions:

1. The maximum gross floor area for the use shall be 233 m<sup>2</sup>; and
2. There shall be no outdoor storage associated with the use within the front yard.

### 7.4.79 RU-80: Part of Lot 27, Concession 1, Drummond Ward (2013-048)

Notwithstanding the permitted use provisions of Section 7.1 on the lands zoned RU-80, a machining shop is permitted as an accessory use to the residential dwelling and notwithstanding Section 4.15.1.14.9 shall be deemed to be a home occupation for the purposes of this By-law. The use shall be subject to the following provisions:

1. Maximum gross floor area (all buildings) 70 m<sup>2</sup>; and



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2. No outdoor use or outdoor storage associated with the accessory use shall be permitted.

### 7.4.81 RU-81: Part of Lot 18, Concession 9, North Elmsley Ward (2014-034)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-81, the following provisions shall apply:

1. Landscape supply depot and retail store shall be permitted uses, in addition to all other uses permitted within the Rural- Special Exception 57 Zone; and
2. The outdoor display of goods for sale shall be permitted within the front yard, provided that a minimum 15 m setback from the front lot line is achieved.

### 7.4.82 RU-82: Part of Lot 8, Concession 6, Drummond Ward (2014-059)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-82, the following special provisions shall apply:

1. The minimum development and site alteration setback from all Provincially Significant Wetlands shall be 30 m;
2. The minimum development and site alteration setback from the western edge of the lands zoned RU-82 shall be 40 m; and
3. The total number of driveway accesses shall be limited to one (1) and such driveway shall only be constructed on lands described as Part 7 of Plan 27R-10478.

### 7.4.83 RU-83: Part of Lot 30, Concession 8, North Elmsley Ward (2015-030)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-83, a single detached dwelling house may be permitted on a lot that does not have frontage on an opened public street, provided the lot has access to a private street and/or right-of-way. In addition, the minimum lot area shall be 3.2 ha.

### 7.4.84 RU-84: Part of Lot 30, Concession 8, North Elmsley Ward (2015-030)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-84, a single detached dwelling house may be permitted on a lot that does not have frontage on an opened public street, provided the lot has access to a private street and/or right-of-way. In addition, the following requirements shall apply:

1. Minimum lot area: 1.5 ha;
2. Maximum development and site alteration setback as measured north from Mary Miller Road shall be 50 m; and
3. Maximum development and site alteration setback as measured eastward from Otty Lake Side Road shall be 60 m.

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### 7.4.85 RU-85: Part of Lot 10, Concession 1, Drummond Ward (2015-010)

Notwithstanding any other provisions of this By-law, on the lands zoned RU-85 commercial storage shall be permitted within an accessory building subject to the following provisions:

1. Maximum gross floor area (accessory building) 111 m<sup>2</sup>; and
2. Maximum height (accessory building) 6.7 m.

### 7.4.86 RU-86: Part of Lot 30, Concession 6, North Elmsley Ward (2015-022)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-86 the following provisions shall apply:

1. A contractors or tradesmans' establishment shall be a permitted as an accessory use in addition to the other permitted uses in the Rural (RU) Zone; and
2. The maximum lot coverage for all accessory structures on the lot shall be 210 m<sup>2</sup>.

### 7.4.87 Repealed by By-Law 2015-054

### 7.4.88 RU-88: Part of Lot 5, Concession 1, Drummond Ward (2015-029)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-88, a rooming/boarding dwelling house with a maximum of five rented rooms shall be a permitted use.

### 7.4.89 RU-89: Part of Lot 14, Concession 6, Drummond Ward (2015-061)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-89 an accessory building shall be permitted subject to the following provisions:

1. Lot coverage (maximum): 420 m<sup>2</sup>; and
2. Height (maximum): 6 m.

### 7.4.90 RU-90: Part of Lot 23, Concession 9, Drummond Ward (2016-019)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-90 a single-detached dwelling house shall be permitted on a lot that has frontage on, but no direct access to an open public street.

### 7.4.91 RU-91: Part of Lot 13, Concession 1, North Elmsley Ward (2017-016)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-91 the minimum frontage on an opened and maintained public road shall be 0 m and a dwelling shall not be permitted.

## SECTION 7: RURAL (RU) ZONE

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### 7.4.92 RU-92: Part of Lot 13 Concession 11, Drummond Ward (2017-048)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-92 an office shall be an additional permitted use subject to the following requirement:

1. Maximum gross floor area (all buildings) 140 m<sup>2</sup>

### 7.4.93 RU-93: Part of Lot 15, Concession 9, Drummond Ward (2018-047)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-93, commercial storage and a vehicle workshop shall be additional permitted uses, subject to the following provisions:

1. The minimum setback for any buildings associated with a commercial use shall be 60 m from the front lot line and 15 m from side lot lines.
2. Any commercial storage shall be set back a minimum 30 m from the front lot line and 15 m from side lot lines.

### 7.4.94 RU-94: Part of Lot 15, Concession 4, Drummond North Elmsley (2018-050)

Notwithstanding any provisions of this by-law to the contrary, on the lands zoned RU-94, an Automobile body shop, Contractors or tradesman establishment, Open storage area and service shop, repair shall be permitted uses, subject to the following provisions:

1. Relief from the required maximum height for an accessory building from 5m to 6.1m
2. Relief from the required maximum building area for accessory buildings from 140m<sup>2</sup> to 393m<sup>2</sup>.

### 7.4.95 RU-95: Part of Lot 21 Concession 5, Geographic Township of Drummond (2018-051)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned RU-95, a residential use be an additional permitted use. This use is permitted subject to the following provisions:

1. A 30 m setback be maintained from the rear property line

### 7.4.94 RU-96: Part of Lot 18/19, Concession 1, Drummond Ward (2018-054)

Notwithstanding the provisions of Section 7.1 to the contrary, on the lands zoned RU-96, a Commercial Sports and Recreation Centre shall be an additional permitted use, subject to the following provisions:

1. Lot Area (minimum) 8 ha
2. Interior Side Yard Width from playing fields (minimum) 10 m
3. Building Setback, all yards (minimum) 30 m

## SECTION 7: RURAL (RU) ZONE

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### 7.4.95 RU-97: Part of Lot 2, Concession 6, Drummond Ward (2018-057)

Notwithstanding the provisions of Sections 4.2.3, 4.2.4 and 4.23.2 to the contrary, on the lands zoned RU-97, the storage of one commercial vehicle in excess of 4,500kg vehicle weight shall be permitted. The following provisions shall also apply:

- |    |  |                    |
|----|--|--------------------|
| 1. | Accessory building height (maximum)              | 7.5 m              |
| 2. | Accessory building area (all buildings, maximum) | 223 m <sup>2</sup> |

## SECTION 8: RESIDENTIAL (R) ZONE

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### 8. RESIDENTIAL (R) ZONE

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

#### 8.1 Permitted Uses

single-detached dwelling house  
other uses in accordance with the provisions of Section 4

#### 8.2 Zone Provisions

1.	Lot Area (minimum)	4000 m <sup>2</sup>
2.	Lot Frontage (minimum)	45 m
3.	Front Yard Depth (minimum)	7.5 m
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Lot Coverage (maximum)	20%
8.	Height of Building (maximum)	11 m
9.	Dwellings per Lot (maximum)	1
10.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	
11.	Dwelling House Area (minimum)	75 m <sup>2</sup>

#### 8.3 Exception Zones

##### 8.3.1 R-1: Lot 13 Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 8.2, on the lands zoned R-1, the minimum lot area shall be 2050 m<sup>2</sup> and the minimum lot frontage shall be 36 m.

##### 8.3.2 R-2: Lot 13 Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 8.2, on the lands zoned R-2, the following provisions shall apply:

1. The minimum lot area shall be 2050 m<sup>2</sup>
2. The minimum lot frontage shall be 36 m
3. No marine facilities and no shoreline alterations shall be permitted

##### 8.3.3 R-3: Lot 14 Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 8.2, on the lands zoned R-3, no buildings or structures shall be permitted below the 1:100 year flood elevation of 129.5 m geodetic.

