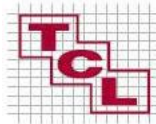




# **TOWNSHIP OF SABLES-SPANISH RIVERS**

## **Zoning By-law**



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**P-2870**

**October 14, 2020**

# **The Corporation of the Township of Sables-Spanish Rivers Comprehensive Zoning By-law**

## **Foreword**

This Zoning By-law affects all lands within the Township of Sables-Spanish Rivers. To use this By-law, locate the subject property on the map schedules provided and determine the zone(s) which affects the land. Then review the specific regulations relating to the zone(s) in **Section 5: Zones**. It is also important to review **Section 4: General Provisions** and any applicable definitions in **Section 3: Definitions**.

Changes to the requirements contained in this By-law may be made with prior approval by the Township as provided for under the Planning Act. Significant changes may be made through the zoning by-law amendment process. Minor variations may be granted by the Township Committee of Adjustment. Both processes require formal applications to be submitted to the Municipality and both involve mandatory public notification.

Should you have any questions about the interpretation of the wording of this by-law or the process involved to obtain relief from its provisions, please contact the Township Office.

Throughout the By-law some words are shown in **black italicized script**. These words are defined in Section 3 (Definitions). If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2020-41

Being a Bylaw to Amend a Bylaw to Regulate  
the Use of Land, Buildings and Structures  
within the Township of Sables-Spanish Rivers

WHEREAS pursuant to the provisions of the Planning Act, RSO 1990, Section 34, the Council of a municipality may enact bylaws regulating the use of lands and the erection of buildings and structures thereon;

AND WHEREAS Bylaw 2003-15, as amended by Bylaw 2010-51, regulates the use of land and the use and erection of buildings and structures within the Township of Sables-Spanish Rivers;

AND WHEREAS Council deems it appropriate to update Bylaw 2003-15, as amended by Bylaw 2010-51;

THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. That Bylaw 2003-15, as amended by Bylaw 2010-51, is hereby amended as per the attached Schedule 'A' to this bylaw;
2. That Bylaw 2003-15, as amended by Bylaw 2010-51, together with the provisions of Schedule 'A' attached hereto, is hereby recognized as the "Township of Sables-Spanish Rivers Zoning Bylaw";
3. That the adoption of this Bylaw shall be subject to the provisions of the Planning Act.

READ A FIRST AND SECOND TIME THIS 14th DAY OF October, 2020.

  
~~MAYOR - L. GAMBLE~~  
DEPUTY MAYOR - G. MASSICOTTE

  
CLERK - K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 14th DAY  
OF October, 2020.

  
~~MAYOR - L. GAMBLE~~  
DEPUTY MAYOR - G. MASSICOTTE

  
CLERK - K. SLOSS

# TOWNSHIP OF SABLES-SPANISH RIVERS

## ZONING BY-LAW

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## Explanatory Note

The purpose of this By-law is to implement the Official Plan of the Township of Sables-Spanish Rivers and to regulate the use of land and the character, location and use of buildings and structures in the Township of Sables-Spanish Rivers. This By-law applies to all land within the Township of Sables-Spanish Rivers.

The By-law is passed by the authority of Section 34 of the *Planning Act*. The By-law conforms to the Official Plan for the Township of Sables-Spanish Rivers.

After the date of adoption of this By-law, any new development, redevelopment or alteration to an existing use or building must comply with the regulations of this By-law before a building permit can be issued. Applicants are encouraged to pre-consult with the Township on how the zoning regulations apply.

Changes to the regulations contained in this By-law may be made with prior approval from the Township as provided for under the *Planning Act*. Changes may require an amendment to the Zoning By-law.

## Zoning By-law Amendments

The Zoning By-law may be amended where the proposed amendment complies with the Township's Official Plan. In accordance with the requirements of Section 34 of the *Planning Act*, the usual procedure for amendments involves the following steps:

1. The person or public body wishing to amend the Zoning By-law must consult with the municipality before making an application. The application may then be made to the Clerk of the Corporation of the Township of Sables-Spanish Rivers to amend the By-law under (subsection 34(10.0.1) of the *Planning Act*). Applications are available from the Township office (11 Birch Lake Road, MASSEY, ON P0P 1P0) or on the Township's website [www.sables-spanish.ca](http://www.sables-spanish.ca)
2. Designated staff will determine whether the application is a 'complete' application. Additional information, reports or studies may be required to support the proposed amendment before the application is considered complete. Applicants are required to submit a public consultation strategy as part of the application. Council has 30 days from the date of application to determine whether the application is complete (s. 34(10.1-10.3)). A complete application also requires that the Township's application fee is paid.
3. Once the application is considered complete, staff circulates to the applicant and prescribed agencies and bodies a Notice of Complete Application (s. 34(10.4)). If Council deems an application incomplete or does not make a decision within 30 days from the date of application, the person or public body may appeal to the Local Planning Appeal Tribunal (LPAT) to determine whether the application is complete (s. 34(10.5)).
4. If an application is considered complete, staff advertises that a Public Meeting will be held in order to consider an amendment to the Zoning By-law. Advertisement is given 20 days in advance of the public meeting (s. 34(12-13, 14.1)). The advertisement may be placed in the local newspaper, or may be mailed, faxed or emailed to all property owners within 120 m of the property affected by the



application. Where the notice is mailed, the applicant must also post a notice in a location on the property to be zoned that is visible from the adjacent street.

5. Council holds a Public Meeting and evaluates the appropriateness of the proposed amendment. Council considers the proposal's conformity with the Official Plan, adequacy of services, conformity with the provisions of the requested zone, suitability of the proposed use in the proposed location, public input, etc. The application must also be consistent with the Provincial Policy Statement and must also comply with the Growth Plan for Northern Ontario. If the application is considered satisfactory, the amending By-law is passed by Council.
6. Within 15 days of the passing of the by-law, the Clerk will give written notice of the decision of Council through a notice by mail, fax or email to the applicant, to the Ministry of Municipal Affairs and Housing and to anyone who made a written request to receive notice of the decision (s. 34(10.9, 18)).
7. If Council refuses the application and does not amend the zoning by-law, the Clerk must give written notice with reasons to the applicant. The notice must be given within 15 days of Council's decision.
8. Any person who gave their opinion at a public meeting or who submitted their concerns in writing to the Clerk before the by-law was passed may appeal the decision of Council to the Local Planning Appeal Tribunal. The appeal must be filed with the clerk within the 20-day appeal period set out in the notice of the passing of the Zoning By-law amendment (s. 34(19)) and must include applicable payment by cheque, payable to the Minister of Finance. If a person does not make an oral or written submission prior to council passing the by-law, they may not appeal Council's decision.
9. If Council refuses to approve the application or Council does not make a decision within 150 days from the date the application the person or public body may appeal to the Local Planning Appeal Tribunal (s. 34(11)). An appeal of a refusal must be made within 20 days of the date of the decision or within 20 days of the lapsing of the 150-day period (s. 34(11, 11.0.2)).
10. Where an appeal is made, Council may opt for mediation or dispute resolution to resolve the objection by giving notice to the appellant(s) (s. 34 (20.2)). Participation by the appellant(s) is voluntary but where agreed to, the period for mediation is 75 days.
11. An amendment to the Zoning By-law takes effect on the day the by-law was passed by Council provided no appeal is filed.
12. If a decision or lack of a decision is appealed to the Local Planning Appeal Tribunal, the Tribunal can make any decision the Council of the Township had in regard to the specific application (s. 34(26)). In other words, the LPAT can approve, or refuse the application or approve the application in part.

## **How long does a zoning By-law amendment take to be approved?**

Upon the receipt of a complete application (including any required supporting studies), a zoning By-law amendment usually takes 2-3 months to complete. The level of complexity and issues related to the proposal will affect the time line.

### **Minor Variances**

A minor variance may be granted to the zoning by-law where the size or shape or other conditions prevent an applicant from meeting the zoning standards provided the criteria can be met. Criteria for evaluating of Minor Variances are set out in section 45(1) of the *Planning Act*):

- (1) The general intent and purpose of the Official Plan are maintained;
- (2) The general intent and purpose of the Zoning By-law are maintained;
- (3) The variance is minor; and
- (4) The proposed use of land, building or structure is desirable for appropriate development.

An application for a minor variance must meet all of the above four tests to be approved in addition to any other criteria that the Township has established. Where a proposed variance is not minor or cannot satisfy the criteria for a minor variance, an amendment to this Zoning By-law may be required. Applications for a minor variance are available from the Township office (11 Birch Lake Road, Box 5, Site 1, MASSEY, ON P0L 1P0) or on the Township's website [www.sables-spanish.ca](http://www.sables-spanish.ca)

## **How long does a minor variance application take to be approved?**

Upon the receipt of a complete application a minor variance application usually takes 1-2 months to complete. The level of complexity and issues related to the proposal will affect the time line.

## **How to Use this By-law**

### **Step 1 – Locate Your Property and Determine the Zone**

Use the zoning schedules (maps) at the end of this document to locate the property you are interested in. Identify the zone symbol that applies to that property. Zone examples include R1, C, and M1 etc.

### **Step 2 – Verify status of any Zoning By-law Amendments**

A Zoning by-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law Amendment. While the Township strives to keep the By-law up-to-date, more recent amendments may not be included in the version of the By-law you are using. Township staff will be able to assist you to confirm if your property has been the subject of a more recent amendment.

### **Step 3 – Determine What Uses are Permitted in the Zone**

Use the Permitted Uses section of the Zone to determine what use(s) is/are permitted in the Zone. Run your finger down the list to find the use you are interested in. If you find the use you are interested in, it is permitted in the Zone. Otherwise, it is not permitted in that Zone.

### **Step 4 – Determine What Zone Regulations Apply**

Once the use is determined to be permitted, move down to the Zone Regulations section. In this section the regulations will indicate what the minimum regulations will be, i.e. minimum lot area, lot frontage, building setbacks etc. These standards will help you determine where you can locate a building or structure on your lot.

### **Step 5 – Determine if any General Provisions Apply**

Development of the property may be affected by Section 4 (General Provisions). General Provisions can apply to any zone anywhere in the municipality. This section contains provisions that apply to such matters as Accessory Uses, Height Exceptions, Home Based Businesses, parking etc. Use this section to determine how a particular land use might be affected.

For example, Section 4.26 provides the parking requirements for all uses permitted in the Township. If you are considering changing the use of your property or adding a new use to your property, you should review Section 4.26 to ensure that you are aware of the parking requirements.

### **Step 6 – Clarify the Meaning of a Use**

Throughout the By-law some words are shown in ***black italicized script***. These words are defined in Section 3 (Definitions). If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

## Section 1 ADMINISTRATION

### **Explanatory Note**

*Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other by-laws, defines the area to which it applies, how it is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.*

### 1.1 Title

This By-law shall be known as the Zoning By-law or By-law No. 2003-15 of the Corporation of the Township of Sables-Spanish Rivers.

### 1.2 Applications and Plans

1. In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a plan, drawn to scale and showing the following:
2. The true dimensions and/or legal description of the **lot** to be built upon or otherwise used;
3. The proposed location, height and dimensions of any **building, structure** or **use** proposed for such lot;
4. The proposed location, height and dimensions of yards, landscaping, **parking areas** and loading spaces required by this By-law;
5. The location of all existing **buildings** or **structures** on the **lot**, including the **lot area, lot coverage** of existing and proposed **structures**;
6. A statement, signed by the owner disclosing the exact **use** of all existing and proposed **uses** of land, **buildings** or **structures** and such other information as may be required to determine whether the **uses** conform with the requirements of this by-law.

### 1.3 Defined Area

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Township of Sables-Spanish Rivers.

### 1.4 Enforcement

This By-law shall be enforced by the By-law Enforcement Officer or such other person as may from time to time be designated by Council, and no permit for the **use** of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed **building, structure** or **use** would be a violation of any provision of this By-law.

## **1.5 Inspection of Land, Buildings and Structures**

1. Subject to Section 49 of the *Planning Act*, 1990, where the By-law Enforcement Officer believes on reasonable grounds that a by-law passed under Section 34 or 38 (of the *Planning Act*) is being contravened, the officer or any person acting under his or her instructions, may at all reasonable times, and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.
2. Except under the authority of a search warrant issued under Section 49.1 (of the *Planning Act*), an officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling unit without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.
3. No person shall obstruct or attempt to obstruct an officer or person acting under the officer's instructions in the exercise of a power under this Section.

## **1.6 Penalty**

1. Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction thereof shall forfeit and pay a penalty not exceeding Twenty-Five Thousand Dollars (\$25,000.00), on a first conviction, and Ten Thousand Dollars (\$10,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
2. Where a corporation is convicted under subsection (a), the maximum penalty that may be imposed is Fifty Thousand Dollars (\$50,000.00) on a first conviction and Twenty Five Thousand Dollars (\$25,000.00) on a subsequent conviction for each day or part thereof upon which the contravention has continued after the day of the first conviction.
3. In the case where any building or structure is erected or altered, or any part thereof is used, or any lot is used, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Municipal Act* or the *Planning Act* in that behalf.

## **1.7 Repeal and Relationship to Former By-laws**

Insofar as it applies to the lands affected by this By-law, any By-laws passed under Section 34 of the *Planning Act*, 1990, or its predecessor, are hereby repealed.

The adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

## **1.8 Validity**

Should any Section or part of a Section of this By-law or Schedule hereto be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law as a whole or any part thereof other than the part declared to be invalid.

## **1.9 Other By-laws, Licenses, Permits and Regulations**

Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law in force within the area affected by this By-law, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the Corporation or by any other law in force from time to time. This by-law shall not be deemed to prohibit the installation of alternative energy systems as defined in subsection 1 (1) of the Planning Act which are exempt from the provisions of the Planning Act except as set out in subsection 62.0.2 of the Act. (Note: exemptions to the installation of alternative energy systems such as wind turbines, solar collectors, geothermal systems, anaerobic digesters from zoning controls arise from the proclamation of the Green Energy and Green Economy Act, 2009.)

## **1.10 Conflict**

In the event of conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

## **1.11 Interpretation**

### **1. Legislation Act**

The *Legislation Act*, R.S.O. 2006 applies to this By-law.

### **2. Definitions**

Definitions are given in this By-law to aid in the understanding and implementation of the true spirit, intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

### **3. Citation**

This By-law may be cited by its long title ("A By-law to Regulate the Use of Land, Buildings and Structures within the Township of Sables-Spanish Rivers"), its short title ("Township of Sables-Spanish Rivers Zoning By-law") or its by-law number, and any such citation is to be taken as meaning the By-law as amended.

### **4. Gender Neutrality**

This By-law is gender neutral and, accordingly, any reference to one gender includes the other.

### **5. Plural and Singular**

In this By-law, words in the singular include the plural, and words in the plural include the singular.

### **6. References**

Appendices, footnotes, glossaries, headings, indices, marginal notes and

references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

**7. Measurement Units**

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement.

**1.12 Effective Date**

This By-law shall take effect from the date of its passage by Council, subject to the provisions of the *Planning Act*.

**1.13 Technical Revisions to the Zoning By-law**

Revisions may be made to this by-law without the need for a zoning by-law amendment in the following cases:

1. Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of the By-law.
2. Adding or revising technical information on the zoning maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updated and correcting infrastructure information, keys, legends or title blocks.
3. Changes to appendices, headings indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers or headers, which do not form part of this By-law and are editorially inserted for convenience or reference only.

## Section 2 CONFORMITY REQUIREMENTS

### ***Explanatory Note***

*This short section establishes the authority and legitimacy of the By-law. It is composed of two statements which establish the primacy of the regulations stated within.*

### **2.1 Compliance**

No land, **building** or **structure** shall be **used** and no **building** or **structure** shall be erected or enlarged or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.

### **2.2 Compliance of Severances**

Subject to the granting of such minor variances as may be necessary, no lands shall be severed from any **existing lot** if the effect of such action is to cause the original, adjoining, remaining or new **building, structure, lot** or **use** of land to be in contravention of any provision of this By-law.

### **2.3 Application to Building**

Where a use does not take place within a **building**, but a regulation in this By-law imposes a requirement premised on the use being in a **building**, the requirement applies as though the actual area occupied by the **use** was in a **building**.

### **2.4 Minor Variances**

All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the *Planning Act, R.S.O., 1990, c. P.13*, as amended, shall continue to apply and remain in force as if they are variance to this By-law.

In addition to the criteria set out in Section 45 (1) of the *Planning Act*, the following additional criteria shall be considered in the review of applications for a minor variance:

1. Development must generally conform to policies and zoning for shoreline vegetation buffer.



## Section 3 DEFINITIONS

### ***Explanatory Note***

*For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".*

### **3.A Abattoir**

Means a **building** specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, refrigeration and sale of the product on the **premise**.

### **Accessory**

When used to describe a **use, building or structure**, means a **use, building or structure** naturally or normally incidental, subordinate and exclusively devoted to a main **use, building or structure** and located on the same **lot** therewith.

### **Adventure Game**

Means an outdoor sport or recreation operated commercially in which participants attempt to capture a flag or some other object and return it to their home base, and may carry one or more of the following equipment: paint pellet pistols with a CO<sub>2</sub> cartridge, paint pellets, safety goggles to prevent pellets from striking participants' eyes, and armbands to identify team participants.

### **Adverse Effects**

Means one or more of:

1. Impairment of the quality of the natural environment for any use that can be made of it;
2. Injury or damage to property or plant and animal life;
3. Harm or material discomfort to any person;
4. An adverse effect on the health of any person;
5. Impairment of the safety of any person;

6. Rendering any property or plant or animal life unfit for use by humans;
7. Loss of enjoyment of normal use of property; and
8. Interference with normal conduct of business.

### **Aggregate**

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

### **Agriculturally Related Commercial/Industrial Uses**

Means the use of land, **buildings** or **structures** related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, farm machinery outlets, a fertilizer depot, but does not include any manufacturing, assembling, processing, warehousing or construction uses.