##### 8.3.4 R-4: Lots 25 & 26 Concession IX North Elmsley Ward

Notwithstanding the provisions of Section 8.2, on the lands zoned R-4, the following provisions shall apply:

1. Lot Area (minimum) 1300 m<sup>2</sup>

## **SECTION 8: RESIDENTIAL (R) ZONE**

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2.	Lot Frontage (minimum)	27 m
3.	Front Yard Depth (minimum)	9 m
4.	Exterior Side Yard Width (minimum)	6 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Lot Coverage (maximum)	25%
8.	Height of Building (maximum)	11 m
9.	Dwellings per Lot (maximum)	1
10.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	

### 8.3.5 R-5: Lot 26 Concession IX North Elmsley Ward

Notwithstanding the provisions of Section 8.2, on the lands zoned R-5, a duplex dwelling shall be permitted in accordance with the provisions of Section 8.3.4.

### 8.3.6 R-6: Lots 25 & 26 Concession X North Elmsley Ward

Notwithstanding the provisions of Sections 8.1 and 8.2, on the lands zoned R-6, 4 street townhouse units shall be permitted in accordance with the following provisions:

1.	Lot Area (minimum)	695 m <sup>2</sup>
2.	Lot Frontage (minimum)	6 m per dwelling
3.	Front Yard Depth (minimum)	9 m
4.	Exterior Side Yard Width (minimum)	6 m
5.	Interior Side Yard Width (minimum)	nil, except that a 3 m side yard is required adjacent to an end unit
6.	Rear Yard Depth (minimum)	15 m
7.	Lot Coverage (maximum)	25%
8.	Height of Building (maximum)	11 m
9.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	

### 8.3.7 R-7: Lot 21, Concession V North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the land zoned R-7, the permitted use shall be restricted to a single-detached dwelling and the lands shall be considered as one lot for the purpose of calculating zone provisions.

### 8.3.8 R-8: Lot1, Concession VII Drummond Ward (2004-016)

Notwithstanding the permitted use provisions of Section 8.1, on the lands zoned R-8, two single detached dwelling houses are permitted.

### 8.3.9 R-9: Lot 20, Concession XI, Drummond Ward (2010-014)

Notwithstanding any provisions of this By-law to the contrary, the subject property shall have a minimum lot area of 0.20 ha (0.5 acres) and a minimum lot frontage of 29 metres.

## **SECTION 8: RESIDENTIAL (R) ZONE**

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### 8.3.10 R-10: Part of Lot 16, Concession 12, Drummond Ward (2014-009)

Notwithstanding the provisions of Section 8.2, on the lands zoned R-10, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date this by-law came into effect.

### 8.3.11 R-11: Part of Lot 20, Concession 11, Drummond Ward (2015-035)

Notwithstanding the provisions of Section 8.2, on the lands zoned R-11, the minimum lot area and lot frontage shall be the lot area and lot frontage which existed on the date this by-law came into effect.

## **SECTION 9: MULTIPLE RESIDENTIAL (MR) ZONE**

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### **9 MULTIPLE RESIDENTIAL (MR) ZONE**

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

#### **9.1 Permitted Uses**

single-detached dwelling house  
semi-detached dwelling house  
duplex dwelling house  
planned unit townhouse dwelling house  
street townhouse dwelling house  
multiple dwelling house  
apartment dwelling house  
nursing home  
home for the aged

#### **9.2 Zone Provisions**

1. Lot Area (minimum)  
2,000 m<sup>2</sup> plus 270 m<sup>2</sup> for every dwelling unit in addition to the first 3 dwelling units
2. Lot Frontage (minimum)  
45 m for single-detached and duplex dwelling house  
20 m for each semi-detached dwelling unit  
6 m for each street townhouse dwelling house  
45 m for all other dwellings
3. Front Yard Depth (minimum)  
7.5 m
4. Exterior Side Yard (minimum)  
7.5 m
5. Interior Side Yard (minimum)  
3 m for single detached, semi-detached, duplex and street townhouse dwelling houses on each side which is not attached to another dwelling.  
7.5 m for all other dwelling houses.
6. Rear Yard (minimum)  
7.5 m
7. Landscaped Open Space (minimum)  
30%
8. Dwelling House Area (minimum) 75 m<sup>2</sup>
9. Building Height (maximum)  
11 m to a maximum of 3 storeys above established grade



## **SECTION 9: MULTIPLE RESIDENTIAL (MR) ZONE**

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### 10. Courts

Where a building is in a court form, the distance between opposing side walls of the building forming the court shall not be less than 12 m or the height of the highest portion thereof, whichever is the greater.

### 11. Private Amenity Area

A privacy yard, clear and unobstructed by any parking area, driveway or walkway, shall be provided adjoining each habitable room window of every ground floor dwelling unit. Such privacy yard shall have a minimum depth of 6 m from a parking area and 3.5 m from a driveway or walkway measured at right angles from such wall it adjoins.

Notwithstanding the foregoing, a parking area, driveway or walkway may extend into the required privacy yard provided such parking area, driveway or walkway is for the exclusive use of the adjacent dwelling unit.

### 12. Equipped Children's Play Area

A children's play area shall be provided on each lot containing more than 6 dwelling units except where the lot is to be used exclusively for a nursing home, home for the aged or for a dwelling house occupied by senior citizens, in accordance with the following provisions:

1. Minimum Area  
5 m<sup>2</sup> per dwelling unit which may be included in the area calculated as the required open space on the lot.
2. Location  
not less than 6 m from a ground floor habitable room window and not within a required front yard.

### 13. Accessory Uses, Waterbody Setback, Parking, Etc. in accordance with Section 4.

## **9.3 Exception Zones**

### 9.3.1 MR-1: Lot 1, Concession III Drummond Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned MR-1, 2 multiple residential buildings, each containing a maximum of 4 dwelling units shall be permitted. The multiple residential buildings shall be located a minimum of 70 m from the northerly limit of the MR-1 zone. In addition, the minimum parking requirement shall be 1 space per dwelling unit.

### 9.3.2 MR-2: Part of Lot 20, Concession 5 North Elmsley Ward (2018-030)

Notwithstanding the provisions of Section 9.1 of this By-law, on the lands zoned MR-2, a detached secondary dwelling unit with a minimum floor area of 54 m<sup>2</sup> shall be a permitted use.

## **SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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### **10 LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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

#### **10.1 Permitted Uses**

seasonal dwelling house  
single-detached dwelling house  
other uses in accordance with the provisions of Section 4

#### **10.2 Zone Provisions**

1.	Lot Area (minimum)	4000 m <sup>2</sup>
2.	Lot Frontage (minimum)	50 m
3.	Front Yard Depth (minimum)	30 m (defined as the minimum setback from a waterbody)
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m (defined as the depth from a private right-of-way or municipal street)
7.	Lot Coverage (maximum)	15%
8.	Height of Building (maximum)	11 m
9.	Dwellings per Lot (maximum)	1
10.	Accessory Uses, Waterbody Setback, Parking, Etc. in accordance with Section 4	
11.	Dwelling House Area (minimum)	75 m <sup>2</sup>

#### **10.3 Special Provisions**

1. Notwithstanding the provisions of Section 10.2.7, the landscaped open space located next to a waterbody shall be maintained in a natural state except as shown on an approved site plan.

#### **10.4 Exception Zones**

##### **10.4.1 LSR-1: Lot 25, Concession VII Drummond Ward**

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-1, no minimum setback from a waterbody shall be required.

##### **10.4.2 LSR-2: Lot 26, Concession VII Drummond Ward**

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-2, the minimum setback from a waterbody shall be 20 m.

##### **10.4.3 LSR-3: Lot 23, Concession IX Drummond Ward**

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-3, the minimum setback from a waterbody shall be 11 m.

## **SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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### 10.4.4 LSR-4: Lot 19, Concession VII Drummond Ward

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-4, the minimum setback from a waterbody shall be 15 m.

### 10.4.5 LSR-5: Lots 9 & 10, Concession XII Drummond Ward

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-5, no minimum setback from a waterbody shall be required.

### 10.4.6 LSR-6: Lot 24, Concession VIII Drummond Ward

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-6, the minimum setback from a waterbody shall be 9 m.

### 10.4.7 LSR-7: Lot 16, Concession VI North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-7, the following provisions shall apply:

1. No dwelling or dwelling unit shall be permitted and permitted uses shall be restricted to an accessory garage and private sewage disposal system.
2. The zone provisions shall be calculated as though the lot boundary adjacent to the private road is the front lot line and shall apply to both the garage and the private sewage disposal system. The zone provisions are as follows:

Lot Area (minimum)	1,230 m <sup>2</sup>
Lot Frontage (minimum)	33 m
Front Yard Depth (minimum)	7.5 m
Interior Side Yard Width (minimum)	1 m
Rear Yard Depth (minimum)	1 m
Lot Coverage (maximum)	no maximum provided the garage does not exceed 110 m <sup>2</sup> .

### 10.4.8 LSR-8: Lot 28, Concession VIII North Elmsley Ward

Notwithstanding the provisions of Section 10.2, on the lands zoned LSR-8, the following provisions shall apply:

1. Lot Area (minimum) 2050 m<sup>2</sup>
2. Lot Frontage (minimum) 30 m
3. Front Yard Depth (minimum) 7.5 m (defined as the minimum setback from a waterbody)
4. Interior Side Yard Width (minimum) 3m
5. Rear Yard Depth (minimum) 7.5 m (defined as the depth from a private right-of-way), except that septic systems

## SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE

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		shall be setback 30m from the shoreline
7.	Lot Coverage (maximum)	15%
8.	Height of Building (maximum)	9m
9.	Dwellings per Lot (maximum)	1
10.	Accessory Uses, Waterbody Setback, Parking, Etc. in accordance with Section 4	

### 10.4.9 LSR-9: Lot 28, Concession VIII North Elmsley Ward

Notwithstanding the provisions of Section 4.26, on the lands zoned LSR-9, the minimum setback from a waterbody shall be 15 m.

### 10.4.10 LSR-10: Lot 14, Concession VI North Elmsley Ward

Notwithstanding the provisions of Section 4.26.2, on the lands zoned LSR-10 the required 30 m waterbody setback shall be measured from the boundary of the wetland instead of the shoreline.”

### 10.4.11 LSR-11: Lot 30, Concession V North Elmsley Ward

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned LSR-11, the following provisions shall apply:

1. an existing dwelling is permitted in accordance with the following regulations:
  1. Minimum lot frontage (water frontage) 18 m
  2. Minimum water setback 23 m
  3. Minimum interior side yard 3.4 on one side  
4.5 m on the other side
2. a contracting business is permitted as an accessory use to the existing dwelling in accordance with the following regulations:

Maximum gross floor area (all buildings)	192 m <sup>2</sup>
Minimum water setback	115 m
3. No outside storage permitted

### 10.4.12 LSR-12: Lots 23, 24 & 25, Concession VI North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-12, the minimum setback requirement from the boundary of the Environmental Protection zone shall be nil.

### 10.4.13 LSR-13: Lot 20, Concession VIII Drummond Ward

Notwithstanding the provisions of Section 4.26, on the land zoned LSR-13, the minimum setback from a waterbody shall be 20m.

### 10.4.14 LSR-14: Lot 19, Concession VII Drummond Ward

Notwithstanding the provisions of Section 4.26, on the land zoned LSR-14, the minimum setback from a waterbody shall be 18m.

## **SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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### 10.4.15 LSR-15: Lot 21, Concession VI Drummond Ward

Notwithstanding the provisions of Section 4.26, on the land zoned LSR-15, the minimum setback from a waterbody shall be 21m.

### 10.4.16 LSR-16: Lot 27, Concession VII North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-16, a single-detached dwelling house shall be permitted in accordance with the following regulations:

- |    |   |                     |
|----|---|---------------------|
| 1. | Lot Area (minimum)                        | 2000 m <sup>2</sup> |
| 2. | Waterfront Setback for dwelling (minimum) | 20 m                |
| 3. | Waterfront Setback for gazebo (minimum)   | 11.5 m              |
| 4. | Interior Side Yard Width (minimum)        | 4.5 m.              |

### 10.4.17 LSR-17: Lots 23 and 24, Concessions VI and VII, North Elmsley Ward (2006-10)

Notwithstanding the Zone Provisions of Section 10.2, on the lands zoned LSR-17, the following provisions apply:

1. The minimum lot area shall be 7.12 ha and the minimum water frontage shall be 439 m.
2. No buildings or structures shall be located within 70 m of the boundary of the Wetland (W) Zone and no site alteration shall be permitted within 30 m of the boundary of the Wetland (W) Zone.

### 10.4.18 LSR-18: Lots 23 and 24, Concessions VI and VII, North Elmsley Ward (2006-010)

Notwithstanding the Zone Provisions of Section 10.2, on the lands zoned LSR-18, the following provisions apply:

1. The minimum lot area shall be 8.5 ha and the minimum water frontage shall be 278 m.
2. No buildings or structures shall be located within 70 m of the boundary of the Wetland (W) Zone and no site alteration shall be permitted within 30 m of the boundary of the Wetland (W) Zone.

### 10.4.19 LSR-19: Lot 30, Concession VII North Elmsley Ward (2007-018)

Notwithstanding the provisions of Section 10.3, on the lands zoned LSR-X, the minimum lot area shall be 6.3 ha, except that this minimum lot area may be reduced to permit lot additions to the abutting lots in the LSR Zone pursuant to Section 2.5.2 of this By-law, provided no new building lot is created.

### 10.4.20 LSR-20: Lot 23, Concession IX Drummond Ward (2006-058)

Notwithstanding the provisions of Section 10.2, on the lands zoned LSR-20, the following provisions shall apply:

## **SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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1. Lot Area (minimum) 700 m<sup>2</sup>
2. Lot Frontage (minimum) 35 m

### 10.4.21 LSR-21: Lot 23, Concession IX Drummond Ward (2006-058)

Notwithstanding the provisions of Section 10.2, on the lands zoned LSR-21, the following provisions shall apply:

1. Lot Area (minimum) 800 m<sup>2</sup>
2. Lot Frontage (minimum) 35 m
3. Lot Coverage (maximum) 20%

### 10.4.22 LSR-22: Lots 25 and 26, Concession 7 and Part of Lot 25, Concession 8, Drummond Ward (2009-057)

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned LSR-22, the two parcels of land shall be considered one for zoning purposes. Neither parcel can be conveyed without the other parcel, without first going through the severance process. No dwelling shall be permitted on the severed (rear) parcel.

### 10.4.23 LSR-23: Lot 25, Con 8 and Lots 19 and 20, Plan 7396, Drummond Ward (2010-013)

Notwithstanding any provisions of this By-law to the contrary, an accessory building shall be permitted on the subject property without the need for a primary dwelling on the lot.

### 10.4.24 LSR-24: Part of Lot 17, Concession 12, Drummond Ward (2010-025)

Notwithstanding any provisions of this By-Law to the contrary, on the lands zoned LSR-24 the existing seasonal dwelling shall be permitted to remain on the property in its current location, and no additions, expansions or alterations shall be permitted to said building. Further, any new development on the subject property shall be required to comply with all of the provisions of the Limited Services Residential zone.

### 10.4.25 LSR-25: Part of Lot 16, Concession 6, North Elmsley Ward (2011-035)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-25, no residential dwelling shall be permitted.

### 10.4.26 LSR-26: Part of Lot 20, Concession 8, Drummond Ward (2011-044)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned LSR-26, the following provisions shall apply:

1. No dwelling unit or sleeping accommodations shall be permitted and permitted uses shall be restricted to an accessory garage in which no commercial vehicle storage shall be permitted.
2. The zone provisions are as follows:

## **SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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Front Yard Depth (minimum)	24 m (defined as the minimum setback from the road allowance)
Height of Building (maximum)	6.1 m
Gross Floor Area of Accessory Garage	297 sq.m.

### 10.4.27 LSR-27: Part of Lots 17&18, Concessions 6&7, North Elmsley Ward (2013-052)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-27, the minimum lot frontage shall be the lot frontage which existed on the date of passing of this By-law.

### 10.4.28 LSR-28: Part of Lot 29, Concession 6, North Elmsley Ward (2014-014)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned LSR-28, the following provisions shall apply:

1. An indoor spa with a maximum total floor space of 67 m<sup>2</sup> shall be permitted subject to the Home Occupation provisions of this By-law;
2. The minimum rear yard setback for the main dwelling shall be 1.94 m; and
3. All existing non-complying structures that are located a minimum of 30 m from the high water mark of Rideau Lake shall be permitted to remain in their current locations with no additions or expansions permitted.