### **Agricultural Use**

Shall mean the **use** of land, **building(s)** or **structure(s)** for:

1. The growing of crops, including all related activities such as soil preparation, manure or fertilizer storage and application, planting, spraying, grain drying, irrigating, harvesting and also including the storage and sale of the crops;
2. Animal husbandry including the raising, boarding, and keeping of all forms of livestock and fish, and all related activities such as breeding, training, feeding, manure storage and grazing;
3. The production of animal products such as milk, eggs, wool, fur, or honey, including related activities such as the collection, storage and sale of the products;
4. The use and storage of all forms of equipment or machinery needed to accomplish the foregoing activities.

An Agricultural Use shall not be construed to include commercial activities related to agriculture such as **abattoirs**, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales.

### **Agricultural Use Building**

Means a **building** designed or used for an **agricultural use** and shall include such uses or structures as a barn, silo, shed and machine shed.

## **Alter**

1. When used in reference to a **building, structure** or part thereof, means:
  - a) To change any one or more of the external dimensions of such **building** or **structure**; or
  - b) To change the type of construction of the exterior walls or roof of such **building** or **structures**; or
  - c) To change the **use** of such **building** or **structure** or the number or types of uses or **dwelling units** contained therein.
2. When used in reference to a **lot** means:
  - a) To change the boundary of such **lot** with respect to a street or **lane**; or
  - b) To change any dimension or area, relating to such **lot**; or
  - c) To change the use of such **lot** or the number of uses located thereon.
3. When used in reference to a **shoreline**:
  - a) Means to change, straighten, divert or interfere in any way with the channel of any watercourse.

## **Ambulance Facility**

Means a **building** or part of a **building** where professional paramedics are stationed and their vehicles and equipment are kept.

## **Animal Day Care Establishment**

Means a commercial **premise used** for a day care service for domestic pets, but shall not include an **animal shelter** or **kennel**.

## **Animal Shelter**

Means a **building, structure** where animals, birds or other livestock are examined or treated and which may be kept on a short term basis, and may include the **premises** of a veterinarian or veterinary surgeon.

## **Attached**

Means a **building** or **structure** otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent **building** or **buildings**.

### **Auction Hall**

Means a **premise** used for the storage of goods or materials which are to be sold on the **premises** by public auction and for the sale of the said goods and materials by public auction.

### **Auto Body Shop**

Means a **building** with a service bay, where painting, refinishing, restoration or repairs to the coach works of motor **vehicles** are performed for gain or profit.

### **Auto Repair Garage**

Means a building used for the storage repair and servicing of motor **vehicles**, having at least one (1) service bay where repairs essential to the actual operation of a motor **vehicle** are performed.

### **Auto Service Station**

Means a place for supplying fuel, oil and minor accessories for motor **vehicles** at retail, direct to the consumer and having at least one (1) service bay where repairs to the actual operation of motor **vehicles** may be performed. If more than two (2) motor **vehicles** are kept on the premises for the purpose of selling such **vehicles**, then such establishment shall also be classified as an automotive sales establishment.

### **Automotive Sales Establishment**

Means a **building** and/or **lot** used principally for the display and sale of new and/or used motor **vehicles** and may include the servicing, repair, cleaning, body repair and repainting of motor **vehicles**, the sale of automotive accessories and related products and the leasing or renting of motor **vehicles**, but shall not include any other defined automotive uses.

## **3.B**

### **Backlot**

Means a **lot** which is separated from the **shoreline** by both an intervening waterfront lot and a **street** or **private road**.

### **Balcony**

Means an open platform projecting from the face of a **building's** wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

### **Bank**

Means a chartered bank, finance company office, co-op, trust company, loan company or similar financial establishment.

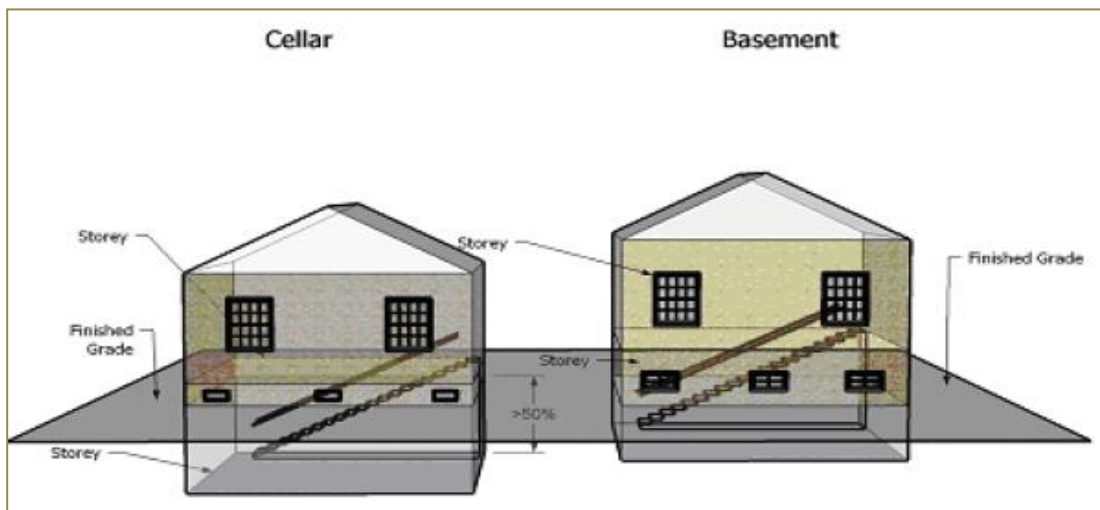
### Barrier Free

Means that which can be approached, entered and used by persons with physical or sensory disabilities

### Basement

Means a storey or storeys of a **building** located below the first **storey**. The first **storey** is the **storey** with its floor closest to grade and having its ceiling more than 1.8 m [5 ft. 11 in] above grade (see illustration).

### Batch Plant, Asphalt or Concrete



Means an industrial facility used for the production of asphalt or concrete products, used in building or construction and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the **premises** and the storage and maintenance of required equipment.

### Bed and Breakfast Establishment

Means a private **dwelling** designed to be **used** in part for the accommodation of the travelling or vacationing public, containing therein suites or guest rooms.

### Bingo Hall

Means a **building** or **premise** or part thereof used for bingo or a bingo event and is duly registered under the *Gaming Control Act* and is in compliance with municipal by-laws and approvals.

## Boat House

Means a **building** or **structure** or part thereof not over 4.8 m [15.7 ft.] in height, used for the storage of private boats and equipment accessory to their use, as an accessory use to a residential use, no part of which shall be used for any residential or commercial purpose. Despite anything in the foregoing to the contrary, rooftop decks or patios and screened enclosures (i.e. gazebos) shall be allowed provided that the total aggregate height of all boat house structures does not exceed the maximum height limit by more than 1.2 m [4.0 ft.].

## Boat Launch

Means a **use** of land adjacent to a **water body** that is used to launch and remove boats, marine vessels and watercraft.

## Boat Slip

Means a single mooring space for a boat, marine vessel or watercraft forming part of a dock, **boat house** or other mooring facility.

## Brewery or Winery

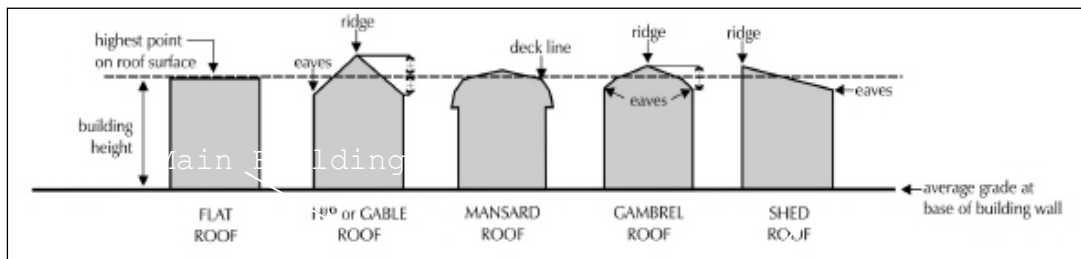
Means a **building used** primarily for the manufacturing, processing and distribution of beer, cider and wine and may include an **accessory** retail outlet.

## Building

Means any **structure** used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code*.

## Building Height

Means the vertical distance between the average finished grade at the base of the **building** and in the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest, or in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof (see illustration, p. 12).



## Building, Main

Means a **building** in which is conducted the principle uses of the **lot** on which it is situated (see illustration).



## Building, Mixed Use

Means a **building** containing more than one land **use** (e.g. retail commercial and residential, **office** and residential, industrial and retail) that is designed and constructed as a single **building**.

## Building, Temporary

Means a **building** or **structure** intended for removal or demolition within a prescribed time not exceeding two years or as set out in a building permit.

## Building Supply Store

Means a **building** where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a lumber yard or a salvage yard.

## 3.C

### Camp (Hunt Camp, Fishing Camp)

Means a **building** or **structure** intended to provide basic shelter and accommodation on a temporary basis for persons engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation.

## Camp, logging

Means an area of land including **buildings** and **structures** specifically designed as non-permanent living quarters for persons employed in the removal, cutting, debarking or harvesting of timber for commercial purposes or ancillary services and may include a dormitory, lodging or sleeping facilities, sanitary and eating facilities and accessory uses directly related to meeting the needs of occupants including but not limited to a Laundromat, recreational facilities, concession selling personal effects and food stuffs and a park.

## Campground

Means an area of land, managed as a unit, providing short term accommodation for tents, **recreational vehicles** or campers but shall not include **mobile homes**, **park model trailers** or a mobile home park.

## Cannabis

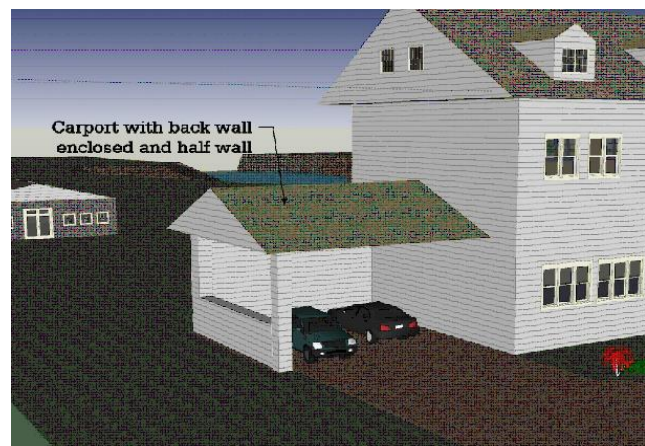
Means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

## Cannabis Retail Store or Dispensary

Means any **use** of land, **building**, **structure** or part thereof used for the retail sale of cannabis or any product or substance produced in whole or part from cannabis, and shall be deemed to include a licensed Ontario Cannabis Retailer under the Ontario Cannabis Retail Corporation Act, 2017.

## Car Port

Means a **structure** open on at least two sides and intended to be used for the sheltering of one or more motor **vehicles** (see illustration).





### **Car Washing Establishment**

Means a **building** or portion thereof used for washing or cleaning of motor **vehicles** for gain, and may include the sale of gas and oil to its customers.

### **Catering Establishment**

Means a commercial establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out.

### **Cemetery**

Means a cemetery within the meaning and as regulated by the *Funeral, Burial and Cremation Services Act, 2002* and includes a mausoleum, columbarium or other **building** or **structure** intended for the interment of human remains.

### **Cemetery, Pet**

Means a **use** of land for the internment of animal remains of a domestic pet.

### **Chief Building Official**

Means an officer or employee of the Corporation of the Township of Sables-Spanish Rivers charged with the duty of enforcing the provisions of the *Building Code Act*.

### **Clinic**

Means a **building** used solely for the purpose of consultations, diagnosis and treatment of patients, by two (2) or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

### **Commercial Greenhouse**

Means a **building** used for the growing of flowers, vegetables, shrubs, trees, and similar vegetation for wholesale or retail sale and includes a nursery and garden centre. This definition shall not include any premises for the growing of mushrooms.

### **Commercial Vehicle**

Means a motor **vehicle** having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highway.

### **Communications Facility**

Means an installation which transmits, receives and/or relays communications such as a microwave relay tower, significant antenna, telephone, cellular telephone tower, radio or television broadcast tower or similar facility.

### **Community Centre**

Means any parcel of land or building(s) used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.

### **Conservation Use**

Means the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.

### **Construction Yard or Contractor's Yard**

Means the yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials and the wholesale or retail sale of building supplies or home improvement supplies.

### **Continuum-of-Care Facility**

Means a building or a group of buildings which may include a seniors citizens apartment building, a nursing home, a long-term care facility, home for the aged and facilities associated with, and designed specifically to serve, the senior citizen population, such as clinics, recreation centres, cafeterias, and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services, such as meals, medical care services, or recreation that are provided by the facility. A continuum-of-care facility shall be differentiated from a nursing home in that those lodged at a continuum-of-care facility are not capable of living independently without nursing care.

### **Convenience Store**

Means a building or part of a building used primarily for the sale of grocery and confectionary items and incidentally for the sale of such other merchandise as is required to fulfil the day-to-day needs of the surrounding community.

## **Corporation**

Means the Corporation of the Township of Sables-Spanish Rivers.

## **Council**

Means the Council of the Corporation of the Township of Sables-Spanish Rivers.

## **Crisis Care Facility**

Means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing.

## **3.D**

## **Day Care, Private Home**

Means the **use** of a **dwelling unit** operated commercially for the temporary care of children

## **Day Nursery**

Means an establishment for pre-school-aged children governed by the *Child Care and Early Years Act*.

## **Deck**

Means a structure abutting a **dwelling** or **building** with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.

## **Detached**

When used in reference to a **building**, means a **building** which is not dependent on any other **building** for structural support or enclosure.

### Dock, Floating

Means an accessory structure used for the mooring of marine vessels which is designed to float freely on the surface of the water body and which may be secured to the shoreline (see illustration).



### Dock, Permanent

Means an accessory structure used for the mooring of marine vessels which is secured to the shoreline and/or the bottom of the water body by concrete, metal or wood pillars or such other foundation, the design of which facilitates the construction of a more or less permanent structure.

### Drive-Through Facility

Means a **premise** used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motor **vehicles** that are in a designated **stacking space**, and may be in combination with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface **parking area** are not considered drive through facilities.

### Driveway

Means a vehicular access connected to only one public street or thoroughfare, which provides ingress to and/or egress from one **lot**, but shall not include a **lane** as defined herein.

### Dwelling

Means a **building** occupied or capable of being occupied as the home or residence of one or more persons, where food preparation and sanitary facilities are provided, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution.

### Dwelling - Accessory

Means a detached **dwelling** which is incidental, subordinate and exclusively devoted to a main use and is located on the same **lot** therewith.

### Dwelling - Apartment

Means a **building** containing four (4) or more **dwelling units** (see illustration).

### Dwelling, Apartment-in-a-House (Granny Suite)

Means an ancillary **dwelling unit** in a **single detached dwelling** that may have an internal shared entrance or an independent entrance and does not exceed 49% of the **net floor area** of the main floor of a **single detached dwelling** up to a maximum of 75 m<sup>2</sup> [807.3 ft.<sup>2</sup>].

### Dwelling - Converted

Means a dwelling altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a **net floor space** of not less than 55 m<sup>2</sup> [592.0 ft<sup>2</sup>].

### Dwelling - Duplex

Means a **building** divided horizontally into two (2) **dwelling units** (see illustration, p. 22).

### Dwelling, Mobile Home - See Mobile Home

### Dwelling, Park Model Trailer

Means a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series M "Park Model Trailer, as set out in the *Building Code*, and is used or intended to be used as a seasonal recreational building of residential occupancy.

### Dwelling - Row/Townhouse

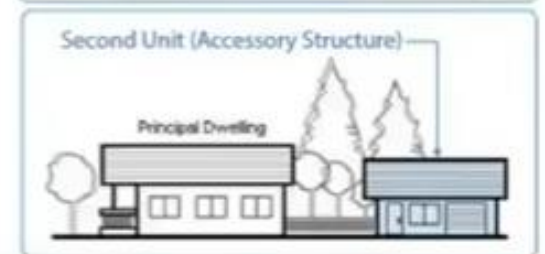
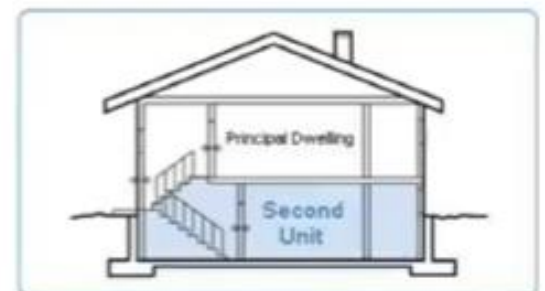
Means a **building** consisting of a series of three (3) or more **dwelling units** but not more than eight (8) units in a continuous row divided vertically into separate units by a common wall above grade (see illustration).

### Dwelling Unit - Seasonal

Means a **dwelling** constructed as a secondary place of residence and is not the principal place of residence of the owner or occupier thereof. A seasonal dwelling unit shall include a Park Model Trailer Dwelling.

### Dwelling - Second Residential Unit

Means a second **dwelling unit** within a **permitted single detached dwelling, semi-detached dwelling, row house** that does not otherwise contain an ancillary residential unit (see illustrations).





### Dwelling - Semi-detached

Means a **building** on a single foundation divided vertically into two (2) separate **dwelling units** by a common wall (see illustration).

### Dwelling - Single-detached

Means a detached **building** containing one (1) **dwelling unit**, and shall include a modular home (see illustration).

### Dwelling – Tiny House or Small House

Means a **dwelling** having a **gross floor area** of not less than 27.8 m<sup>2</sup> [300 ft.<sup>2</sup>] and not more than 41.8 m<sup>2</sup> [450 ft.<sup>2</sup>].

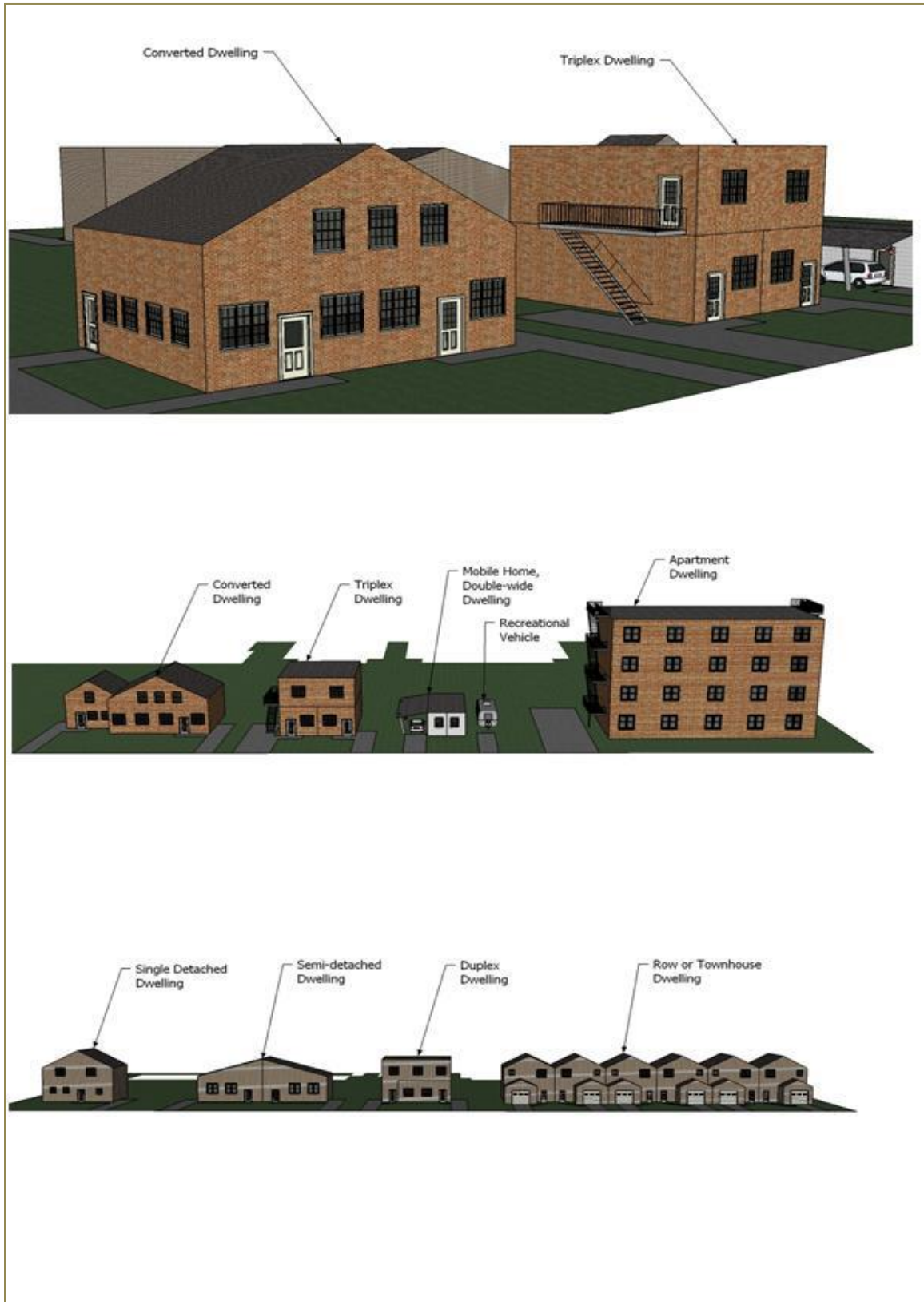


### Dwelling Unit

Means one or more rooms designed, or intended to be used as an independent and separate housekeeping unit in which kitchen and sanitary facilities are provided for the exclusive use of the individual or individuals residing therein and which has a private entrance from the outside of the **building** or from a common hallway or stairway inside the building.

### Dwelling - Triplex

Means a **building** on a single foundation divided horizontally into three separate single **dwelling units**, each of which has an independent entrance either directly from the outside or through a common vestibule (see illustration).



### Dwelling Unit - Accessory

Means a ***dwelling unit*** within a non-residential building.



### 3.E

#### **Easement**

Means the legal right acquired by contract to pass over, along, upon or under the lands of another.

#### **Eave**

Means a roof overhang, free of enclosing walls, without supporting columns.

#### **Entrance**

Means in reference to a **lot**, the area of intersection between a **driveway** and a **street line**.

#### **Equestrian Establishment**

Means an establishment engaged in the operation of a horse riding academy or horse riding stables.

#### **Equipment Rental Establishment**

Means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures and other goods.

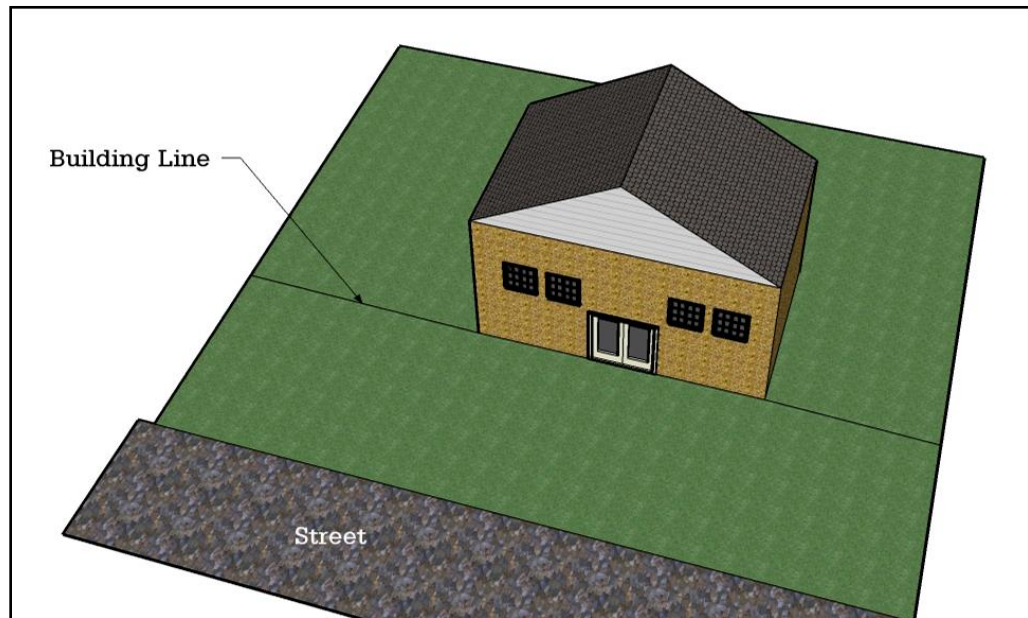
#### **Erect**

Means to build, construct, reconstruct, alter or 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.

#### **Established Building Line**

Means the average setback from the **street line** of existing buildings on one side of a continuous 100 m [324 ft.] strip of land where 3 or more of the lots having street frontage upon the said side of the street have been built upon (Massey and Webbwood only) (see illustration below).





### Established Grade

Means the average elevation of the finished level of the ground adjoining all of the walls of the **building** exclusive of any artificial embankments or berms.

### Existing

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

### 3.F

#### Factory Outlet

Means a **premise accessory** to a permitted **industrial use** where products or goods that are manufactured or produced on site by that industry are kept for wholesale or retail sale on the same **lot** as the principle **industrial use**.

#### Fairground

Means land, **buildings** and **structures used** for entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival or midway which are conducted on a seasonal or temporary basis and may include grandstands, barns and other **accessory buildings** and **structures** normally associated with such a **use**.

## **Farm**

Means land **used** for the tillage of soil and the growing of vegetables, fruits, grains, and other staple crops. This definition shall also apply to land used for animal husbandry, dairying or wood lots [see also **Agricultural Use**].

## **Farm, Hobby**

Means land on which a **farm** may be operated primarily for recreational purposes or for home consumption by the occupants of the **dwelling** on the same **lot**, and which is clearly secondary and **accessory** to the **permitted use**. A hobby farm may also include a **farm produce outlet**.

## **Farm Produce Outlet**

Means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

## **Farm Vacation Establishment**

Means an accessory use in a private single detached dwelling in which guest rooms are provided for gain as temporary accommodation on a daily basis for the vacationing public interested in learning or participating in the operation of a farm.

## **Farmer's Market**

Means an establishment or premises where the farm products of a local farming community are sold at retail from covered or uncovered areas designed for individual retailers.

## **Fence**

Means any barrier or structure constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

## **Fish Habitat**

Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

## **Fitness Centre**

Means a commercial **building** or part of a **building** in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms, showers, and saunas, a day spa, an administrative office, a cafeteria and an

**accessory retail outlet** for fitness-related attire, equipment and dietary supplements.

**Flea Market**

Means a street market composed of a series of individual retailer's booths or tables where sundry, new or second-hand articles, fresh produce or preserves are offered for sale.

**Floodline or Flood Elevation**

Means a line established by a one in one hundred (1:100) year storm as established through flood plain mapping or by the Ministry of Natural Resources and Forestry.

**Flooding Hazards**

Means the inundation of areas to a shoreline or a river or stream system and not ordinarily covered by water and is described as the one-hundred-year flood or major storm such as the Timmins Storm (1961) transposed over a specific watershed.

**Flood Plain**

Means the area, usually low lands, adjoining a watercourse which has been, or may be subject to flooding hazards (see illustration below).

**Flood Proofing**

Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.

**Floor Area - Gross**

Means the (cumulative) total area of all **storeys** in a **building** measured between the exterior faces of the exterior walls of the building and where there are no walls the total area of a floor within the outer perimeter of the floor.

**Floor Area - Net**

Means the (cumulative) total area of all floors of usable floor space or habitable space above or below grade, measured from the exterior face of the exterior walls of the building or structure but shall not include:

1. Any private garage, porch, veranda, and unfinished **basement**, **cellar** or attic;
2. Any part of the **building** or **structure** below grade which is used for building services, storage or laundry facilities; and
3. Any part of the **building** or **structure** used for the storage or parking of motor **vehicles**.

## Forestry Use

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silviculture practices.

## Fuel Depot

Means land, **building** or **structures** used for the bulk storage, distribution and sale of gasoline, propane, heating oil or motor oil.

## Funeral Parlour

Means a **building** or part of a **building** wherein undertaking services are offered and may include subsidiary activities such as the sale of caskets and funeral accessories provided such activities are clearly secondary and incidental to the main undertaking service.

## 3.G

### Garage - Private

Means an **accessory building** or portion of a **main building** including a **carport** which is designed or used for parking or storage of motor **vehicles** of the occupants of the premises and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

### Garden Centre

Means an outdoor area primarily used for the retail of gardening equipment, products and planting materials.

### Garden Suite

Means a one-unit detached residential **building** containing bathroom and kitchen facilities that is accessory to an existing permanent residential **structure** and that is designed to be portable, but does not include a **recreational vehicle**.

### Gasoline Bar

Means one or more pump islands, each consisting of one or more gasoline pumps, and an **accessory building** or **structure used** for transacting sales and may include the sale of automotive accessories and related products, tobacco, snacks and beverages, lottery tickets, newspapers and may include other accessory features such as a comfort station, ATM and propane exchange facility.

### **Gasoline Card Lock Facility**

Means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards.

### **Geothermal Power Facility**

Means a heating facility such as a heat pump whose energy source is naturally created from the earth's crust.

### **Golf Course**

Means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, a driving range, a club house and **accessory uses, buildings or structures**, but does not include a miniature course and similar use operated for commercial purposes.

### **Green Energy Industries**

Means a **building** or **structure** in which products are manufactured for the generation of electricity from non-polluting or renewable source (i.e. wind, sun, geothermal, biomass). Products manufactured by a renewable energy industry may include but are not limited to solar panels, **wind turbines**, geothermal equipment, and parts or components thereof.

### **Green Roof**

Means a roof of a **building** where part of or the entire surface of the roof is intentionally covered with vegetative material.

### **Group Home**

Means a single housekeeping unit in a residential **dwelling**, which is registered with the Municipality, in which three (3) to ten (10) persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal by-laws.

### **Guest Room**

Means a bedroom or suite of rooms, which contains no facilities for cooking and which is **used** or maintained for gain or hire by providing accommodation.

## **3.H**

### **Habitable Room**

Means a room in a **dwelling** used or intended to be used primarily for human occupancy.

## **Hazardous Lands**

Means property or lands that could be unsafe for *development* due to naturally occurring process including lands in a **flood plain** or subject to a **flooding hazard** or erosion hazard and shall include unstable soils and unstable bedrock.

## **Hazardous Substances**

Means substances which individually, or in combination with other substances are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide variety of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

## **Helipad**

Means a landing area or pad used for the landing and take-off of helicopters as further governed under the Canadian Aviation Regulation 325 under the Aeronautics Act.

## **Heliport**

Means a landing area or pad used for the landing and take-off of helicopters and shall include all necessary and incidental structures, service facilities, fuelling facilities, passenger and cargo facilities and as further set out under the Canadian Aviation Regulation 325 under the Aeronautics Act.

## **High Water Mark**

Means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. Features will also include a natural line or mark impressed on the bank or shore or rock, or other distinctive physical characteristics.

## **Home Based Business**

Means any privately operated legal occupation, enterprise or business which is carried out as a **use** clearly **accessory** or secondary to the main agricultural or residential use of a property and which is compatible with the character of surrounding residential buildings or setting and is owned and operated only by a **person** or persons residing on the property.

## **3.1**

### ***Class I Industry - Light Industrial Uses***

Means a place of business for a small scale, self-contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such

industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply.

### **Class II Industry - *Medium Industrial Uses***

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, contractor's yard.

### **Class III - *Heavy Industrial Uses***

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

### **Institutional Use**

Means land, **buildings**, **structures** or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, medical, Public Medical Centres, benevolent objectives or public service and which is not operated for profit or gain.

### **3.K**

#### **Kennel**

Means a **building** or **structure** where animals, birds or other livestock intended or used as domestic household pets or for working or sporting purposes and are kept or boarded or trained and where medical treatment may be provided and shall include an animal shelter or pound.

### **3.L**

#### **Landscaped Open Space**

Means:

1. A combination of trees, shrubs, flowers, grass or other horticultural elements,

together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use; and

2. Does not include ***parking areas***, traffic aisles or driveways or ramps for vehicles.

### **Lane**

Means:

1. A subsidiary thoroughfare providing access from within a ***lot***, principally from parking or loading spaces or from a lot to a public street; or
2. A subsidiary public thoroughfare for the sole use of pedestrians and connecting public streets, open spaces or ***buildings***.

### **Laundromat**

Means a ***building*** or ***structure*** where coin-operated laundry machines are made available to the public for the purpose of laundry cleaning.

### **Licensed Cannabis Production Facility**

Means the use of land, ***buildings*** or ***structures*** for the cultivation, processing, testing, destructions, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada.

### **Licensed Refreshment Sales Vehicle**

Means a ***vehicle*** which is currently licensed pursuant to the *Highway Traffic Act* and which is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs and beverages within or from the vehicle and may include exterior seating (e.g. *picnic tables*).

### **Livestock Facility**

Means one or more barns or permanent structures with livestock occupied portions intended for keeping of livestock. A livestock facility also includes all manure or material storage and anaerobic digesters.

### **Livestock Sales Outlet**

Means a building or structure where livestock such as cattle, goats, sheep, horses or the young thereof are bought and sold.

### **Loading Space**

Means a space or bay located on a ***lot*** or within a ***building*** which is used or intended to



be used for the temporary parking of any commercial **vehicle** while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any **building** thereon, and which has unobstructed access not necessarily in a straight line to a **public street**.

### **Logging Operation**

Means an area of land and/or **building** of a logging contractor where equipment and materials are stored and may include repairs to logging equipment.

### **Loft-Above-a-Garage**

Means the portion of a **private garage** located above the motor **vehicle** storage area which is used for sleeping accommodation and may include sanitary facilities but not cooking facilities.

### **Lot**

Means a parcel of land which is capable of being legally conveyed in accordance with Section 49 of the *Planning Act* (see illustrations).

### **Lot Area**

Means the total horizontal area measured within the limits of the **lot lines** of the **lot**.

### **Lot, Corner**

Means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than one hundred and thirty-five (135) degrees.

Where such **street lines** are curved, the angle of intersection of the **street lines** shall be deemed to be the angle formed by the intersection of the tangents to the **street lines**, drawn through the extremities of the side lot lines. In the latter case, the corner of the **lot** shall be deemed to be that point on the **street line** nearest to the point of intersection of the said tangents (see illustration).

### **Lot Coverage**

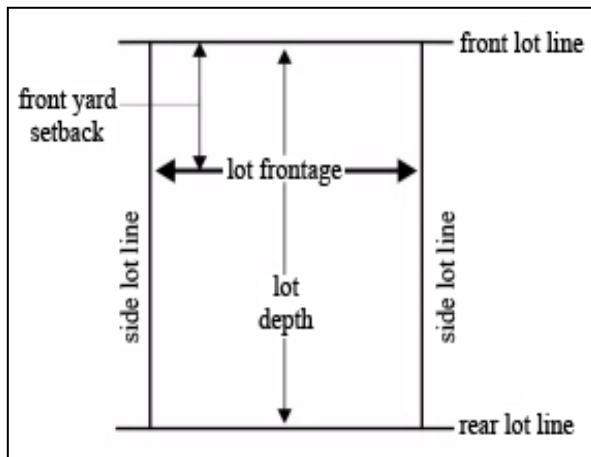
Means the percentage of the **lot area** covered by the ground floor area of all **buildings** located on the **lot** (including **accessory buildings**, **decks**, porches, verandas and stairs) (see illustration).

## Lot Depth

Means the horizontal distance between the **front lot line** and **rear lot line**. If the **front lot line** and **rear lot line** are not parallel, "**lot depth**" means the length of a straight line joining the middle of the **front lot line** with the middle of the **rear lot line**. If there is no **rear lot line**, "**lot depth**" means the length of a straight line joining the middle of the **front lot line** with the apex of the triangle formed by the **side lot lines** (see illustration).

## Lot Frontage

Means the horizontal distance between the **side lot lines**. Where such **side lot lines** are not parallel, it shall be the width of a **lot** measured between the intersections of the side lot lines with a line 7.5 m [24.6 ft.] back from and parallel or concentric to the **front lot line**. Arc distances shall apply on curved lines (see illustration).