### 10.4.29 LSR-29: Part of Lot 16, Concession 6 North Elmsley Ward (2018-031)

Notwithstanding the provisions of Section 10.1 of this By-law, on the lands zoned LSR-29, the following provisions shall apply:

1. No dwelling unit or sleeping accommodation shall be provided;
2. The minimum lot size shall be 617 square metres;
3. The minimum lot frontage shall be 16.54 m

### 10.4.30 LSR-30: Part of Lot 16, Concession 6 North Elmsley Ward (2018-031)

Notwithstanding the provisions of Section 10.1 of this By-law, on the lands zoned LSR-30, the following provisions shall apply:

1. No dwelling unit or sleeping accommodation shall be provided;
2. The minimum interior side yard setback for an accessory structure shall be 1.5 m;
3. The minimum lot size shall be 636 square metres;
4. The minimum lot frontage shall be 17.53 m.

### 10.4.31 LSR-31: Part of Lot 25 and 26, Concession 8, North Elmsley Ward (2019-034)

Notwithstanding the provisions of Section 10.1 to the contrary, a storage building shall be an additional permitted use, subject to the following additional provisions:

1. Number of storage buildings per lot (maximum) 2

**SECTION 10: LIMITED SERVICES RESIDENTIAL (LSR) ZONE**

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- |    |                             |        |
|----|-----------------------------|--------|
| 2. | Ground floor area (maximum) | 226 m2 |
| 3. | Gross floor area (maximum)  | 368 m2 |

For the purposes of this subsection, a storage building shall mean a building used for the storage of personal goods, equipment or vehicles, but does not include any storage or warehouse facility operated for financial gain or on a commercial basis.



## **SECTION 11: MOBILE HOME DEVELOPMENT**

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### **11 MOBILE HOME DEVELOPMENT (MHP) ZONE**

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

#### **11.1 Permitted Uses**

1. Non-Residential Uses
  - assembly hall for mobile home park residents
  - commercial storage for mobile home park residents
  - convenience store
  - laundromat
  - mobile home sales
  - private park
  - buildings and uses accessory to the foregoing
  
2. Residential Uses
  - mobile home
  - modular dwelling
  - accessory dwelling house
  - park model home

#### **11.2 Zone Provisions**

1. Lot Area (minimum) 4 ha
2. Lot Frontage (minimum) 100 m
3. Front Yard Depth (minimum) 7.5 m on a lot in a plan of subdivision and 12.5 m on all other lots.
4. Exterior Side Yard Width (minimum) 7.5 m
5. Interior Side Yard Width (minimum) 7.5 m
6. Rear Yard Depth (minimum) 7.5 m
7. Landscaped Open Space (minimum) 30%
8. Height of Building (maximum) 11 m
9. Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4

#### **11.3 Special Provisions**

1. The following provisions shall apply to each dwelling site within a mobile home development:
  1. Area (minimum) 465 m<sup>2</sup>
  2. Frontage (minimum) 15 m
  3. Front Yard Depth (minimum) 7.5 m
  4. Exterior Yard Width (minimum) 7.5 m
  5. Interior Side Yard Width (minimum) 3 m
  6. Rear Yard Depth (minimum) 7.5 m

## **SECTION 11: MOBILE HOME DEVELOPMENT**

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Where a yard is required for a dwelling site, it may be included within the required front, exterior side, interior side or rear yard as set out in Section 11.2.

### **11.4 Exception Zones**

#### **11.4.1 MHP-1: Lot 6, Concession II Drummond Ward**

Notwithstanding the provisions of Sections 10.2 and 10.3, on the lands zoned MHP-1, the dwellings and the dwelling sites shall be permitted in their existing locations and configuration. A maximum of 14 dwellings shall be permitted.

#### **11.4.2 MHP-2: Lot 21, Concession VI Drummond Ward**

Notwithstanding the provisions of Sections 11.2 and 11.3, on the lands zoned MHP-2, the dwellings and the dwelling sites shall be permitted in their existing locations and configuration. A maximum of 32 dwellings shall be permitted.

## SECTION 12: GENERAL COMMERCIAL (CG) ZONE

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### 12 GENERAL COMMERCIAL (CG) ZONE

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

#### 12.1 Permitted Uses

1. Non-Residential Uses

- animal care
- assembly hall
- auction hall
- bake shop
- beverage room
- commercial school
- commercial sports and recreation centre
- convenience store
- dry cleaning distribution station
- financial office
- funeral home
- hotel
- industrial or business service
- laundromat
- office
- parking lot
- personal service shop
- place of entertainment
- place of recreation
- printing shop
- repair service shop
- restaurant
- retail store
- sample and showroom
- shopping centre
- take out restaurant
- taxi station
- tourist establishment

2. Residential Uses

- accessory dwelling house

#### 12.2 Zone Provisions

1. Non-Residential Uses

1.	Lot Area (minimum)	4000 m <sup>2</sup>
2.	Lot Frontage (minimum)	45 m
3.	Front Yard Depth (minimum)	7.5 m
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Landscaped Open Space (minimum)	10%

## SECTION 12: GENERAL COMMERCIAL (CG) ZONE

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8. Height of Building (maximum) 14 m
  9. Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4
  10. Open Storage  
The open storage of goods or materials which are not for sale shall be permitted only to the rear of the main building provided that:
    1. such open storage is accessory to the use of the main building;
    2. such open storage complies with the yard requirements of this by-law;
    3. such open storage does not cover more than 40% of the lot area.
2. Residential Uses
    1. Accessory single detached dwelling house  
  
Shall be so located on the lot that there is a private amenity area abutting each exterior wall which is measured as though the dwelling house is located on a separate lot in accordance with the zone provisions for the Rural (RU) Zone.
    2. Dwelling House Area (minimum) 65 m<sup>2</sup>

### 12.3 Exception Zones

#### 12.3.1 CG-1: Part of Lot 4, Concession 3, Drummond Ward (2010-020)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned CG-1, the only permitted uses shall be a single detached dwelling and a Contractors or Tradesman's Establishment.

#### 12.3.2 CG-2: Part of Lot 12, Concession 7, North Elmsley Ward (2017-046)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned CG-2 the minimum rear yard and exterior side yard depth for a commercial land use shall be 20 m and permitted uses shall be limited to the following:

- Retail store;
- Custom Workshop;
- Sample and Show Room;
- Recreation Instruction;
- Restaurant (excluding a licensed establishment);
- Accessory Apartment

## **SECTION 13: HIGHWAY COMMERCIAL (CH) ZONE**

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### **13 HIGHWAY COMMERCIAL (CH) ZONE**

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

#### **13.1 Permitted Uses**

1. Non-Residential Uses

- animal clinic
- assembly hall
- auction hall
- automobile body shop
- automobile care
- automobile gas bar
- automobile rental
- automobile sales
- automobile service station
- automobile washing establishment
- bakery
- beverage room
- building supply outlet
- bulk propane storage depot
- commercial yard sale
- commercial school
- commercial sports and recreation centre
- commercial storage
- consumer outlet propane/compressed natural gas transfer facility
- convenience store
- custom workshop
- dry cleaning distribution station
- farm custom work
- farm implement sales
- farm supply sales
- financial office
- funeral home
- greenhouse
- highway commercial mall
- hotel
- industrial or business service
- laundromat
- office
- parking lot
- personal service shop
- place of entertainment
- place of recreation
- printing shop
- recreational vehicle sales
- repair service shop
- restaurant
- retail propane/compressed natural gas transfer facility
- retail store
- sample and showroom

## SECTION 13: HIGHWAY COMMERCIAL (CH) ZONE

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take out restaurant  
tourist establishment  
warehouse  
wholesale outlet

### 2. Residential Uses

accessory dwelling house

## 13.2 Zone Provisions

### 1. Non-Residential Uses

1. Lot Area (minimum) 4000 m<sup>2</sup>
2. Lot Frontage (minimum) 45 m
3. Front Yard Depth (minimum) 7.5 m
4. Exterior Side Yard Width (minimum) 7.5 m
5. Interior Side Yard Width (minimum) 3 m
6. Rear Yard Depth (minimum) 7.5 m
7. Landscaped Open Space (minimum) 10%
8. Height of Building (maximum) 14 m
9. Accessory Uses, Waterbody Setback,  
Parking, etc. in accordance with Section 4
10. Open Storage

The open storage of goods or materials shall be permitted only to the rear of the main building provided that:

1. such open storage is accessory to the use of the main building;
2. such open storage complies with the yard requirements of this by-law;
3. such open storage does not cover more than 40% of the lot area.

### 2. Residential Uses

#### 1. Accessory single detached dwelling house

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

## 13.3 Exception Zones

### 13.3.1 CH-1: Lot 5, Concession III Drummond Ward

Notwithstanding the provisions of section 13.2, on the land zoned CH-1, the following provisions shall apply:

1. The minimum interior side yard on the west side yard shall be 30 m and on the east side yard shall be 15 m.

## **SECTION 13: HIGHWAY COMMERCIAL (CH) ZONE**

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2. A buffer consisting of either a hedge or a fence shall be provided on the west side yard commencing 15 m from the front lot line and extending for a minimum distance of 45 m.
3. No parking shall be located within 10 m of any side lot line.

### 13.3.2 CH-2: Lot 15, Concession VIII Drummond Ward

Notwithstanding the provisions of Section 13.1, on the lands zoned CH-2, the permitted uses shall be restricted to the buying, selling and repair of motor vehicles and boats.

### 13.3.3 CH-3: Lots 6 & 7, Concession III Drummond Ward

Notwithstanding the provisions of Sections 13.1 and 13.2, on the lands zoned CH-3, the following provisions shall apply:

1. The permitted use shall be restricted to a plumbing and heating business, commercial storage and an accessory dwelling.
2. The minimum setback from the southern lot line shall be 20m.

### 13.3.4 CH-4: Lot 13, Concession V Drummond Ward

Notwithstanding the provisions of Sections 13.1, on the lands zoned CH-4, the permitted use shall be restricted to a mobile or modular home sales and service establishment.

### 13.3.5 CH-5: Lot 22, Concession VII North Elmsley Ward

Notwithstanding the provisions of Sections 13.2, on the land zoned CH-5, the minimum rear yard depth shall be 28m and the minimum eastern interior side yard width shall be 28m.

### 13.3.6 CH-6: Lot 1, Concession IV, Drummond Ward

Notwithstanding the provisions of Section 13.2 to the contrary, on the lands zoned CH-6, a planting strip with a minimum width of 3 m shall be required along any portion of a side lot line or any portion of a rear lot line which abuts an RU-38 zone or a lot having a residential use situated thereon. A planting strip required for the CH-6 zone shall:

1. not be used for any use otherwise permitted by this By-law; and,
2. consist of a row or rows of evergreen trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 2 m high; or,
3. be a fence erected in place of a hedgerow or shrubs, provided the fence is opaque and not less than 2 m high.

For the purposes of the CH-6 zone, open storage shall be subject to Section 13.2.10.

## **SECTION 13: HIGHWAY COMMERCIAL (CH) ZONE**

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### 13.3.7 CH-7: Lot 19, Concession X North Elmsley Ward

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned CH-7, the following provisions shall apply:

1. A single-detached dwelling house shall be permitted prior to the construction of a permitted commercial use. At such time as a permitted commercial use is constructed, the single-detached dwelling house shall be deemed to be an accessory single-detached dwelling house as permitted in Section 13.1.

### 13.3.8 CH-8: Lot 6, Concession III Drummond Ward

Notwithstanding the permitted use provisions of Section 13.1 to the contrary, on the lands zoned CH-8, a shopping centre is also a permitted use, provided that the individual uses located in the shopping centre shall be restricted to those uses which are permitted in Section 13.1.

### 13.3.9 CH-9: Lot 3, Concession V North Elmsley Ward

Notwithstanding the permitted use provisions of Section 13.1, on the lands zoned CH-9, a shopping centre to a maximum size of 3,000 m<sup>2</sup> of gross leasable floor area shall be permitted in addition to the other uses permitted in Section 13.1.

### 13.3.10 CH-10: Lot 4, Concession III Drummond Ward

Notwithstanding the permitted use provisions of Section 13.1 to the contrary, on the lands zoned CH-10 the permitted uses shall be restricted to commercial storage and single detached dwelling house.

### 13.3.11 CH-11: Part of Lot 18, Concession 9, North Elmsley Ward (2012-023)

Notwithstanding any provisions of this By-Law to the contrary, on the lands Zoned CH- 11, the following provisions shall apply:

1. Minimum lot size shall be 0.14 hectares;
2. Minimum lot frontage shall be 30.48 m; and
3. Minimum front yard depth shall be 6.9 m.

### 13.3.12 CH-12: Part of Lots 6& 7, Concession 3, Drummond Ward (By-law 2012-041)

Notwithstanding the permitted use provisions of Section 3.1, on the lands zoned CH-12, the following uses shall be permitted in addition to the other uses permitted in Section 13.1:

1. Manufacturing Plant;
2. Assembly Plant;
3. Contractor or Tradesman Establishment;
4. Fabricating Plant;
5. Dry Cleaning Plant;
6. Processing Plant.



## **SECTION 13: HIGHWAY COMMERCIAL (CH) ZONE**

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### 13.3.13 CH-13: Part of Lot 24, Concession 12, Drummond Ward (2016-023)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned CH-13, the permitted use shall be restricted to a place of recreation, limited to a paintball facility and accessory uses.

### 13.3.14 CH-14: Part of Lot 1, Concession 8, Drummond Ward (2019-030)

Notwithstanding the provisions of Section 13.1 to the contrary, on the lands zoned CH-14, a Cannabis Production Facility shall be an additional permitted use.

For the purposes of this subsection, a Cannabis Production Facility means a building, structure or part thereof used for indoor cultivation, processing, packaging, storage, destruction and sale of cannabis (not to the public), and any other activities related to cannabis production authorized by an issued license by Health Canada and which includes industrial-grade filtration systems or similar technology designed by a qualified person to reduce odour, pollen and dust emissions.

## SECTION 14: TOURIST COMMERCIAL (CT) ZONE

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### 14 TOURIST COMMERCIAL (CT) ZONE

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

#### 14.1 Permitted Uses

1. Non-Residential Uses

automobile gas bar  
automobile service station  
beverage room  
commercial sports and recreation centre  
convenience store  
conservation  
golf course  
hotel  
hunting/fishing camp  
laundromat  
marina  
marine facility  
museum  
private park  
place of recreation  
place of entertainment  
restaurant  
retail propane/compressed natural gas transfer facility  
retail store  
take out restaurant  
tourist campground  
tourist establishment  
tourist guest house  
other uses in accordance with the provisions of Section 4.

2. Residential Uses

accessory dwelling house  
accessory dwelling unit  
park model home  
mobile home

#### 14.2 Zone Provisions

1. Non-Residential Uses

1.	Lot Area (minimum)	2000 m <sup>2</sup>
2.	Lot Frontage (minimum)	45 m
3.	Front Yard Depth (minimum)	7.5 m
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Landscaped Open Space (minimum)	10%
8.	Height of Building (maximum)	14 m

## **SECTION 14: TOURIST COMMERCIAL (CT) ZONE**

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9. Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4
  10. Open Storage  
The open storage of goods or materials shall be permitted only to the rear of the main building provided that:
    1. such open storage is accessory to the use of the main building;
    2. such open storage complies with the yard requirements of this by-law;
    3. such open storage does not cover more than 40% of the lot area.
  11. Special Provisions  
Notwithstanding the front yard, open storage and buffering requirements of this section, a marina and/or marine facility shall be permitted to locate within the front yard of a waterfront lot, except that a 3 m landscaped open space buffer shall be provided abutting the side lot lines.
2. Residential Uses
1. Accessory single detached dwelling house  
  
Shall be so located on the lot that there is a private amenity area abutting each exterior wall which is measured as though the dwelling house is located on a separate lot in accordance with the zone provisions for the Rural (RU) Zone.
  2. Dwelling House Area (minimum)                      65 m<sup>2</sup>
  3. Accessory dwelling unit  
  
Shall be so located within the Non-Residential building that there is a private amenity area of not less than 20m<sup>2</sup>.

### **14.3 Exception Zones**

#### **14.3.1 CT-1: Lot 6, Concession XI Drummond Ward**

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned CT-1, no buildings, structures, or sewage treatment facilities shall be permitted within 40m of the high water mark, and no recreational vehicles shall be stored within 40m of the high water mark between November 1<sup>st</sup> and May 1<sup>st</sup>.