## Lot Interior

Means a lot other than a corner or a **through lot** which has frontage on a public street (see illustration).

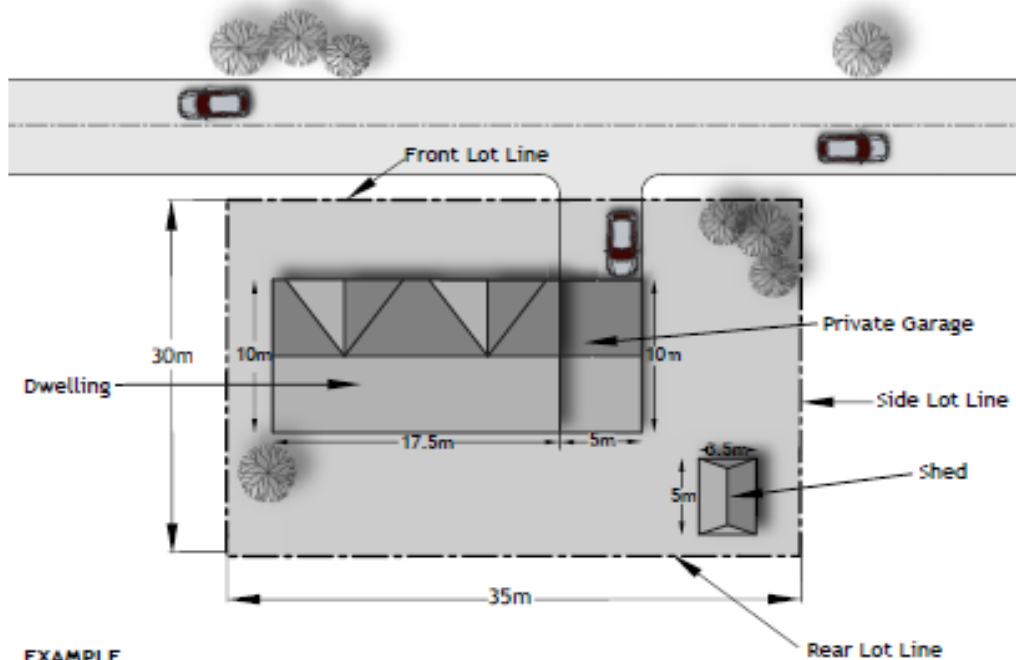
## Lot Line

Means a boundary line of a **lot**

## Lot Line, Exterior Side

Means a **lot line** located between the front and **rear lot lines** and dividing the **lot** from a street (see illustration).

### Illustration of Lot Coverage



#### EXAMPLE

$$\text{LOT AREA : } 30.0\text{m} \times 35.0\text{m} = 1050.0\text{m}^2$$

$$\text{DWELLING : } 10.0\text{m} \times 17.5\text{m} = 175.0\text{m}^2$$

$$\text{PRIVATE GARAGE : } 5.0\text{m} \times 10.0\text{m} = 50.0\text{m}^2$$

$$\text{SHED : } 5.0\text{m} \times 3.5\text{m} = 17.5\text{m}^2$$

$$\text{TOTAL} = 242.5\text{m}^2$$

$$\text{LOT COVERAGE : } \frac{242.5\text{m}^2 \text{ (Building Coverage)}}{1050.0\text{m}^2 \text{ (Lot Area)}} \times 100 \% \\ = 23.1 \%$$

**Lot Line, Front** (see illustration).

Means:

1. In the case of an interior **lot**, the line dividing the **lot** from the **street line**;
2. In the case of a **corner lot**, the shorter lot line abutting a street shall be deemed to be the **front lot line**;
3. In the case of a **corner lot** with two **street lines** of equal lengths, the lot line that abuts the wider street, or abuts a Provincial highway shall be deemed to be the **front lot line**, and in the case of both streets being under the same jurisdiction and of the same width, the **lot line** where the principal access to the **lot** is provided

shall be deemed to be the **front lot line**;

4. In the case of a **lot** with water access only, the **front lot line** shall be on the water side. In the case of a through waterfront lot with water access only, the longest shoreline shall be deemed to be the **front lot line**; and
5. In case of a **lot** with frontage on a **public street** or **private road** and on a water body, the **front lot line** shall be measured both on the **street line** and on the water side.

### Lot Line, Rear

Means the **lot line** furthest from, and opposite to, the **front lot line**.

### Lot Line, Side Interior, or Side Lot Line

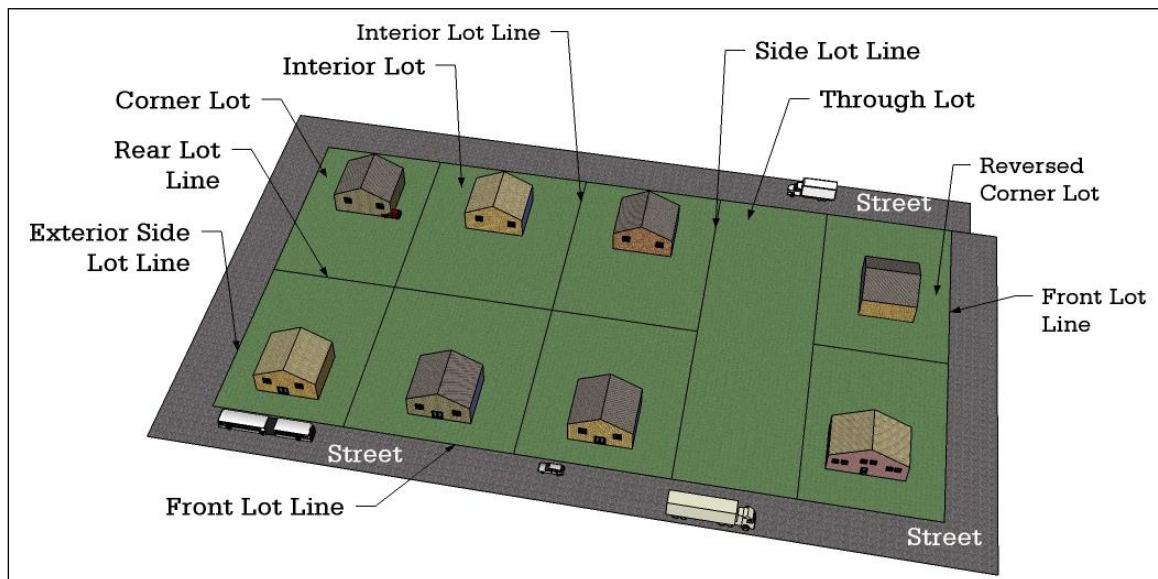
Means a **lot line** other than a **front, rear or side exterior lot line** (see illustration).

### Lot, Through

Means a **lot** having a frontage on two parallel or approximately parallel streets (see illustration).

### Lot, Width

Means the average horizontal dimension between the two longest opposite sides.



### Lumber Yard

Means a **lot** and **accessory buildings** where the **primary use** is the storage of construction grade wood and building supplies for sale at retail or wholesale.

### 3.M

#### Main Building – See Building, Main

#### Main Wall

Means any exterior wall of a **building** and all structural members essential to the support of a fully enclosed space of roof exclusive of permitted projections.

#### Manure or Material Storage

Means permanent storages, which may or may not be associated with a livestock facility containing liquid manure (< 18% dry matter), solid manure (≥ 18% dry matter), or digestate (< 18% dry matter). Permanent storages may include any of: locations (under, within, nearby, or remote from a barn), materials (concrete, earthen, steel, wood), coverings (open top, roof tarp, or other materials), configurations and shapes or elevations (above, below or partially above grade).

#### Marina

Means a **lot, building, structure** on a waterfront with or without docking facilities where boats and boat accessories are berthed, constructed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an accessory use may be provided.

#### Marine Facility

Means a non-commercial **building** or **structure** which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, a float hangar, dock or **boathouse**, but does not include any building used for human habitation or a marina. A marine facility shall also include a water intake facility and any flood or erosion control structure.

#### Micro-cultivation Operation

Means the small scale growing of cannabis plants and harvesting material from those plants, as well as associated activities including processing, packaging, and shipment activities and office facilities.

#### Medical Marijuana Facility

Means a premise approved and regulated under the Access to Cannabis for Medical Purposes Regulations.

#### Microbrewery

Means a commercial operation where beer is produced at a small scale. A microbrewery

may be ***permitted*** to sell the product that is produced on-site provided that there is no consumption of the purchased product on-site other than sampling. A bar, pub or brewpub shall not be considered a microbrewery. A microbrewery may also sell retail items directly related to the operation on-site.

### **Mine**

Means a mine as defined in the *Mining Act*. Mining shall have a similar meaning.

### **Mine Hazard**

Means any feature on a mine as defined under the *Mining Act* or any related disturbance of the ground that has not been rehabilitated.

### **Mineral Aggregate Operation**

#### **Means:**

1. Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and
2. Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

### **Mineral Deposits**

Means an unusually large or rich concentration of valuable minerals identified within a small part of the Earth's crust.

### **Mineral Mining Operation**

Means a mining operation and associated facilities, or, a past producing mine with remaining mineral development potential that has not been permanently rehabilitated to another use.

### **Minimum Distance Separation Formulae I and II**

Means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from ***livestock facilities***.

### **Mobile Home**

Means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

### **Mobile Home Park**

Means land which has been provided and designed for the location thereon of two (2) or more occupied mobile homes.

### **Mobile Home Site**

Means an area, similar to a lot, located in a **mobile home park**, intended to be or occupied by a single **mobile home**, or a **permitted accessory use** to the **mobile home park**.

### **Mobile Home Yard**

Means a line similar to a front yard, rear yard, interior side or exterior side yard as if it were applied to a **mobile home site**.

### **Modular Home**

Means a **single detached dwelling** consisting of two or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a mobile home, **recreational vehicle** or a **park model trailer** as otherwise defined.

### **Motel**

Means a **building** or **buildings** designed or used for the accommodation of the travelling or vacationing public, containing therein three (3) or more **guest rooms**, each **guest room** having a separate entrance directly from outside and may include an accessory eating establishment.

### **Motocross Circuit**

Means an off-road racing facility conducted on an outdoor enclosed dirt circuit over primarily natural, outdoor terrain and may include spectator facilities such as grandstands or concourses and fast-food concessions.

### **Municipality**

Means the Corporation of the Township of Sables-Spanish Rivers.

## **3.N**

### **Natural Heritage Feature or Areas**

Means features and areas, such as significant wetlands, fish habitat, significant portions of the habitat of endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their

environmental and social values as a legacy of the natural landscapes of an area.

### **Negative Impacts**

Means:

1. In regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and
2. In regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.

### **Non-Complying**

Means any ***existing use, building, structure*** or ***lot*** which does not conform with the zone requirements and standards of this By-law (see also **Non-Conforming**).

### **Non-Conforming**

Means any ***existing use, building, structure*** or ***lot*** which does not conform with the ***permitted use*** provisions of any Zone in this By-law (see also **Non-Complying**).

### **Non-Residential Use**

Means a ***use, building*** or ***structure***, designed intended or used for purposes other than those of a ***dwelling*** or a ***residential use***.

## **3.0**

### **Obnoxious Uses**

Means any ***use*** which is a nuisance to the occupant or owner of any neighbouring lands or ***buildings*** by reason of the emission from the neighbouring land or ***building*** or any part thereof, or the creation thereon, of odours, gases, dirt, radiation, smoke, noise, vibration, fumes, cinders, soot, waste or water carried waste, or depositing or leaving unsightly objects or chattels thereon.

### **Occupancy Permit**

Means a permit issued under the authority of the *Planning Act* by the Chief Building Official which indicates that the proposed use of land or any ***building*** or ***structure*** on any such land is in conformity with this By-law.

### **Official Plan**

Means the Official Plan of the Township of Sables-Spanish Rivers Planning Area or parts thereof and amendments thereto.



## Office

Means a building, structure or part thereof used for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities.

## Open Space

Means the open, unobstructed space on a **lot** including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas.

## Open Storage

Means storage or display of goods, merchandise or equipment outside of a **building** or **structure** on a **lot** or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a lot, a **parking area** or **parking space** or the **outdoor display** of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.

## Order Station

Means an ordering box, service window, display board or any other device, including communication equipment, used by the public and operator to facilitate sales and/or services in a **drive-through service facility**.

## Outdoor Display

Means an area set aside outside of a **building** or **structure**, other than a **parking area**, **loading space** or **parking space** which is **used** in conjunction with a business located within the building or structure on the same property, for the display of goods, merchandise, equipment and seasonal produce and products and may include garden supplies and Christmas trees, new merchandise or the supply of services.

## Owner

Means a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

## 3.P

### Park

Means an area of land, whether enclosed or not, maintained by the Municipality or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a Provincial Park with tourist campground facilities.

## **Park - Private (see Recreational Commercial Establishment)**

## **Park Model Trailer (see Dwelling - Park Model Trailer)**

### **Parking Aisle**

Means a portion of a private ***parking area***, or a ***commercial parking lot***, or a private or a commercial parking structure which abuts a ***parking space*** on one or more sides and which provides access from the ***parking space*** to a street or lane and which is not used for vehicular parking.

### **Parking Area**

Means a ***lot*** or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor ***vehicles*** accessory or incidental to uses in all zones but shall not include a ***commercial parking lot***.

### **Parking Lot - Commercial**

Means a ***lot*** or portion thereof for commercial use for the temporary storage or parking of four (4) or more ***vehicles*** but does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.

### **Parking Space**

Means an area used for the temporary parking of one motor ***vehicle*** or one horse and buggy

#### **Parking Space, Barrier Free**

Means a ***parking space*** for the temporary parking of a motor ***vehicle*** used by a handicapped or disabled person (see photo).



### **Person**

Shall include an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

### **Personal Service Establishment**

Means an establishment wherein a personal service is performed. This definition may include a barber shop, beauty salon, shoe repair, photographic store, Laundromat or a dry-cleaning distribution station or a similar use.

### **Permitted**

Means ***permitted*** by this By-law.

### **Permitted Use**

Means a ***use*** which is ***permitted*** in the ***zone*** where such ***use*** is located.

### **Pet Grooming Establishment**

Means a ***premise*** wherein cleaning, clipping and grooming services are provided for domestic pets, but shall not include an ***animal shelter*** or ***kennel***.

### **Pit or Quarry**

Means land or land under water from which aggregate as defined herein is being or has been excavated in order to supply material for construction, manufacturing or industrial purposes, but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

### **Place of Amusement**

Means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a video arcade or arcade, billiard or pool room, pinball machines and video games but does not include a casino or bingo hall (see also **Bingo Hall**)

### **Place of Assembly**

Means a building specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion show, public meetings, banquets, conference meetings and similar activities.

### **Place of Worship**

Means a ***building*** or an open area primarily dedicated to religious worship but may be used for other supportive uses such as a centre for the arts, a community hall, an accessory residential use, a library and similar uses.

### **Playground**

Means a park or part thereof which is equipped with active recreational facilities oriented to children.

### **Portable Asphalt Plant**

Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process, which is not of permanent construction but

is designed to be dismantled and moved to another location as required. Portable asphalt plants must comply with the applicable **separation distances** and/or an environmental compliance approval.

### **Printing and Publishing Establishment**

Means a **building** or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

### **Private Club**

Means a **building** or part of a **building** used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the **building** or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

### **Private Road**

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

### **Public Access Point**

Means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body (see also **Marine Facility**).

### **Public Authority**

Means the Township of Sables-Spanish Rivers and any Boards or Commissions thereof and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized **public utility** or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.

### **Public Street**

Means a public or common highway affording principal means of access to abutting properties which has been assumed by a **public authority**.

### **Public Service Use**

Means a **building, structure** or **lot used** for public services by the Township of Sables-Spanish Rivers and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any telephone, or railway company, any company supplying natural gas, Hydro One, any telecommunications company, any Conservation Authority, public utilities company or similarly recognized agencies.

## Public Utility

Means a water works or water supply system sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone or telecommunications system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and is operated by a public authority or publicly governed company.

## 3.Q

## Quarry

Means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

## 3.R

## Railroad Use

Means a **building, structure** or **use** normally associated with a railroad operation subject to the *Railway Safety Act, R.S.C. 1985, c.32 (4<sup>th</sup> Suppl.)*, as amended.

## Recreational Commercial Establishment

Means an establishment, **premises**, or **building** where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, golf courses, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar uses but does not include a casino or bingo hall.

## Recreational Vehicle

Shall mean any vehicle so constructed that is suitable for being attached to a motor **vehicle** for the purpose of being drawn or is self-propelled, and is capable of being used on a short-term basis for living, sleeping or eating accommodation of persons. The term recreational vehicle includes the following: motor homes, travel trailers, tent trailers, campers, motor homes but does not include recreational equipment such as boats, snowmobiles, personal water craft, all-terrain vehicles or other equipment used for recreational purposes (see illustrations).



### Recreational Vehicle Sales and Storage and Repair

Means a **building** and/or lot which are **used** for the repair, display, storage and/or sale of boats, trailers, campers, snowmobiles and other **recreational vehicles** or recreational equipment.

### Recycling Depot or Transfer Station

Means a special waste management facility which serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system (see also **Waste Management Facility**).

### Redevelopment

Means the removal or rehabilitation of **buildings** or **structures** and the construction, reconstruction or erection of other buildings or structures in their place.

### Renewable Energy System

Means a system that generates electricity, heat and/or cooling from a renewable energy source.

### Renovate

Means to strengthen, improve, repair, retrofit or restore to a better state any aspect of an existing building. Renovation shall not include the removal of more than 50% of the walls (wall studs) in a building. Renovation shall include the replacement of a foundation only where the foundation is structurally unsound as determined by the 'Chief Building Official'.

## **Residential Use**

Means the use of land, **buildings** or **structures** for human habitation or as a **dwelling**.

## **Residential Zone**

Means an R1, R2, RR, or MHP or **zone**.

## **Restaurant**

Means a **building** or **structure** where food is prepared and offered for sale to the public for consumption within or outside the building or structure or off premises

## **Retail Store**

Means a **building** wherein goods, wares, merchandise, substances or articles are offered for sale to the general public, and may include the limited storage and display of goods, wares, merchandise, substances or articles, and shall not include any other use defined herein including gas pumps.

## **Road (See Public Street)**

## **Rural Zone**

Means a CR, M3, MX, WMF, MR, MSR or R **zone**.

## **3.S**

## **Salvage Yard**

Means a **lot** and/or **building** or portion thereof where used goods, wares, merchandise, articles, motor **vehicles**, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a scrap metal yard, a recycling depot and an automobile wrecking yard on the **premises**.

## **Satellite Dish/Receiver**

Means a structure designed, used or intended to be used to send or receive signals to or from a satellite.

## **Sauna**

Means an **accessory building** or **structure** not exceeding 10 m<sup>2</sup> [107.6 ft<sup>2</sup>] wherein facilities are provided for the purpose of a steam bath and may include a change room and shower and may be constructed as part of a **boat house**.

## Sawmill or Planing Mill

Means a **building, structure** or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

## School

Shall mean a public educational establishment operated by a School Board.

## School, Private

Means an educational establishment, other than a School, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts.

## Seating Capacity

Means the number of persons which can be accommodated in a **building or structure** or part thereof in a seated position on chairs, benches, forms or pews.

## Second Dwelling Unit

Means a second **dwelling unit** within a **permitted single detached dwelling, semi-detached dwelling, or row house** that does not otherwise contain an ancillary residential unit (see illustrations), or a secondary **dwelling unit** in a **detached building or structure**



ancillary to a **detached house, semi-detached house** or rowhouse where there is no second **dwelling unit** in the **main building**.



### **Self-Storage Facility**

Means a commercial **building** or part of a **building** wherein items are stored in separate, secured storage areas or lockers and may include the exterior storage of boats and water-related equipment, recreational equipment and **recreational vehicles**.

### **Sensitive Land Use**

Means **buildings**, amenity areas or outdoor spaces where routine or normal activities occurring as reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby facilities and includes a dwelling, day care centre, an educational or health facility.

### **Separation Distance**

Means the horizontal distance between **buildings** or **structures** or physical features measured from the closest point of the exterior wall or identifiable boundary of such **building** or **structure**, or of such physical structure.

### **Service Outlet**

Means a **building** whether in conjunction with a **retail store** or not, **used** for the repair or servicing of goods, commodities, articles or materials, but not the manufacturing thereof. Automotive repairs and services are not permitted under this definition.

### **Setback**

Means:

1. With reference to a road or street, the least horizontal distance between the **front lot line** and the nearest **established building line**;
2. With reference to a water body, the least horizontal distance between the **high-water mark** of the water body and the nearest **established building line**;
3. With reference to a **building**, **structure** or land use and not applicable under paragraph (a) or (b), shall mean the least horizontal distance from the **building**, **structure** or land use in question; and
4. With reference to a **private road**, the least horizontal distance between the shoulder of the travelled portion of the road and any **building** or **structure**, or the limit of the road as shown and measured on a survey.

### **Sewage and Water Systems**

#### **1. Full Municipal Sewage and Water Services:**

Means piped sewage and water services that are connected to a centralized water

and waste water treatment facility.

## 2. Communal Services

Means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water but which:

- Are not connected to full municipal sewage and water services;
- Are for the common use of more than five residential units/lots; and
- Are owned, operated, and managed by a municipality or, another public body, or a condominium corporation or single **owner** which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the *Planning Act*, providing for municipal/public body assumption of the communal services in the event of default by the **owner**.

## 3. Individual On-Site Systems

Means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the **owner** of the property upon which the system is located and which do not serve more than five residential units/lots.

## 4. Partial Services

Means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

## Shooting Range or Rifle Club

Means land, **buildings**, **structures** or **premises** used for recreational target practice, skeet shooting, gun or hunter safety instruction and is operated by a club or organization.

## Shoreline

Means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

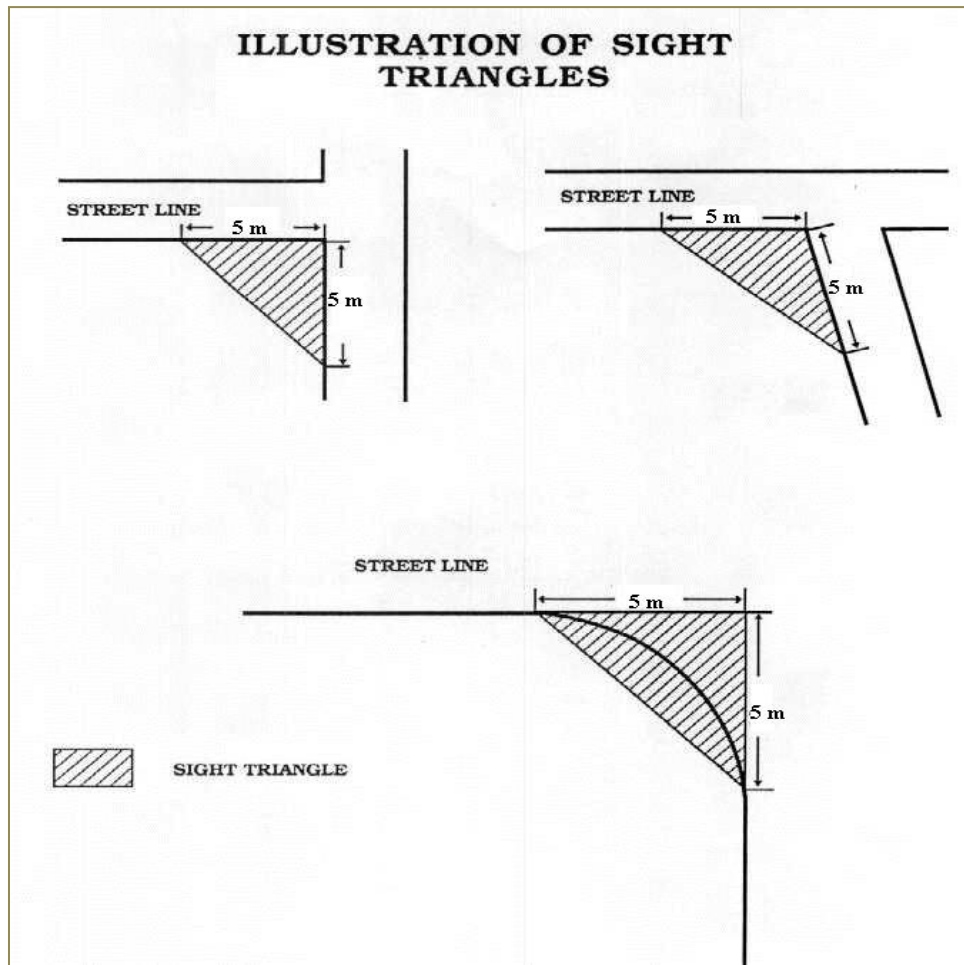
## Shoreline Buffer Zone

Means a natural area, adjacent to a **shoreline**, maintained or re-established in its natural pre-development state, with the exception of minimal pruning of vegetation, the removal of trees for safety reasons, for the purpose of protecting natural habitat and water quality and minimizing the visual impact of **buildings** or **structures** on a lot, and may include the installation of a pathway or trail providing water access.

## Sight Triangle

Means a triangular space, free of **buildings**, **structures** and obstructions, formed by the **street lines** abutting a **corner lot** and a third line drawn from a point on a **street line** to

another point on a **street line**, each such point being the required sight distance from the point of intersection of the **street lines** as specified in this by-law (see illustration).



## Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

- (a) Is a **structure**, or part of a **structure**, or which is attached thereto or mounted thereon; and
- (b) Which is used to advertise, inform, announce, claim, give publicity or attract attention.

## Sleep Cabin

Means an *accessory building* or *structure*, not exceeding 37 m<sup>2</sup> [400 ft<sup>2</sup>] in *gross floor area*, located on the same lot as the *main building* or structure, the accessory use being for sleeping accommodation in which cooking facilities shall not be provided but may contain sanitary facilities.

### Solar Collector

Means a Class 1 or 2 ground mounted or rooftop mounted or wall mounted device with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun (see photo).



### Solar Collector, Commercial

Means a Class 3 ground mounted device with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun (see photo).



### Solarium

Means a glassed-in **structure** or room projecting from an exterior or main wall of a **building** which may be used for sunning, therapeutic exposure to sunlight, or for a use where the intent is to optimize exposure to sunlight.

### Stacking Lane

Means an on-site lane for motorized vehicles which accommodates vehicles using a **drive-through facility** that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

### Stacking Space

Means a portion of a **stacking lane** which provides standing room for **motor vehicles** in a queue for a **drive-through facility** while the occupants are awaiting service

### Storage Container

Means a pre-fabricated metal or steel **accessory building used** for the transport and and/or storage of goods and materials but shall not include the body of a transport trailer, strait truck box or motor **vehicle** [see photos].



## Storey

Means that portion of a **building** other than a **cellar** or **basement** included between the surface of any floor and the surface of the floor, roof **deck**, ceiling or roof immediately above it (see diagram).



## Street Allowance

Shall have a corresponding meaning to that of **public street** or **private road**.

## Street Line

Means the limit of the road or street allowance and is the dividing line between a lot and a **public street** or **private road**.

## Structure

Means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the foregoing, includes a **recreational vehicle** and a sewage disposal system but does not include a fence.

## Studio

Means a **building** or part thereof used,

- (a) As the workplace of a photographer, artist, or artisan or
- (b) For the instruction of art, music, languages or similar disciplines.

## Swimming Pool

Means an open or covered pool used for swimming, wading, diving or recreational bathing which is at least 50 cm [19.6 in] in depth, and may include a hot tub or whirlpool.

## 3.T

### Temporary Building

Means a **building** or **structure** intended for removal or demolition within a prescribed time as set out in a building permit.



### Temporary Car Shelter

Means a prefabricated temporary **structure** usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover **used** primarily for the storage of a motor **vehicle** or other equipment and is designed to be dismantled or removed.

### Top of Bank

Means the first significant lake ward break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 measured perpendicularly from the break.

### Tourist Establishment

Means **premises** or **buildings** to be **used** for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a **motel**, lodge or **bed and breakfast**, and rental cottage or cabin where more than 3 such rental units occupy the same property, including **accessory uses** such as dining, meeting and beverage rooms and similar uses.

### Tourist Outfitters Establishment

Means an establishment which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

### Township

Means the Corporation of the Township of Sables-Spanish Rivers.

### Trailer (see Recreational Vehicle)

### Transportation Depot or Truck Terminal

Means land, or a **structure** or a **building** where commercial **vehicles** are kept for hire,

rental and/or lease, or stored and/or parked for remuneration and/or from which such vehicles are dispatched for hire as common carriers and where such land, structure or building may be used for the storage and/or distribution of goods, wares, and merchandise.

### **Transfer Station (see Recycling Depot)**

Means land, **buildings** or parts of **buildings** used for the temporary storage, and subsequent dispersal of garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste or hazardous waste.

## **3.U**

### **Use or Used**

Means the purpose for which land, a **lot**, a **building**, a **structure** or **premises** is designed, arranged, occupied or maintained.

## **3.V**

### **Vehicle**

Means a motor **vehicle**, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile or a street car.

### **Veterinary Establishment**

Means a **building** or part of a **building used** by a veterinary surgeon where animals, birds or other livestock are treated and where domestic animals and/or birds may be kept for treatment and may include a **kennel**.

### **Video Rental Outlet**

Means a **building** or part of a **building** wherein the primary **use** is the rental of video tapes and may include the rental of video cassette recorders, video cameras and video games.

## **3.W**

### **Warehouse**

Means a **building** or **structure** or portion thereof used or intended to be used for the bulk storage of goods, merchandise, or material.

### **Waste Management Facility**

Means a site which is licensed or approved by the Ministry of the Environment, Conservation and Parks and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed of or dumped. This definition shall include waste transfer stations and recycling depots (**See also Recycling Facility**).

### **Water Frontage**

Means a **lot** which has one or more **lot lines** abutting a navigable watercourse, bay or lake.

### **Water Access Lot**

Means a **lot** that is accessed by a navigable **water body** only.

### **Water Body**

Means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

### **Wayside Pit and Quarry**

Means a temporary pit or quarry opened and **used** for a **public authority** solely for the purpose of a particular project of road construction and not located on the road right-of-way.

### **Welding Shop**

Means a **building** or **structure** or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

### **Wellness Centre**

Means a **building** or part thereof used by professional therapists, chiropractors, drugless practitioners, professional trainers and nutritionists trained in a range of disciplines such as massage therapy, physiotherapy, naturopathic medicine, chiropractic's, acupuncture, homeopathy, orthotics, health counseling and personal training, and may include **accessory uses** at an accessory scale, such as administrative offices, physical fitness rooms and waiting rooms, directly associated with the facility, but excludes a Recreational Commercial Establishment as defined.

### **Wetland**

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



swamps, marshes, bogs and fens.

Lands being used for agricultural purposes, that are periodically "soaked" or "wet", or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

### **Wildlife Habitat**

Means areas where plants, animals and other organisms live, and find adequate amounts of food, water shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species.

### **Wind Farm**

Means a collection of wind turbines all in the same geographical location which are used in combination for the generation of mechanical or electrical generation.

### **Wind Turbine**

Means a machine designed and used for converting the kinetic energy in wind into mechanical energy or electrical energy.

### **Workshop or Custom Workshop**

Means a **building, structure** or part thereof where manufacturing is performed by a tradesman, requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop or similar uses.

### **Wrecking Yard (see Salvage Yard)**

## **3.Y**

### **Yard**

Means the area between a main wall of a **building** and a **lot line** that, except for landscaping or accessory buildings and projections specifically permitted elsewhere in this by-law, is unobstructed above grade (see illustration).

### **Yard, Front**

Means a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a main building closest to the front lot line (see illustration).

## Yard, Rear

Means a yard extending across the full width of the **lot** between the **rear lot line** and a line drawn parallel or concentric thereto and through the point of the main wall of the **main building** closest to the **rear lot line**. Where there is no **rear lot line**, the Yard, Rear shall be measured from the intersection of the **side lot lines** to the closest point of the main wall of the **main building** (see illustration).

## Yard, Side

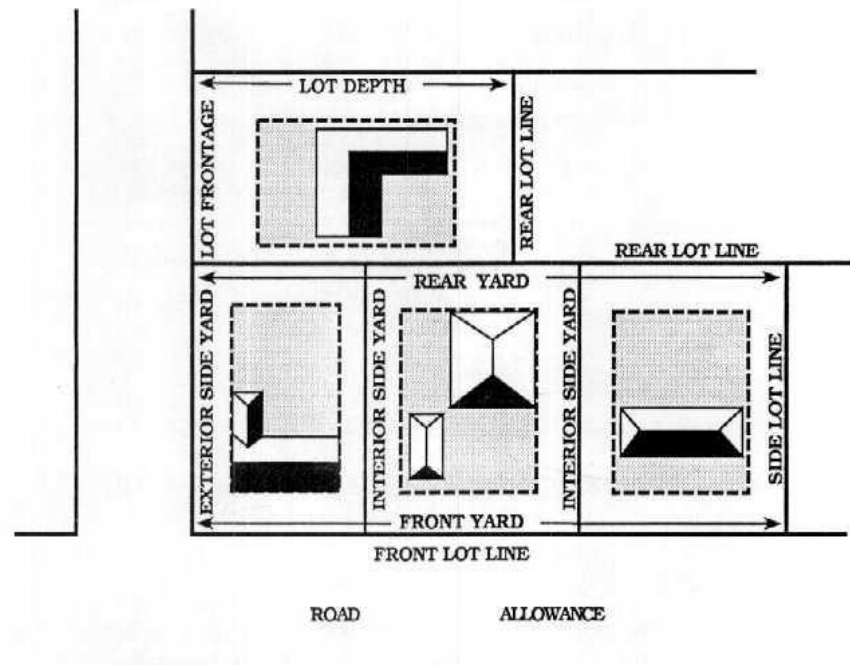
Means a yard extending from the **front yard** to the **rear yard** between the **side lot line** and a line drawn parallel or concentric thereto and through the point of the main wall of a **building** closest to the **side lot line** (see illustration).

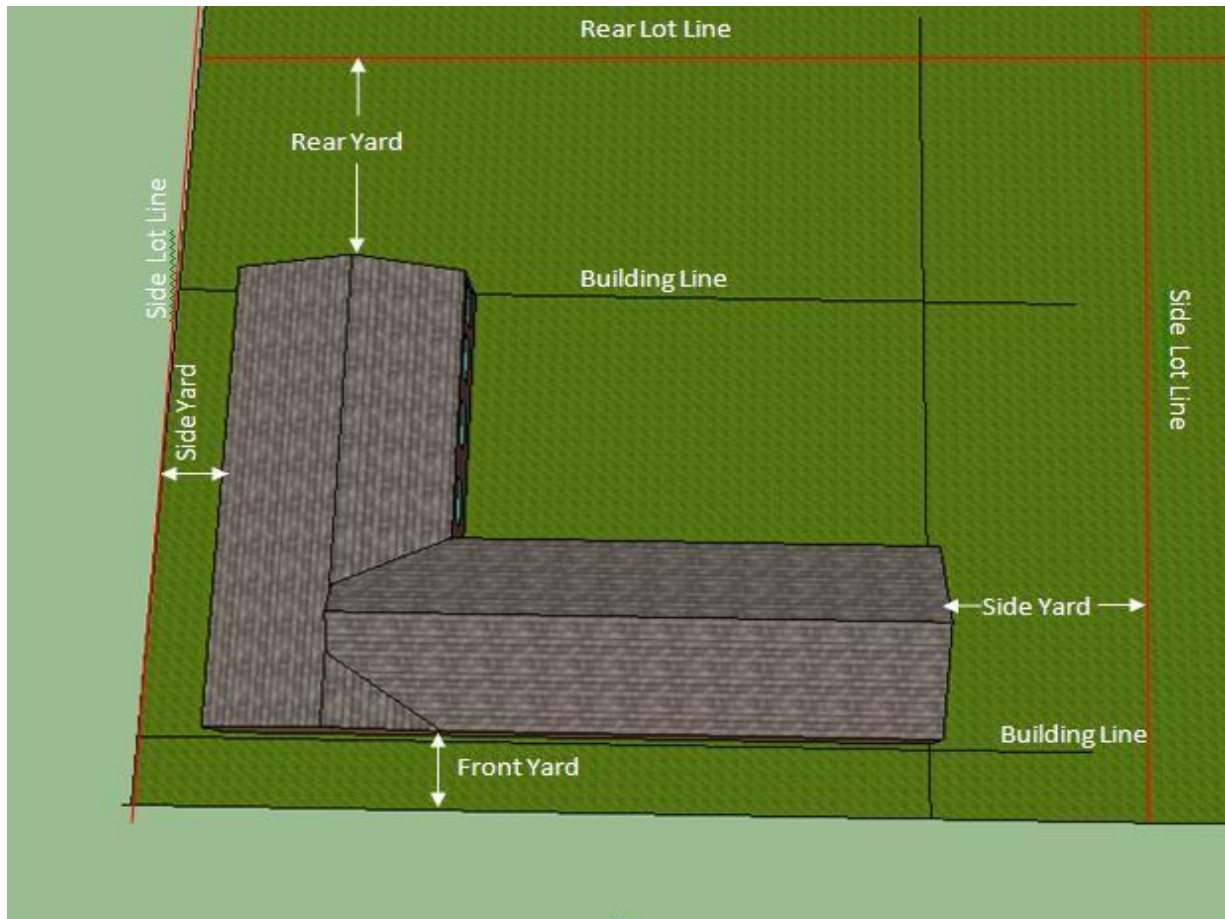
## Yard, Side Exterior

Means a **side yard** adjacent to a **public street** (see illustration).