#### **14.3.2 CT-2: Lot 21, Concession VI Drummond Ward**

Notwithstanding the provisions of Section 14.1, on the lands zoned CT-2, the permitted uses shall be restricted to:

boat storage

general storage

marine and small engine sales and repair

farm machinery repair

general store not exceeding a gross leasable floor area of 200m<sup>2</sup>

## **SECTION 14: TOURIST COMMERCIAL (CT) ZONE**

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### 14.3.3 CT-3: Lot 18, Concession VI North Elmsley Ward

Notwithstanding the provisions of Section 14.1 and 14.2, on the lands zoned CT-3, the existing main lodge, the change house and the shop, pumphouse and laundry building may be replaced by new larger buildings and additions to existing buildings provided that the following minimum waterbody setbacks are provided:

- |    |   |       |
|----|---|-------|
| 1. | New lodge (main hall building)                      | 4.5 m |
| 2. | New lodge (offices and sleeping quarters building)  | 5.5 m |
| 3. | New change house                                    | 11 m  |
| 4. | New shop, pump house and laundry building           | 6 m   |
| 5. | Accessory buildings and structures to the foregoing | 4 m   |

### 14.3.4 CT-4-h5-h6 Concession 10, Lot 24, North Elmsley Ward (By-law 2017-010)

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned CT-4-h5-h6, the following provisions shall apply:

1. Permitted uses shall be limited to the following:
  - a. Medical clinic and associated health and fitness uses, including overnight accommodations in accordance with Subsection 2;
  - b. Commercial sports and recreation centre
  - c. Conservation
  - d. Place of recreation
  - e. Private Park
  - f. Beverage Room
  - g. Convenience store
  - h. Hotel
  - i. Hunting/fishing camp
  - j. Place of entertainment
  - k. Restaurant
  - l. Retail store
  - m. Take out restaurant
  - n. Tourist Cabins, which for the purposes of this Section shall mean a building to accommodate one or more guests, which contains at least two rooms, that is at least partially furnished and in which the guest is permitted to prepare and cook food, but shall not include a dwelling as herein defined.
2. Any land uses that include overnight accommodations shall be limited to a maximum of overnight occupancy of one hundred (100) persons and not more than fifty (50) guest rooms. No such land use may be situated less than 400 m from any lands zoned Waste Disposal (WD) and 300 m from Canal Bank Road.
3. No new development or site alteration shall occur within 300 m of the Tay River.
4. The maximum gross floor area of all buildings and structures within the subject lands shall be limited to 3,000 m<sup>2</sup>.

## **SECTION 14: TOURIST COMMERCIAL (CT) ZONE**

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5. With the exception of a Medical clinic and associated health and fitness uses, a commercial sports and recreation centre, a hotel, a place of entertainment or a place of recreation, no individual land use classifications within the zone may exceed a gross leasable floor area of 450 m<sup>2</sup> for any one specific land use.
  6. Notwithstanding Sections 4 and 5, an additional 1,207 m<sup>2</sup> of gross floor area may be constructed for overnight accommodation use.
  7. The holding provisions applied to the CT-4 Zone shall be lifted in accordance with the requirements outlined in Section 4.14.3.5 prior to permitting development as follows:
    - a. The effect of holding provision 'h5' shall be to prohibit any development or occupancy of the lands other than uses existing on the day By-law 2017-010 was passed. Upon completion of the requirements outlined in Section 4.14.3.5.1, Sections 1 through 5 of the CT-4 Zone shall take effect, except that "Tourist Cabins" shall not be a permitted use and overnight occupancy shall be limited to a maximum of forty (40) persons and twenty (20) guest rooms.
    - b. Holding provision 'h6' shall be lifted in accordance with the requirements outlined in Section 4.14.3.5.2.
- 14.3.5 CH-h7, Concession 3, Lot 4, Drummond Ward (By-law 2017-023)
- On the lands zoned CH-h7, the holding zone shall be lifted with respect to all of the permitted uses in the CH Zone following the submission of a detailed development plan and completion, to the satisfaction of the Township, of the following:
1. A Stormwater quality and quantity management plan;
  2. An Environmental Impact Study that, subsequent to the scoped Environmental Impact Statement prepared by Geofirma Engineering dated December 23, 2013, evaluates the impacts of the development on adjacent natural heritage features;
  3. A traffic impact study to determine the appropriate location of an access to the subject land relative to the specific commercial use(s) being proposed. The traffic study shall be accepted in writing by the Ministry of Transportation and implemented in an agreement between the Owner(s) and the Ministry that addresses appropriate improvements required relative to the location of the access and any improvements required to Highway 7 to accommodate the traffic generated by the proposed development. If the accepted traffic impact study determines that access to the subject lot is required to be relocated from the current shared access then a reciprocal access easement shall be obtained to ensure continued legal highway access to all affected properties;
  4. Any studies that may be required to demonstrate that the proposed development can be satisfactorily serviced and accommodated with no unacceptable impacts on ground water resources; and
  5. Registration on Title of a Site Plan Agreement that implements the development standards for commercial development as outlined in the Official Plan and implements any of the required conditions relating to the preceding sections.

## **SECTION 15: GENERAL INDUSTRIAL (MI) ZONE**

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### **15 GENERAL INDUSTRIAL (M1) ZONE**

No person shall within any M1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

#### **15.1 Permitted Uses**

##### **1. Non-Residential Uses**

- accessory retail store
- animal clinic
- assembly plant
- automobile body shop
- automobile care
- automobile gas bar
- automobile service station
- automobile washing establishment
- bakery
- building supply outlet
- bulk propane storage depot
- bulk storage
- commercial school
- commercial sports and recreation centre
- commercial storage
- contractor or tradesman establishment
- consumer outlet propane/compressed natural gas transfer facility
- convenience store
- custom workshop
- dairy
- dry cleaning distribution station
- dry cleaning plant
- fabricating plant
- farm custom work
- farm implement sales
- farm supply sales
- gas cylinder handling facility
- greenhouse
- industrial mall
- industrial or business service
- laundromat
- manufacturing plant
- office
- parking lot
- place of entertainment
- place of recreation
- printing shop
- printing establishment
- processing plant
- recreational vehicle sales
- repair service shop
- restaurant
- retail propane/compressed natural gas transfer facility
- sample and showroom

## SECTION 15: GENERAL INDUSTRIAL (MI) ZONE

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take out restaurant  
warehouse  
wholesale outlet

### 2. Residential Uses

accessory dwelling house

## 15.2 Zone Provisions

### 1. Non-Residential Uses

- |     |  |                     |
|-----|--|---------------------|
| 1.  | Lot Area (minimum)   | 4000 m <sup>2</sup> |
| 2.  | Lot Frontage (minimum)   | 45 m                |
| 3.  | Front Yard Depth (minimum)   | 7.5 m               |
| 4.  | Exterior Side Yard Width (minimum)   | 7.5 m               |
| 5.  | Interior Side Yard Width (minimum)   | 3 m                 |
| 6.  | Rear Yard Depth (minimum)  | 7.5 m               |
| 7.  | Landscaped Open Space (minimum)  | 10%                 |
| 8.  | Height of Building (maximum)   | 14 m                |
| 9.  | Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4  |                     |
| 10. | Open Storage<br>The open storage of goods or materials shall be permitted only to the rear of the main building provided that: |                     |
|     | 1. such open storage is accessory to the use of the main building;   |                     |
|     | 2. such open storage complies with the yard requirements of this by-law;   |                     |
|     | 3. such open storage does not cover more than 40% of the lot area.   |                     |

### 2. Residential Uses

#### 1. Accessory single detached dwelling house

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

- |    |                               |                   |
|----|-------------------------------|-------------------|
| 2. | Dwelling House Area (minimum) | 65 m <sup>2</sup> |
|----|-------------------------------|-------------------|

## 15.3 Exception Zones

### 15.3.1 M1-1: Lot 2, Concession V Drummond Ward

Notwithstanding the provisions of Sections 15.1, on the land zoned M1-1, the permitted commercial or industrial uses shall only be permitted within the existing building.

## **SECTION 15: GENERAL INDUSTRIAL (MI) ZONE**

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### 15.3.2 M1-2: Lot 1, Concession IV Drummond Ward

Notwithstanding the provisions of Section 15.2, on the lands zoned M1-2, a planting strip with a minimum width of 3 m shall be required along any portion of a side or rear lot line which abuts a lot in the RU-38 zone or a lot having a residential use situated thereon. The required planting strip shall:

1. not be used for any use otherwise permitted in this By-law; and,
2. consist of a row, or rows, of evergreen trees or a continuous unpierced hedgerow of evergreens or shrubs not less than 2 m in height; or
3. be a fence, erected in place of a hedgerow or shrubs, provided the fence is opaque and not less than 2 m in height.

For the purposes of the M1-2 zone, open storage shall be subject to the provisions of Section 15.2.

### 15.3.3 M1-3: Lot 23, Concession VI Drummond Ward

Notwithstanding the provisions of Section 15.1, on the lands zoned M1-3, the sale, repair and display of mobile homes, modular homes and recreational vehicles shall be permitted in addition to the uses permitted in Section 15.1.



## SECTION 16: RURAL INDUSTRIAL (M2) ZONE

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### 16 RURAL INDUSTRIAL (M2) ZONE

No person shall within any M2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

#### 16.1 Permitted Uses

1. Non-Residential Uses

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

2. Residential Uses

accessory dwelling house

#### 16.2 Zone Provisions

1. Non-Residential Uses

1.	Lot Area (minimum)	4000 m <sup>2</sup>
2.	Lot Frontage (minimum)	45 m
3.	Front Yard Depth (minimum)	7.5 m
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Landscaped Open Space (minimum)	10%
8.	Height of Building (maximum)	14 m
9.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	

10. Open Storage

The open storage of goods or materials shall be permitted only to the rear of the main building provided that:

1. such open storage is accessory to the use of the main building;
2. such open storage complies with the yard requirements of this by-law;
3. such open storage does not cover more than 40% of the lot area.

2. Residential Uses

1. Accessory single detached dwelling house

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

2.	Dwelling House Area (minimum)	65m <sup>2</sup>
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## **SECTION 16: RURAL INDUSTRIAL (M2) ZONE**

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### **16.3 Exception Zones**

#### 16.3.1 M2-1: Part of Lot 20, Concession 10, North Elmsley Ward (2010-030)

Notwithstanding the provisions of Section 16.1, the permitted uses on the subject property shall be limited to heavy equipment sales and service business, including open storage, and an accessory single detached dwelling.

## **SECTION 17: INSTITUTIONAL (I) ZONE**

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### **17 INSTITUTIONAL (I) ZONE**

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

#### **17.1 Permitted Uses**

accessory office, restaurant, personal service shop and retail store  
assembly hall  
cemetery  
community centre  
church  
home for the aged  
hospital  
institution  
medical clinic  
museum  
nursing home  
public use  
religious institution  
school  
other uses in accordance with Section 4

#### **17.2 Zone Provisions**

1.	Lot Area (minimum)	4000 m <sup>2</sup>
2.	Lot Frontage (minimum)	45 m
3.	Front Yard Depth (minimum)	7.5 m
4.	Exterior Side Yard Width (minimum)	7.5 m
5.	Interior Side Yard Width (minimum)	3 m
6.	Rear Yard Depth (minimum)	7.5 m
7.	Landscaped Open Space (minimum)	10%
8.	Height of Building (maximum)	14 m
9.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	

#### **17.3 Exception Zones**

##### **17.3.1 I-1: Lot 7, Concession III Drummond Ward**

Notwithstanding the provisions of Sections 17.1, on the land zoned I-1, the permitted uses shall be restricted to a church and an accessory dwelling.

##### **17.3.2 I-2: Lot 26, Concession IX North Elmsley Ward**

Notwithstanding the provisions of Section 17.1, on the lands zoned I-2, the permitted uses shall be restricted to assembly hall, church, institution, public use and school, as herein defined.

## **SECTION 17: INSTITUTIONAL (I) ZONE**

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### 17.3.3 I-3: Part of Lot 26, Concession 10, North Elmsley Ward (2012-076)

Notwithstanding the provisions of Section 17.1, on the lands zoned I-3, the permitted uses shall be restricted to a daycare facility for individuals with developmental disabilities and subject to the following provisions:

1. A community garden or similar use shall be permitted as an accessory use on the lot; and
2. Driveway access to the subject lot may be provided through an adjacent right-of-way owned by the Town of Perth.

## **SECTION 18: SALVAGE YARD (S) ZONE**

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### **18 SALVAGE YARD (S) ZONE**

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

#### **18.1 Permitted Uses**

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

#### **18.2 Zone Provisions**

1. Non-Residential Uses
  1. Lot Area (minimum) 1 ha
  2. Lot Frontage (minimum) 90 m
  3. Front Yard Depth (minimum) 9 m
  4. Exterior Side Yard Width (minimum) 9 m
  5. Interior Side Yard Width (minimum) 9 m
  6. Rear Yard Depth (minimum) 9 m
  7. Landscaped Open Space (minimum) 10%
  8. Height of Building (maximum) 14 m
  9. Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4
  10. Open Storage
    1. A solid fence or wall a minimum of 2.4 m in height shall be erected around the area used for storage, handling and/or processing
    2. No storage shall be permitted to extend above the height of the fence
  11. Buffering

The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard.
2. Residential Uses
  1. Accessory detached dwelling house

Shall be so located on the lot that there is a private amenity area abutting each exterior wall which is measured as though the dwelling house is located on a separate lot in accordance with the zone provisions for a single detached dwelling house in the Rural (RU) Zone.
  2. Dwelling House Area (minimum) 65 m<sup>2</sup>

**SECTION 18: SALVAGE YARD (S) ZONE**

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**18.3 Exception Zones**

## **SECTION 19: WASTE DISPOSAL (WD) ZONE**

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### **19. WASTE DISPOSAL (WD) ZONE**

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

#### **19.1 Permitted Uses**

waste disposal

#### **19.2 Zone Provisions**

1. Lot Area (minimum) 1 ha
2. Lot Frontage (minimum) 90 m
3. Front Yard Depth (minimum) 9 m
4. Exterior Side Yard Width (minimum) 9 m
5. Interior Side Yard Width (minimum) 9 m
6. Rear Yard Depth (minimum) 9 m
7. Landscaped Open Space (minimum) 10%
8. Height of Building (maximum) 14 m
9. Accessory Uses, Waterbody Setback,  
Parking, etc. in accordance with Section 4
10. Buffering  
The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard.

#### **19.3 Exception Zones**

## SECTION 20: AGGREGATE – PIT (AP) ZONE

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### 20. AGGREGATE - PIT (AP) ZONE

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

#### 20.1 Permitted Uses

forestry, excluding buildings  
general agriculture, excluding buildings  
pit

#### 20.2 Zone Provisions

- |     |   |  |
|-----|---|--|
| 1.  | Lot Area (minimum)  | Nil  |
| 2.  | Lot Frontage (minimum)  | Nil  |
| 3.  | Front Yard Depth (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 4.  | Exterior Side Yard Width (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 5.  | Interior Side Yard Width (minimum)  | 15 m   |
| 6.  | Rear Yard Depth (minimum)   | 15 m   |
| 7.  | Landscaped Open Space (minimum)   | 10%  |
| 8.  | Height of Building (maximum)  | 14 m   |
| 9.  | Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4 |  |
| 10. | Buffering   | The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard. |
| 11. | Special Provisions  | No pit shall be located closer than 300 m from an existing dwelling.   |

#### 20.3 Exception Zones

##### 20.3.1. AP-1: Part of Lot 13, Concession 11, Drummond Ward (2017-048)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned AP-1, explosives storage in a licensed magazine shall be an additional permitted use, provided said use is set back a minimum of 950 m from the front lot line of the property that is subject to this zoning. For the purposes of this section, 'explosives storage in a licensed magazine' shall be defined as "any building, storehouse, structure or place, as licenced under Section 7 of the Explosives Act, in which anything that is made, manufactured or used to produce an explosion or detonation or pyrotechnic effect, and includes anything prescribed to be an explosive by the regulations under the Explosives Act, but does not include gases, organic peroxides or anything prescribed not to be an explosive by the regulations is being stored."