**Yard, Side – Interior** Means a **side yard** other than an **exterior side yard** (see illustration).

## EXAMPLE OF YARD DEFINITIONS





### Yard Sale

Means the occasional or infrequent sale i.e. one or two days annually, of household goods, clothing, furniture, tools, recreational equipment or other second-hand articles or sundry items, usually by the householder on an individual property, but may include a joint sale by neighbours on the same street or a joint sale at a school, place of worship or other location generally on behalf of a charitable cause (see also **Flea Market**).

### 3.Z

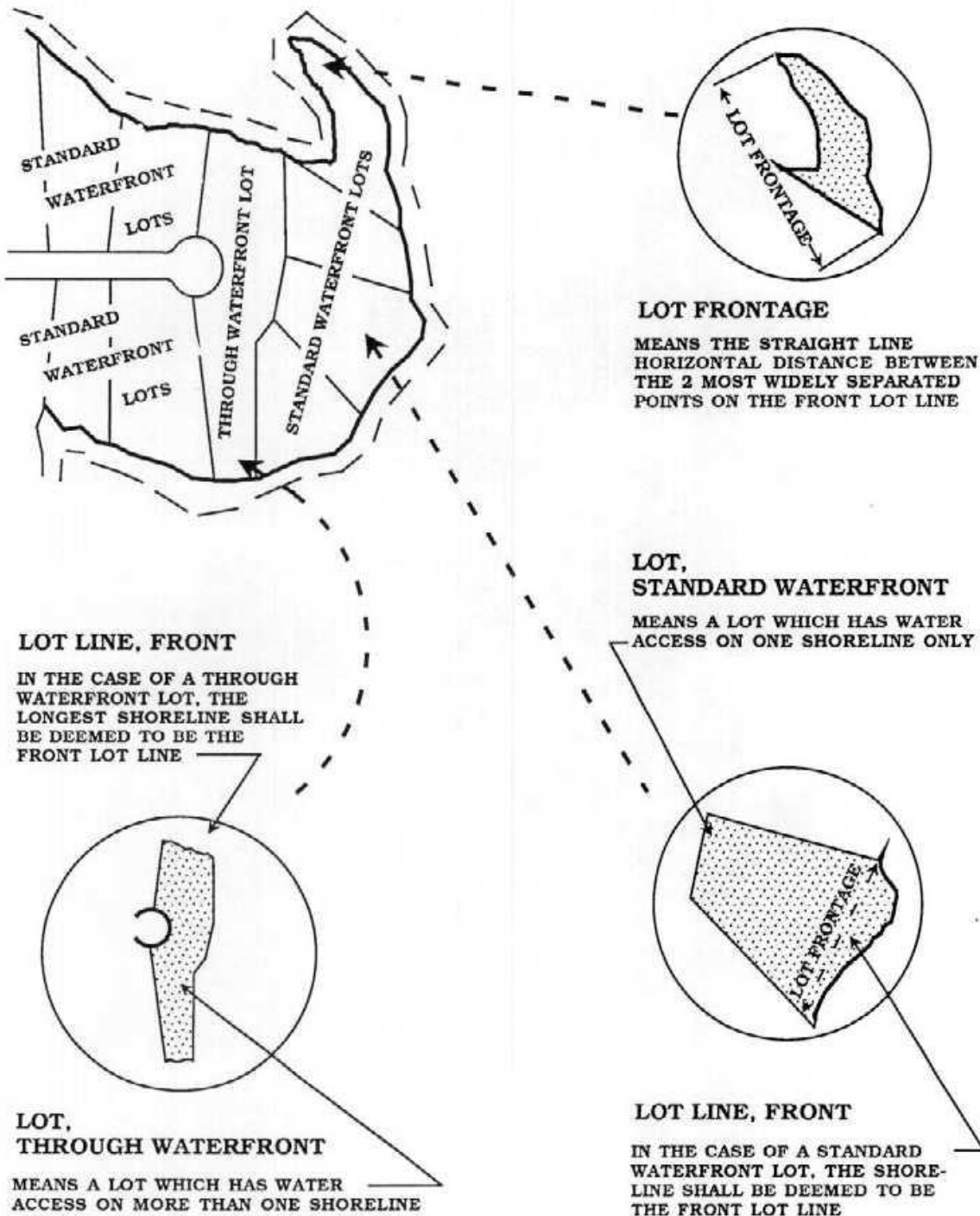
#### Zone

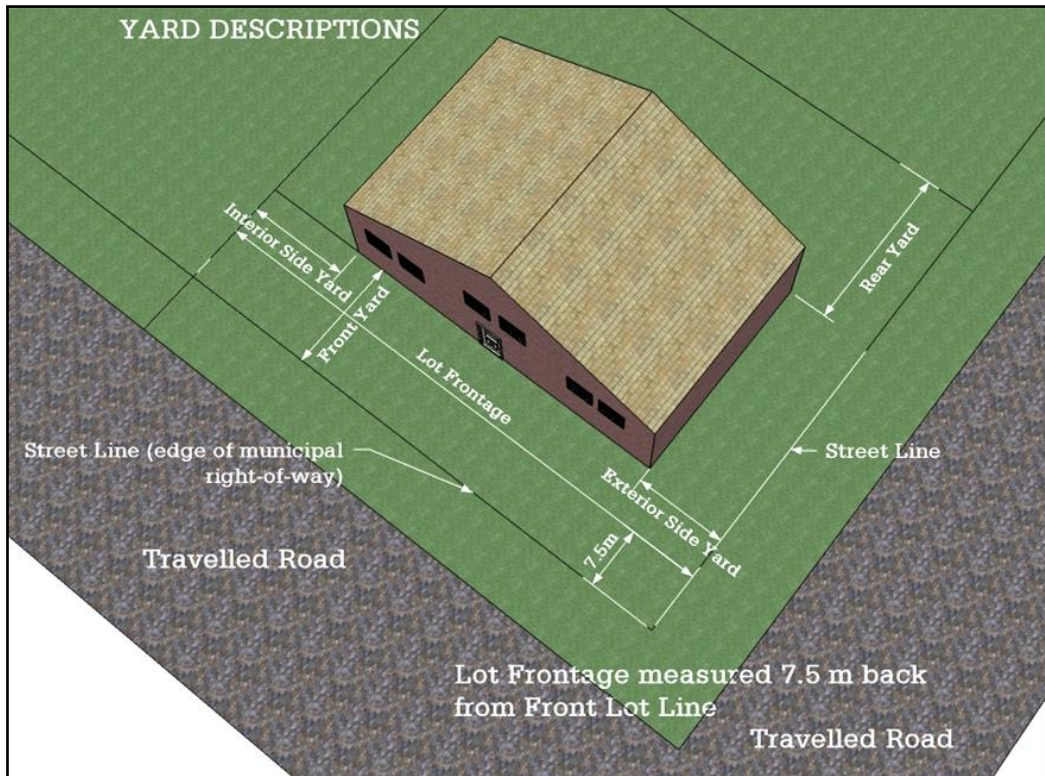
Means a designated area of land use demarcated on the Schedules attached hereto.

#### Zone Regulation or Zone Requirement

Means any provision of this By-law which is listed under the heading "Zone Regulations" or referred to as a **zoning regulation** and governs the **erection** of any **building** or **structure** or the **use** of land.

## ILLUSTRATION OF DEFINITIONS RELATED TO WATERFRONT LOTS

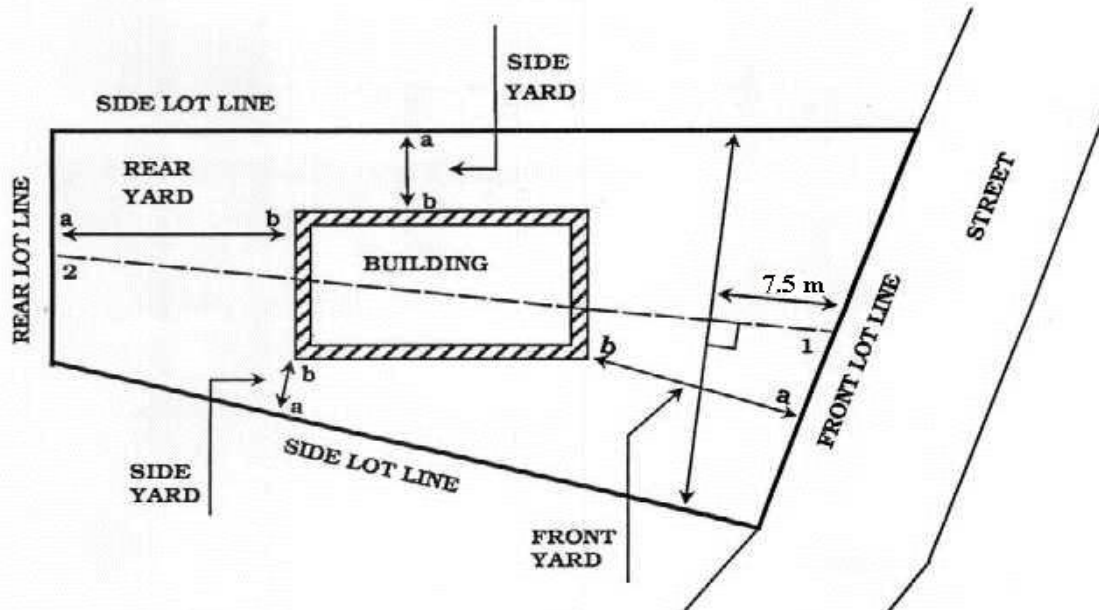




## IRREGULAR LOT

### NO PARALLEL LOT LINES

### YARD DEFINITIONS



#### LOT FRONTAGE

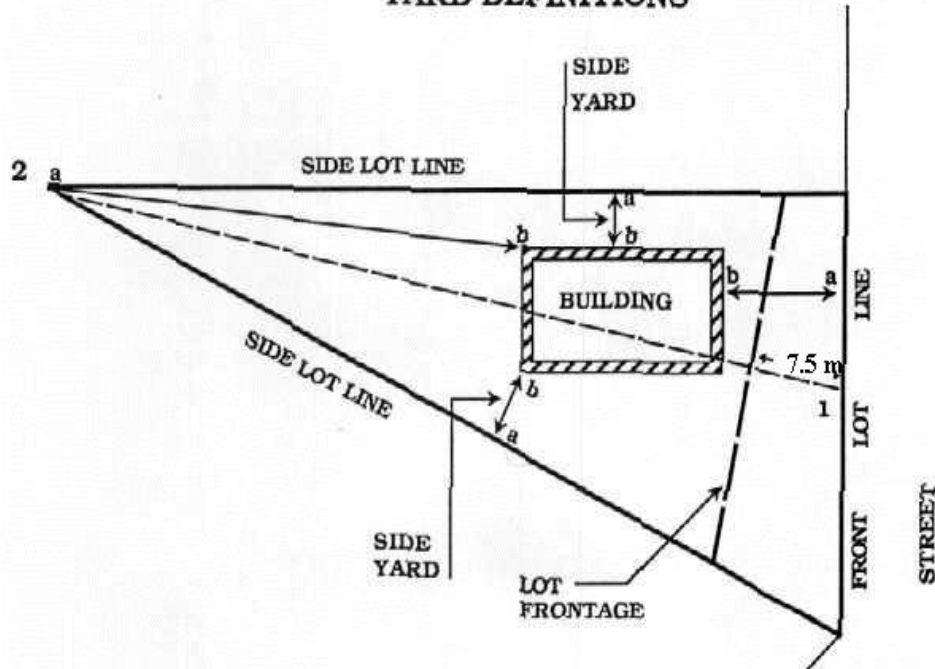
1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE ab REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE ab MUST BE A MINIMUM DISTANCE SPECIFIED IN BY-LAW.



## IRREGULAR LOT NO REAR LOT LINE YARD DEFINITIONS



### LOT FRONTAGE

1. MID POINT OF FRONT LOT LINE.
2. MID POINT OF REAR LOT LINE.

LOT FRONTAGE MEASURED AT RIGHT ANGLES TO THE LINE JOINING POINTS 1 AND 2 AT A DISTANCE OF 7.5 m FROM THE FRONT LOT LINE.

DISTANCE *ab* REPRESENTS THE SHORTEST DISTANCE MEASURED BETWEEN THE LOT LINE AND NEAREST PART OF THE MAIN BUILDING. DISTANCE *ab* MUST BE THE MINIMUM DISTANCE SPECIFIED IN THE BY-LAW.

## Section 4 GENERAL PROVISIONS

### Explanatory Note

*The General Provisions section of the By-law states the regulations which apply regardless of the specific zoning (Section 5). Whereas the zones provide site specific controls corresponding to such items as permitted uses and locational restrictions, the General Provisions provide regulations more general in nature, applying to a variety of uses regardless of zoning.*

### 4.1 Accessory Buildings, Structures and Uses

**4.1.1** Where a **lot** is devoted to a **permitted use**, customary **accessory uses, buildings and structures** are authorized provided that:

1. All **accessory uses, buildings and structures** to a **permitted main use** shall be located on the same lot and in the same zone as the **main use**;
2. The **use** of any **accessory building or structure** for human habitation is not **permitted** except where an **accessory dwelling is** specifically listed as a **permitted use**. A **second residential unit** shall be **permitted** as an **accessory use** to a **single detached dwelling** or a **semi-detached dwelling** or a **row** or a **townhouse dwelling** except in an RR Zone and in any other **zone** where the **second residential unit** cannot be adequately serviced with an **individual on-site systems**. A **second residential unit** may be occupied by any person regardless of whether the person who occupies the **second residential unit** is related to the person who occupies the primary residential unit, and the person who occupies either the primary or **second residential unit** is the owner of the lot.
3. No **accessory building or structure** shall be erected closer to the **front lot line** or the **exterior side lot line** than the minimum **front yard** and **external side yard setbacks** required for the **main building**. This provision shall be exempted:
  - a) For **lots** with water frontage under **Section 4.1.1.5**;
  - b) For a shelter for use by children waiting for a school bus;
  - c) For any farm produce outlet having a gross floor area of less than 9.3 m<sup>2</sup> [100 ft<sup>2</sup>];
  - d) For storage buildings and detached garages where the main building on the lot is set back two-times the required front yard or exterior side yard setback;



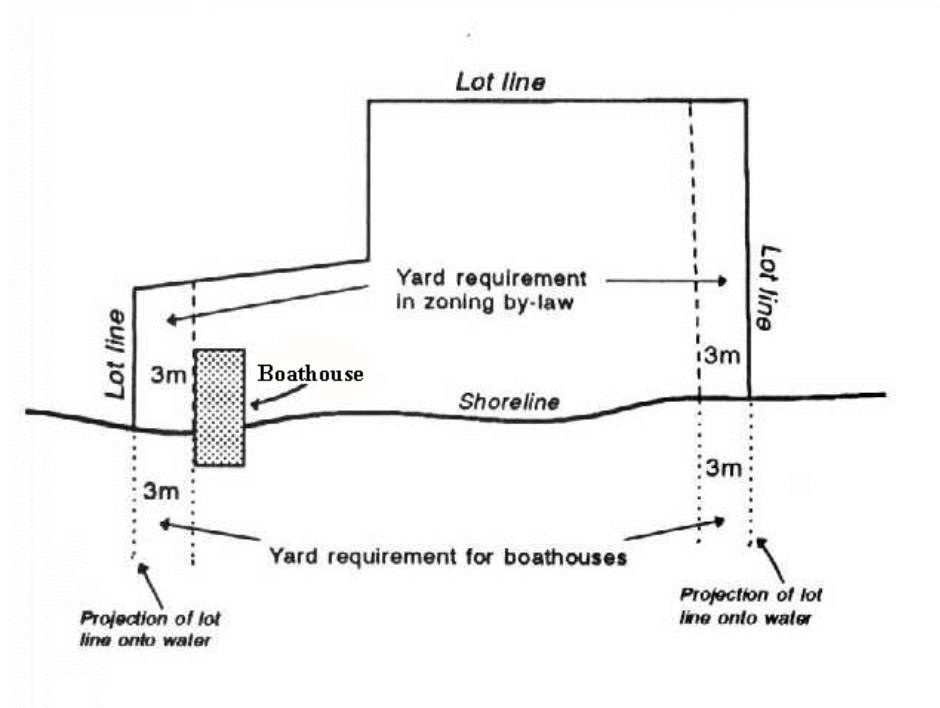
- e) For a sign erected in compliance with the provisions of this By-law;
- f) For any landscaping as permitted by this By-law;
- g) For mineral mining operations and mineral aggregate operations provide they comply with the Aggregate Resources Act or the Mining Act, whichever applies; and
- h) For a gate house used for security for a gated residential complex, or a permitted **non-residential use** provided the front yard setback for the gate-house is 3 m [9.84 ft.].
- i) A freestanding **satellite dish/receiver** or **solar collector** (but not including a communications **facility**);
- j) Recycling and waste control containers;
- k) A **sign erected** in compliance with the **zone regulations** of this By-law or a By-law enacted under the *Municipal Act*

All such **buildings** or **structures** listed above shall be set back a minimum of 3m [9.84 ft.] from the **front lot line** or **exterior side yard lot line** or **rear lot line** in the case of a water front lot, and shall comply with the **interior side yard** and **rear yard setbacks** in the **zone** in which they are located.

- 4. **Accessory uses**, excluding open **swimming pools**, shall not cover more than 5% of the **lot area** in any zone. This shall be included in and calculated as part of the maximum **lot coverage** permitted in any **zone**;
- 5. Despite **Section 4.1.1.3** above, a **boat house**, dock or wharf may be located in the **front yard**, **side yard** or **rear yard** where a **lot** abuts a navigable waterway, provided that the approval of any governmental authority having jurisdiction has been obtained and provided that the **boat house**, dock or wharf is located not closer than 3.0 [9.8 ft.] to the nearest adjacent **lot line** and does not encroach on adjacent frontage when the lot boundaries are extended into the water (see illustration); and

(Note: See individual zones for setbacks and the maximum height of accessory buildings.)

- 6. No **accessory building** shall be erected prior to the erection of the **main building** on the same **lot**, except where it is necessary for the storage of the tools, and materials for the use in connection with the construction of the **main building** or structure, and no such **accessory building** shall, prior to the erection of the **main building**, be **used** for any purpose other than storage and shall not be used for habitation unless otherwise permitted by this By-law.



**4.1.2** Private **swimming pools**, both above-ground and in-ground both open and covered and including inflatable pools, shall be **permitted** subject to any By-law of the Township regarding **swimming pools** and the following requirements:

**1. Outdoor Open Swimming Pools**

- a) Open Pool areas shall be totally enclosed by a **fence** constructed of suitable materials, having a minimum height of 1.5 m [5.0 ft.] with a self-locking gate;
- b) Where a pool is an above-ground pool, any combination of the pool wall, surrounding fence or structure totalling a minimum of 1.5 m [5.0 ft.] in height shall be deemed to meet the fencing requirements;
- c) The maximum height of an above-ground **swimming pool** shall not be more than 2 m [6.56 ft.] above grade;
- d) Any **building** or **structure**, other than a **dwelling**, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting **accessory uses** and **structures**; and
- e) No part of an Open Pool including an associated apron or platform which is in a **front yard** or **side yard** shall be constructed closer to a **street line** than the requirements for a main building in the **zone** within which it is located nor closer

to the **lot line** in a **rear yard** than the minimum distance required for an **accessory use** or **structure**.

**2. Indoor Pools**

Indoor pools shall conform with the **accessory building** requirements contained in subsection 4.1.1.

## **4.2 Auto Service Station, Gasoline Bar, Car Washing Establishment**

Despite any other provisions contained in this By-law, for all zones within which an **automobile service station, gasoline bar, and/or car washing establishment** is **permitted** the following shall apply:

**1. Gasoline Pump Island Location**

The minimum distance between the gasoline pump island, pumps and their related overhead canopies and any pump shall be 5.0 m [16.4 ft.] from any **lot line** and **street line**;

**2. Separation of Propane Tanks**

No person shall erect or use a tank for the storage of propane for sale at an automobile service station or gas bar or on any other property where vehicle fuel may be dispensed unless a license has been obtained from the Ministry of Consumer and Business Services and the location is in compliance with the requirements under the *Ontario Propane Code*;

**3. The width of any entrance or exit combined entrance or exit measured at the front lot line or exterior side lot line shall not be greater than 9 m [29.5 ft.] and there shall not be more than 2 entrances from any one street which adjoins the lot. The widths of entrances from Highway 17 may vary provided that they are in accordance with the requirements of the Ministry of Transportation; and**

**4. The minimum distance of any access from a street intersection shall be 12 m [39.4 ft.] and the minimum distance between accesses shall be 9 m [29.5 ft.].**

## **4.3 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 satisfies 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.

#### 4.4 Camp

A **permitted camp** may be located on any lot of record provided such building is separated a minimum of 500 m [1,640.4 ft.] from any existing residential **dwelling unit** on the same lot. No minimum **lot area** or **lot frontage** requirements shall apply to a **permitted camp**; however, any **building** or **structure** used as a camp shall be set back a minimum of 30 m [98.4 ft.] from the **high water mark** of any **water body**.

Where a camp is to be established as the **main use** of a **lot**, the minimum **lot area** shall be 5 ha [12.35 ac.] and any **building** or **structure used** as a **camp** shall be setback 15 m [49.2 ft.] from all **lot lines** and 30 m [98.4 ft.] from the **high water mark** of any **water body**.

#### 4.5 Change of Use

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**.

#### 4.6 Cumulative Standards

Despite anything contained in this By-law, where any land, **building** or **structure** is **used** for more than one purpose, all provisions of this By-law relating to each **use** shall be complied with.

#### 4.7 Day Nurseries

Private **day nurseries** are **permitted** in all **zones** where residential uses are permitted as a **main use**. Such **day nurseries** shall comply with the provisions of the *Child Care and Early Years Act*.

#### 4.8 Exception Zone

Where a **zone** symbol is followed by the suffix "-X" this shall mean that a specific exception is being made to one or more of the standards of that **zone** for a specific area governed by the By-law. All other provisions of the By-law shall continue to apply.

A number after the "-X" (e.g. R-X1) indicates the order of the various exception **zones**.

#### 4.9 Farm Use

Nothing contained in this By-law shall prevent the continued use of any land, **building** or **structure** for a livestock facility or manure or material storage as defined, or any extension or addition of such **use** provided that any additions or extensions of such use shall comply with the requirements of the **Minimum Distance Formula II** and the applicable requirements of the **zone** in which the **use** is located. Conversely, the **Minimum Distance Formula I** shall apply when locating development (e.g. new dwelling), in proximity to an existing livestock facility or manure or material storage on an

existing or proposed separate parcel of land.

#### 4.10 Fences

Any fence erected hereafter within the municipality shall conform to the provisions of any Fence By-law as may from time-to-time be enacted under the *Municipal Act*.

#### 4.11 Flood Plain, Fill and Construction Requirements

The following provisions shall apply to areas located below any engineered or photo interpreted flood line as determined by the agency having jurisdiction.

**4.11.1** No person shall use any land or erect, alter or use any **building** or **structure** in the **flood plain** except in accordance with the following provisions:

##### 4.11.2 Permitted Uses

1. **Buildings** or **structures** Intended for flood or erosion control or slope stabilization
2. All **buildings** and **structures** in existence on the day of the passing of this By-law
3. **Conservation Uses**
4. **Forestry Uses**
5. **Parks** without **buildings** or **structures**
6. Hydro-electric generating facilities
7. **Marine Facility**

##### 4.11.3 Prohibited Uses

**Buildings** and **structures** shall not be **permitted** to locate in **hazardous lands** where the **use** is:

1. An institutional use associated with hospitals, day nurseries, **continuum-of-care facilities**, retirement homes and **schools**, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works or erosion;
2. An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; and
3. Associated with the disposal, manufacture, treatment or storage of hazardous substances.

#### 4.11.4 Additional Provisions

1. Any new **building** or **structure** or any expansion of or addition to any **buildings** or **structures** permitted in the Flood Plain after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes; and
2. Modification of the **flood plain** through the placing or dumping of fill, excavation, changing the channel of any water body or diverting a water course within the prescribed limits of the fill lines is prohibited unless otherwise permitted by the agency having jurisdiction.

**NOTE: See Minimum Distance Separation (Special Setbacks), Section 4.20.6 for setback requirements from water bodies.**

#### 4.12 Frontage on a Public Street or Private Road

1. No person shall erect any **building** or **structure** in any **zone** unless the **lot** upon which such **building** or **structure** is to be **erected** has sufficient frontage on a **public street** within which the **lot** is situated except:
2. For any **permitted use** on an island or **water access lot** provided a **public access point** is available on the main land;
3. A **camp**;
4. A resource related use on Crown Land;
5. A **communications facility**;
6. A **public utility**;
7. A **wayside pit or quarry**;
8. Any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities;
9. An **existing use** located on a resource access road.
10. An **existing use** or an **existing lot** on an **existing private road**
11. A **lot** within a plan of condominium located on an internal **private road**.

#### 4.12.2 Exception for Existing Agreements

1. Despite **Section 4.12.1**, where a maintenance agreement exists between the municipality and a land **owner** and is registered on title, frontage on an unopened or unmaintained public right-of-way shall be deemed to conform to the provisions of this section, provided that such frontage is in conformity with the standards set out in the corresponding zone or any exception thereto; and
2. Despite **Section 4.12.1**, where an access agreement registered on title between or amongst landowners that provides for a right-of-way to an existing lot which is developed for a single detached dwelling or seasonal dwelling as of the date of the passing of this By-law, such uses shall be deemed to conform with the provisions for access of this By-law.

#### 4.12.3 Ministry of Transportation Access Requirements

In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

#### 4.13 Garden Suites

Subject to the, the passing of site specific temporary use by-law under Section 39 of the *Planning Act*, a **garden suite** shall be **permitted** as a separate **dwelling unit** to a **permitted** main residential use provided that the minimum **lot area** is 450 m<sup>2</sup> [4,844 ft.<sup>2</sup>] in area, that the maximum **net floor area** is 50 m<sup>2</sup> [538 ft.<sup>2</sup>], that the maximum height of the **garden suite** is 6 m [19.7 ft.] or the average height of the **main buildings** on the subject and abutting **lots**, whichever is the lesser, that the **garden suite** is located in a **rear yard** or **interior side yard** and meets the minimum yard and **lot coverage** requirements set out in the corresponding zone and is set back a minimum of 3 m [9.8 ft.] from any **rear lot line** or **side lot line**.

#### 4.14 Group Homes

Group Homes shall be **permitted** in all **zones** that allow residential uses, provided that they are licensed by the Province.

#### 4.15 Home Based Businesses

##### 1. Scope of Permitted Home Based Businesses

The following **home based businesses** shall be **permitted** in any **zone** where a **home based business** is **permitted**:

- a) Professional and consulting services including but not limited to an architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker.

- b) Instructional services including but not limited to music lessons, dance, art, academic tutoring.
- c) Home craft businesses including but not limited to quilter, potter, jeweler, painter/visual artist, small scale assembler.
- d) A **Day nursery**.
- e) Distribution sales office or mail order sales including but not limited to cosmetics, clothing or small household appliance.
- f) An office for a contractor and trades plumber, electrician.
- g) Repair services including but not limited to small appliances, computers and not including auto repair and similar services.
- h) High technology uses including but not limited to internet services, office call centre services, desktop publishing, computer hardware and software development.
- i) Personal care services including but not limited to a hairdresser, barber, massage therapist, aesthetician.
- j) Sale of bait for recreational fishing purposes.
- k) Pet grooming, but not including overnight keeping of animals.
- l) A **Catering establishment**.
- m) A **Studio**.
- n) Seed sales.
- o) Gun repairs.
- p) Repair of household appliances.
- q) The sale of fuel wood sales in a **rural zone only**.



- r) **Home based businesses** shall not include an **auto body shop, auto repair garage, cannabis retail store or dispensary** or a **licensed cannabis production facility**.

## 2. Zone Regulations for Home Based Businesses

- a) The **home based business** shall be clearly **accessory** to the main **permitted** residential **use**.
- b) A maximum of two (2) **home based businesses** shall be **permitted** in a **dwelling**.
- c) The residential external character of the **dwelling** shall not be changed.
- d) The business(es) shall be conducted entirely within the **dwelling** in a **residential zone** or may be conducted in a **dwelling** or and **accessory building** in a **rural zone**.
- e) The **home based business** shall be operated by the **owner** or occupant of the **dwelling** on the **lot** on which the **home based business** is operated.
- f) The **home based business** shall not create a public nuisance in regard to noise, traffic, parking or health safety.
- g) The business(es) shall be legal and must have obtained the necessary permits or licenses from the **Corporation** and any other applicable government body having jurisdiction.
- h) The **home based business(es)** shall cumulatively not occupy more than 25% of the **net floor area** of the **dwelling** or if located in an **accessory building** the **gross floor area** shall not exceed 111.4 m<sup>2</sup> [1,200 ft.<sup>2</sup>].
- i) No **outdoor storage** shall be **permitted** except for **permitted** fuel wood sales.
- j) Only one (1) **sign** shall be **permitted** to advertise the **home based business(es)**. The **sign** shall not exceed 1 m<sup>2</sup> in surface area. The **permitted sign** may be a free-standing sign in a **front** or **exterior side yard** or may be attached to the wall of a **permitted building** or **structure**. The **sign** may be illuminated where the illumination is directed onto the **sign** and complies with any sign By-law enacted by the **Municipality** under the *Municipal Act*.
- k) Parking for **home based business(es)** shall comply with **Section 4.26** of this

By-law.

- I) The **use** shall not create nor become a public nuisance in particular in regard to noise, traffic, parking or health safety.

#### 4.16 Illumination

Illumination of **buildings** and grounds shall be **permitted** provided that:

1. Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety;
2. Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signals; and
3. Illumination shall not cause direct or indirect glare on land or buildings in any zone in which residential uses are permitted.

#### 4.17 Land Suitability for Use and Organic Soils

Despite any other provision of this By-law, no habitable **building** or **structure** shall be constructed, **erected**, altered or used on land which, by reason of its topography or its low lying, marshy, unstable character or which is located or may be located on organic soil unless the proponent or applicant for development can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction and the requirements of the *Ontario Water Resources Act* and the *Environmental Protection Act* with respect to the installation of an individual on-site sewage and water system can be met.

**Flood plains, wetlands**, lands under water, and lands between the top of the bank and a water body or a watercourse shall not be used to calculate the minimum lot area requirement of any zone in this By-law (see also **Section 4.11**).

#### 4.18 Loading Requirements

For every **building** or structure hereafter erected for a commercial, institutional or industrial use, involving the shipping, loading or unloading of persons, animals, wares, merchandise or other goods, there shall be provided and maintained **loading spaces** in accordance with the following requirements:

1. Each **loading space** shall have a minimum height clearance of 4.25 m [13.9 ft.] and shall be at least 3.75 m [12.3 ft.] wide by 7.50 m [24.6 ft.] long if situated inside of or at right angles to a building or structure or 3.75 m [12.3 ft.] wide by 9.0 m [29.5 ft.] long if situated parallel to the wall of a building or structure;

2. **Loading spaces** shall be located in a **building** or **structure**, an open **rear yard**, or an open **side yard**, on the same **lot** on which the **main use** is located, provided such a **loading space** shall be in an area whose distance from a **lot line** to a **building** or **structure** is not less than 7.50 m [24.6 ft.] and shall have unobstructed ingress and egress to and from a **public street** by means of a driveway, land or isle of a minimum width of 6.0 m [19.7 ft.];
3. The number of required **loading spaces** shall be based on **net floor area** of the **building** or **structure** as follows:

<u>Net Floor Area</u>	<u>Spaces Required</u>
Less than 300m <sup>2</sup> [3229.2 ft. <sup>2</sup> ]	1
For every additional 100m <sup>2</sup> [1,076.4 ft. <sup>2</sup> ] or fraction thereof [1076.4 ft. <sup>2</sup> ]	1

4. The **loading space** requirements stated in (c) shall not apply to **buildings** or **structures** in existence as of the date of passing of this By-law but shall apply to areas of any expansion or enlargement to such **buildings** or **structures** for which building permits have been issued after the date of passing of this By-law.

#### 4.19 Mine Hazards

No lands identified as having a **mine hazard** shall be **used** unless the **mine hazard** has been rehabilitated or measures taken to mitigate known or suspected hazards. Any required rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices and where applicable, complies with the requirements of the Mining Act and the Mining Rehabilitation Code.

#### 4.20 Minimum Distance Separation, Influence Areas and Special Setbacks

No person shall use any land, **building** or **structure** for a **sensitive land use** (e.g. residential use, daycare centre, educational or health facility) unless it complies with the following minimum distance separations, influence areas or special setbacks except where such distances have been waived or reduced by a **public authority**, where upon the revised distance, influence area or setback shall apply. Distances, influences areas or setbacks shall be measured as set out for the respective requirement.

##### 1. Setback from Highway 17 or a Rail Line

The **setback** shall be determined by a noise and/or vibration study if such is required by Council and shall be generally measured from the point source of the emission to the property line of the receptor land use.

## 2. Waste Management Facility

- a) The influence area shall be 500 m [1,640 ft.] of a **sensitive land use** (e.g. residential use, daycare centre, educational or health facility) measured from the boundary of the (licensed) fill area to the nearest property line of the **sensitive land use**. Within the influence area, no **sensitive land use** shall be **permitted** unless an Environmental Impact Assessment is undertaken, to the satisfaction of the approval authority, to demonstrate that the proposed development will not negatively be impacted by the waste management facility (e.g. leachate migration, methane gas, rodents, vectors, vermin, odour, litter, noise, etc.).
- b) No development or land use shall be **permitted** within 30 m [98.4 ft.] of the (licensed) fill area of an active **waste management facility**;
- c) No **waste management facility** shall be **permitted** within 30 m [98.4 ft.] from any **water body**.