## **SECTION 21: AGGREGATE – QUARRY (AQ) ZONE**

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### **21. AGGREGATE - QUARRY (AQ) ZONE**

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

#### **21.1 Permitted Uses**

forestry, excluding buildings  
general agriculture, excluding buildings  
quarry

#### **21.2 Zone Provisions**

- |     |   |  |
|-----|---|--|
| 1.  | Lot Area (minimum)  | Nil  |
| 2.  | Lot Frontage (minimum)  | Nil  |
| 3.  | Front Yard Depth (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 4.  | Exterior Side Yard Width (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 5.  | Interior Side Yard Width (minimum)  | 15 m   |
| 6.  | Rear Yard Depth (minimum)   | 15 m   |
| 7.  | Landscaped Open Space (minimum)   | 10%  |
| 8.  | Height of Building (maximum)  | 14 m   |
| 9.  | Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4 |  |
| 10. | Buffering   | The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard. |
| 11. | Special Provisions  | No quarry shall be located closer than 500 m from an existing dwelling.  |

#### **21.3 Exception Zones**

## **SECTION 22: AGGREGATE – RESERVE (AR) ZONE**

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### **22. AGGREGATE - RESERVE (AR) ZONE**

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

#### **22.1 Permitted Uses**

conservation  
forestry, excluding buildings  
general agriculture, excluding buildings  
hunting/fishing camp, excluding buildings

#### **22.2 Zone Provisions**

1.	Lot Area (minimum)	Nil
2.	Lot Frontage (minimum)	Nil
3.	Front Yard Depth (minimum)	NA
4.	Exterior Side Yard Width (minimum)	NA
5.	Interior Side Yard Width (minimum)	NA
6.	Rear Yard Depth (minimum)	NA
7.	Landscaped Open Space (minimum)	NA
8.	Height of Building (maximum)	NA
9.	Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4	

#### **22.3 Exception Zones**

AR-1: Part of Lot 3, Concession 10, North Elmsley Ward (2010-050)

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned AR-1, a residential dwelling along with associated farm buildings shall be permitted.

## **SECTION 23: MINERAL RESOURCE (M) ZONE**

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### **23. MINERAL RESOURCE (M) ZONE**

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

#### **23.1 Permitted Uses**

forestry, excluding buildings  
general agriculture, excluding buildings  
mine

#### **23.2 Zone Provisions**

- |     |   |  |
|-----|---|--|
| 1.  | Lot Area (minimum)  | Nil  |
| 2.  | Lot Frontage (minimum)  | Nil  |
| 3.  | Front Yard Depth (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 4.  | Exterior Side Yard Width (minimum)  | 15 m, except 30 m abutting a Provincial highway  |
| 5.  | Interior Side Yard Width (minimum)  | 15 m   |
| 6.  | Rear Yard Depth (minimum)   | 15 m   |
| 7.  | Landscaped Open Space (minimum)   | 10%  |
| 8.  | Height of Building (maximum)  | 14 m   |
| 9.  | Accessory Uses, Waterbody Setback, Parking, etc. in accordance with Section 4 |  |
| 10. | Buffering   | The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard. |
| 11. | Special Provisions  | No mine shall be located closer than 1,000 m from an existing dwelling.  |

#### **23.3 Exception Zones**

## **SECTION 24: WETLAND (W) ZONE**

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### **24. WETLAND (W) ZONE**

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

#### **24.1 Permitted Uses**

1. Non-Residential Uses

conservation  
existing uses

2. Residential Uses

Existing uses

#### **24.2 Zone Provisions**

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

#### **24.3 Special Provisions**

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

#### **24.4 Exception Zones**

## **SECTION 25: ENVIRONMENTAL PROTECTION (EP) ZONE**

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### **25. ENVIRONMENTAL PROTECTION (EP) ZONE**

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

#### **25.1 Permitted Uses**

1. Non-Residential Uses

conservation  
existing uses

2. Residential Uses

Existing uses

#### **25.2 Zone Provisions**

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

#### **25.3 Exception Zones**

##### **25.3.1 EP-1: Lots 23, 24, & 25, Concession VI North Elmsley Ward**

On the land zoned EP-1, no buildings or structures including marine facilities, and no site alterations including filling, dredging or removal of vegetation shall be permitted without the written approval of Parks Canada, Rideau Canal Office, except for the existing private road as it existed on November 5, 1996. Notwithstanding the generality of the foregoing, small, single finger docks may be permitted on lots 8 to 17 only, and no new dredging or filling will be permitted in Canal waters adjacent to the EP-1 zone, with the possible exception of the small existing dock on Lot 17.

##### **25.3.2 EP-2: Part of Lots 20 and 21, Concession 11, Drummond Ward (2010-053)**

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned EP-2, no buildings or structures shall be erected and no site disturbances shall be undertaken unless approved by the Ministry of Culture and by Mississippi Valley Conservation where the land is also in the Flood Plan (FP) overlay zone.

## **SECTION 26: OPEN SPACE (O) ZONE**

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### **26. OPEN SPACE (O) ZONE**

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

#### **26.1 Permitted Uses**

1. Non-Residential Uses

conservation  
golf course  
private park  
public park

2. Residential Uses

Existing uses

#### **26.2 Zone Provisions**

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

#### **26.3 Exception Zones**

26.3.1 O-1: Lot 24, Concession VIII Drummond

Notwithstanding the provisions of Section 26.1, on the land zoned O-1, the permitted use shall be restricted to conservation.

26.3.2 O-2: Lot 9, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the land zoned O-2, the permitted use shall be restricted to a public park.

26.3.3 O-3: Lots 10 & 11, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the land zoned O-3, the permitted use shall be restricted to a private park.

26.3.4 O-4: Lots 10 & 11, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the land zoned O-4, the permitted use shall be restricted to a public park.

## **SECTION 26: OPEN SPACE (O) ZONE**

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### 26.3.5 O-5: Lot 29, Concession VIII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the land zoned O-5, the permitted use shall be restricted to a public park.

### 26.3.6 O-6: Lot 29, Concession VIII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the land zoned O-6, the permitted use shall be restricted to a private park.

### 26.3.7 O-7: Lot 30, Concession VII North Elmsley Ward

Notwithstanding the provisions of Section 26.1, on the lands zoned O-7, the permitted uses shall be restricted to conservation and private park.

## **SECTION 27: ADMINISTRATION ENFORCEMENT AND PENALTIES**

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### **27. ADMINISTRATION, ENFORCEMENT AND PENALTIES**

#### **27.1 Administration**

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

#### **27.2 Interpretation**

1. For the purposes of this By-law, the definitions and interpretation given herein shall govern.
2. For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural, and words in the plural include the singular number; the word "shall" is mandatory; the words "used" and "occupied" shall include the words "intended or arranged" and "designed to be used or occupied".

#### **27.3 Building and Other Permits**

Notwithstanding the provisions of the Corporation's Building By-law or any other By-law of the Corporation, no building permit or occupancy permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

#### **27.4 Certificate of Occupancy**

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

#### **27.5 Application for Permits**

In addition to all the requirements of the Corporation's Building By-law or any other By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate (one copy of which shall be retained by the Chief Building Official) drawn to scale and showing the following:

1. The true dimensions of the lot to be built upon or otherwise used.
2. The proposed location, height and dimensions of any building, structure or use proposed for such lot.
3. Proposed locations and dimensions of any yards, setback, landscaped open space, off-street parking space, etc., required by this By-law.
4. The location of all existing buildings or structures on the lot.
5. A statement signed by the owner, disclosing the exact use proposed for each aforesaid building or structure and giving all information necessary to determine if such proposed or existing building, structure or use conforms to the requirements of this By-law.



## **SECTION 27: ADMINISTRATION ENFORCEMENT AND PENALTIES**

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### **27.6 Inspection**

The Chief Building Official of the Corporation acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law.

### **27.7 Violations and Penalties**

Every person who uses any lot, or erects or uses any building or structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use or erection, or who violates any provisions of this By-law or causes or permits a violation, shall be guilty of an offence and subject to the provisions of Section 67 of the *Planning Act*, RSO 1990 as amended, and the *Municipal Act* 2001, SO2001, c.25 as amended. Further, any person who contravenes any of the provisions of this By-law is guilty of an offence and the procedure with respect thereto, and the penalty upon conviction therefore shall be as provided for in the *Provincial Offences Act*, RSO 1990 Chapt. P. 33 and amendments thereto.

### **27.8 Remedies**

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the *Municipal Act* 2001, SO2001, c.25 as amended.

### **27.9 Validity**

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

### **27.10 Existing By-laws**

Zoning By-law No. 2003-34 of the Township of Drummond/North Elmsley, as amended, to regulate the use of lands and the character, location, bulk, height and use of buildings and structures, shall be, and the same are, hereby repealed.

**SECTION 28: APPROVAL**

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**28. APPROVAL**

This By-law shall become effective on the date of passing hereof, subject to the approval of the Ontario Municipal Board or following the last date for filing objections, as the case may be.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>rd</sup> DAY OF OCTOBER, 2012.

Aubrey Churchill (signed)  
Reeve

Cynthia Halcrow (signed)  
Clerk