In addition no **waste management facility** shall be **permitted** on land covered by water or in any area subject to flooding (see **Section 4.11.3**);

## 3. Pits and Quarries:

- a) The influence area around a **pit** shall be 300 m [984.25 ft.] measured from the property line of a **sensitive land use** and the licensed area of the **pit**. The minimum **separation distance** between a **sensitive land use** and a **pit** shall be 70 m [229.7 ft.] and shall be measured from the **lot line** of the **sensitive land use** to the licensed area of the **pit**. No **sensitive land use** shall be **permitted** within the influence area of the **pit** and outside the minimum **separation distance** unless appropriate measures have been undertaken to mitigate adverse or potential adverse effects such as visual impacts, noise, dust, traffic or groundwater quality or quantity;
- b) The influence area around a **quarry** shall be 500 m [1,640.4 ft.] measured from the property line of a **sensitive land use** and the licensed area of the **quarry**. The minimum **separation distance** between a **sensitive land use** and a **quarry** shall be 300 m [984.25 ft.] and shall be measured from the **lot line** of the **sensitive land use** to the licensed area of the **quarry**. No **sensitive land use** shall be **permitted** within the influence area of the **quarry** and outside the minimum **separation distance** unless appropriate measures have been undertaken to mitigate adverse or potential **adverse effects** such as visual impacts, noise, dust, traffic or groundwater quality or quantity; and

- c) In addition to paragraphs (c)(i) and (c)(ii), **adverse effects** may be addressed by means of a phasing plan, rehabilitation plan, landscaping berming, specified truck routes or other measures acceptable to Council.

#### 4. Industrial Uses:

- a) Class I Industrial: Includes light industrial uses defined as a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions e.g. noise, dust, odour and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage. Examples include electronics manufacturing, furniture repair, auto parts supply, packaging and crafting services. The minimum **separation distance** from a **sensitive land use** (e.g. residential use, daycare centre, educational or health facility) shall be 70 m [230 ft.] measured from **lot line to lot line**;
- b) Class II Industrial: Includes a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials and or periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for noise, odour, dust and/or vibration and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include feed packing plant, paint spray booths, dry cleaning services, electrical production manufacturing. The minimum **separation distance** for this industrial classification from a **sensitive land use** (e.g. residential use, daycare centre, educational or health facility) shall be 300 m [984 ft.] measured from **lot line to lot line**; and
- c) Class III Industrial: Describes large scale industries with substantial variations in industrial processes, shift operations, large production volumes, outdoor storage of raw and finished products and therefore emissions e.g., noise vibration, odour, particulate and gaseous discharges or combinations may be anticipated. Examples of heavy industries include refineries, salvage yard, pulp and paper mill etc. The minimum **separation distance** for this industrial classification from a **sensitive land use** (e.g. residential use, daycare centre, educational or health facility) shall be 1,000 m [3,280 ft.] measured from **lot line to lot line**.

#### 5. Agricultural Use:

Any new livestock facility, manure or material storage shall comply with the Ministry of Agriculture, Food and Rural Affairs **Minimum Distance Separation Formulae I and II**.

## 6. Water Bodies

- a) Subject to **Section 4.11**, the minimum setback from the **shoreline** for a habitable structure (**dwelling**) or a non-residential **building** shall be 30 m [98.4 ft.] except for a **boat house**, dock, wharf and deck. The minimum **setback** for a low impact accessory structure such as a steam or sauna bath, **gazebo**, storage shed and deck shall be 15 m [49.2 ft.]. The **setback** shall be measured as the shortest horizontal distance from the nearest main wall of the **building** to the **shoreline** (see also **Section 4.22 - Natural Vegetative Buffer**);
- b) Subject to **Section 4.11**, the minimum **setback** from the **shoreline** for an on-site sewage disposal system shall be 30 m [98.4 ft.] and shall be measured as the shortest horizontal distance from the nearest edge of the filter bed/tile bed or septic tank to the **shoreline**; and
- c) Where there is a shoreline road allowance between the front **lot line** and a lake or water body, the minimum **setback** for a habitable structure (**dwelling**) or a non-residential **building** shall be 4 m [13.1 ft.] and a minimum of 10 m [32.8 ft.] for a filter bed/tile bed or septic tank.

## 7. Helipad, Heliport

Where a Helipad or Heliport is **permitted** in this By-law, the following provisions shall apply:

- a) The setback between the edge of the helipad and the main wall or receptor of a **sensitive land use** shall be determined by a noise and vibration study undertaken by a professional competent in undertaking such studies. Reference shall be made to Ministry of the Environment, Conservation and Parks Guideline “NPC 300, Environmental Noise Assessment Guideline”;
- b) The setback between the edge of the helipad and any **non-residential use** not classified as a sensitive land use shall be 200 m [656.2 ft.]; and
- c) The classification, design, construction and operation of a Heliport shall comply with Standard 325, Heliports, Part III, Canadian Aviation Regulations issued under the Aeronautics Act, administered by Transport Canada.

## 4.21 Natural Heritage Features

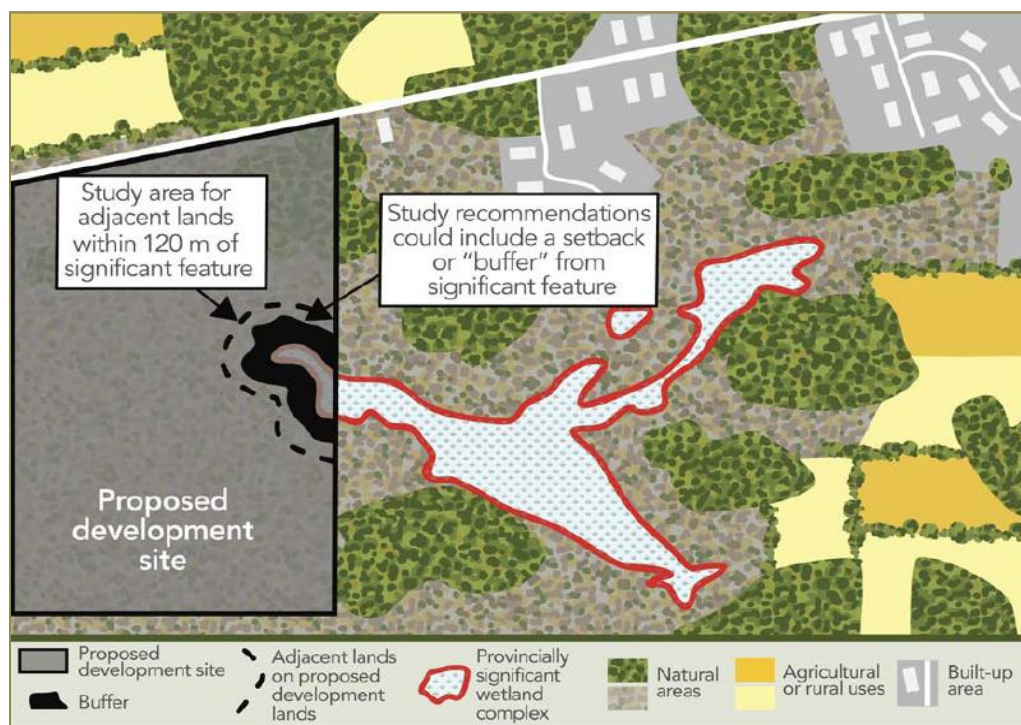
### 1. Requirements for Natural Heritage Features

No use of land, **buildings** or **structures** except a **conservation use** shall be **permitted** within the distances prescribed below of an identified natural heritage feature as shown on the Zone Schedules to this By-law except where an Impact Assessment and/or mitigating measures or conservation practices are implemented as approved by the public body having jurisdiction: (See illustrations)

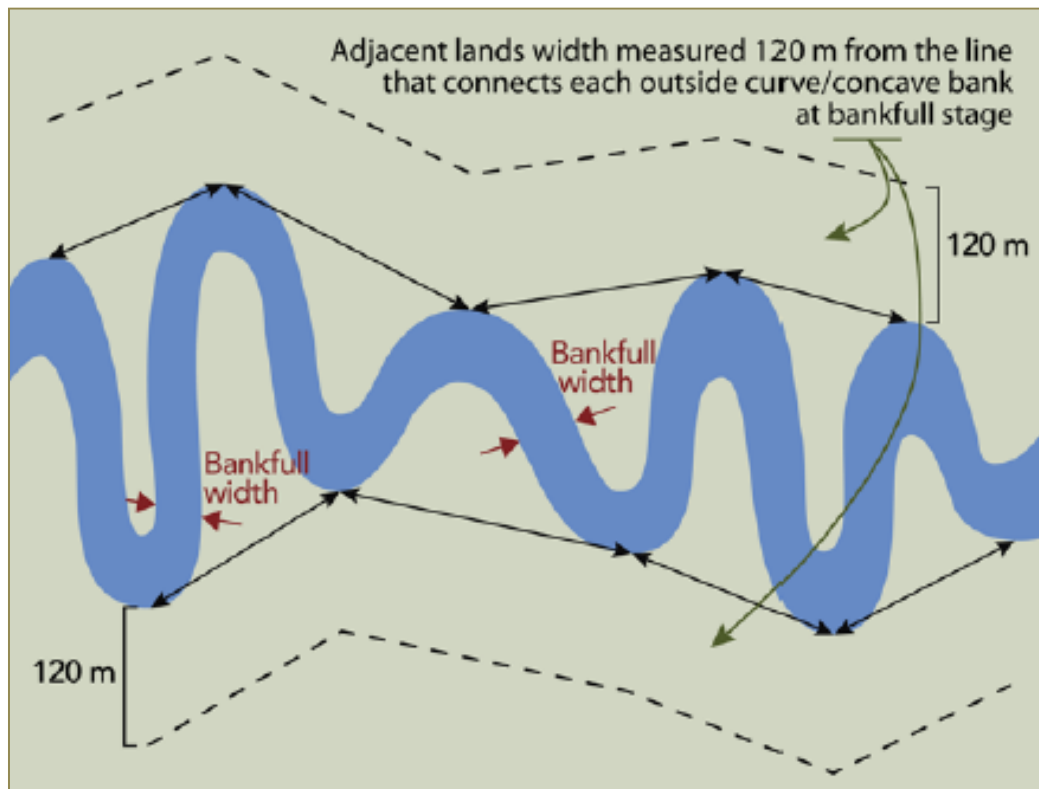
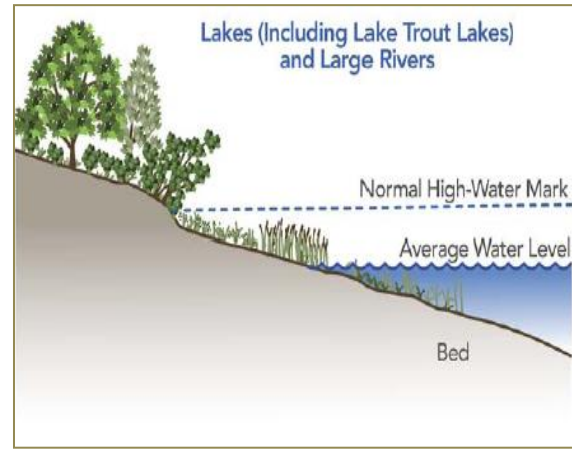
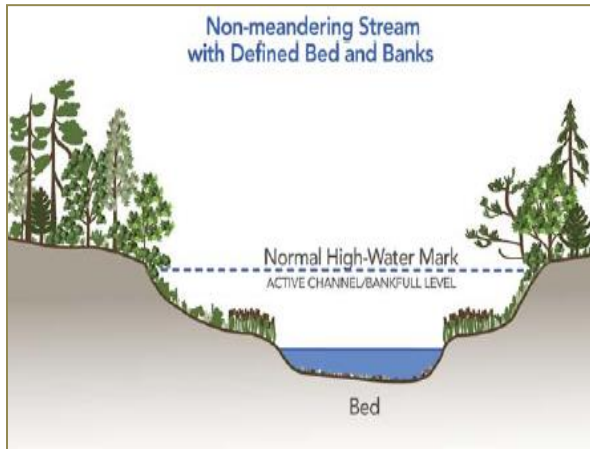
## 2. Feature or Area

(a)	Significant habitat of Endangered & Threatened Species .....	120 m
(b)	Significant Wetlands .....	120 m
(c)	Fish Habitat .....	120 m
(d)	Significant Wildlife Habitat .....	120 m
(e)	Areas of Natural and Scientific Interest .....	50 m

### Elements of Natural Heritage Features







## 4.22 Natural Vegetation Buffer

When a Site Plan Control Agreement is required for development or redevelopment on lands which front on a lake or on a major tributary, a natural vegetative buffer of not less than 15 m [49.2 ft.] in depth along the **shoreline** or **water body** shall be identified on the site plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetation buffer except for the removal of dead or diseased trees, debris or noxious plants or where a landscaped corridor not greater than 9 m [29.5 ft.] in width is required for access between the **dwelling** and **shoreline**. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline



vegetation management plan suitable for conserving and sustaining the natural environment.

## 4.23 Non-Conforming and Non-Complying Use

### 1. Continuance of Existing Uses

Nothing in this By-law shall apply to prevent the use of any land, **building** or **structure** for any purpose prohibited by the By-law if such land, **building** or **structure** was lawfully **used** for such purpose on the day of the passing of the By-law so long as it continues to be used for that purpose. The non-conforming use of any land, **building** or **structure** shall not be changed except to a use which is in conformity with the provisions of the **zone** in which the land, **building** or **structure** is located, without permission from the Committee of Adjustment pursuant to the *Planning Act*.

### 2. Prior Building Permits

Nothing in this By-law shall prevent the **erection** or **use** of any **building** or **structure** for which a building permit has been issued under the *Building Code Act* prior to 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 permit has not been revoked under the *Building Code Act*.

### 3. Road Widenings

Nothing in this By-law shall prevent the use of any land, **building** or **structure** or the **erection** of any **building** or **structure** on a **lot** which does not comply to the minimum **lot frontage** and/or **lot area** and/or **front yard** setback and in the case of a **corner lot**, the **side yard setback**, as a result of a road widening taken by the Township Sables-Spanish Rivers and the Ministry of Transportation of Ontario, provided all other requirements of this By-law are complied with.

### 4. Reconstruction of an Existing Use

- (a) Nothing in this By-law shall prevent the reconstruction or strengthening to a safer condition of any non-complying **building** or **structure** which is destroyed or rendered uninhabitable by fire or other natural cause, provided the height and gross floor area are not increased and the new building or structure is erected on the same building footprint.
- (b) An existing non-complying building or structure may be renovated only, provided the renovation does not further reduce any zoning requirement or increase the gross floor area.

### 5. Addition to Existing Building or Structure

Nothing in this By-law shall prevent the renovation, extension or addition to a

**building, structure** or private sanitary sewage disposal system which is used for a purpose specifically **permitted** within the **zone** in which such **building** or **structure** is located and which **building** or **structure existed** at the date of passing of this By-law but which **building** or **structure** does not comply with one or more of the **zone regulations** of this By-law, provided such renovation, extension or addition does not further reduce the requirements of this By-law and does not contravene any other requirements of this By-law or any requirements of Ministries and agencies.

## 6. Existing Undersized Lots

Despite anything else contained in this By-law, where a vacant **lot** having a lesser **lot frontage** and/or **lot area** than is required by this By-law is held under distinct and separate ownership from adjoining **lots**, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the **zone** in which the said **lot** is located, provided it can be adequately serviced.

### 4.24 Occupancy Restrictions

Human habitation shall not be permitted in any of the following **buildings, structures**, or parts thereof unless the **building, structure**, or parts thereof meet all requirements of the Fire Code, the Ontario Building Code and any other applicable regulations, policies, or Acts.

1. Any **private garage**;
2. Any truck, bus, **recreational vehicle**, coach or streetcar body whether or not the same is mounted on wheels; and
3. Any **dwelling** before the main wall and roof have been erected, the finished roofing material has been installed and the kitchen, heating and sanitary conveniences have been installed and are operating.

### 4.25 Outside Storage, Sales and Display

No person shall use any **lot** or part thereof for outside storage, sales or display except as permitted by this By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the main use of the lot and is in accordance with the following:

1. Outside storage shall not be permitted within any required **front yard** and no closer than 5.0 m [16.4 ft.] to any **side lot line** or **rear lot line**;
2. Where outside storage areas abut a **zone** in which **residential uses** are **permitted**, the required **setback** of the outside storage area shall be increased to 10.0 m [32.8 ft.] and must also be visually screened from any **zone** in which **residential uses** are **permitted**;

3. Any areas used for outside storage shall be in addition to any minimum off-street parking or loading areas required by this By-law.
4. An **outdoor display** area shall be **permitted** as an **accessory** use to any **permitted** commercial use, **industrial use** or **public service use** provided that the **outdoor display** area does not reduce any required **parking area** or **loading space** area required by this By-law. All **outdoor display** areas shall be setback a minimum of 3 m [9.84 ft.] from any **front lot line** or **interior side lot line**. Despite the above, seasonal sales of Christmas trees or a temporary (i.e. weekend) or a **yard sale** shall be **permitted** to occupy a designated **parking area** but shall be subject to any restrictions otherwise imposed by license or permit by the **Municipality**.

## 4.26 Parking and Storage of Vehicles and Drive-through Facilities

### 4.26.1 General

1. Except as provided herein, no motor **vehicles** shall be parked or stored in any **zone** (see **Section 5.2** for list of zones) unless the motor **vehicle** is located within a **garage, carport, driveway, parking area**, or on a **street** as **permitted** by Municipal By-law.
2. No **parking space** in a **residential zone** (see **Section 5.2** for list of zones) shall be used for the outdoor parking or storage of a motor **vehicle** unless such motor **vehicle** is used in operations incidental to the **residential use** of the **lot** on which it is parked or stored and bears a motor **vehicle** license plate or sticker which is currently valid.
3. Each standard **parking space** or **stacking space** in a **stacking lane** shall have a minimum width of 2.6 m [8.5 ft.] and a minimum length of 5.5 m [18 ft.] and each **barrier-free parking space** shall have a minimum width of 3.9 m [12.7 ft.] and a minimum length of 5.5 m [18 ft.] [See **Figure**].
4. Unless **permitted** elsewhere in this By-law, where two or more uses are **permitted** in any one **building** or **structure** on any **lot**, then the off-street parking regulations for each **use** shall be calculated as if each **use** is a separate **use**, and the total number of off-street **parking spaces** so calculated shall be provided.

5. The regulations for **parking spaces** shall not apply to any **building** or **structure** in existence at the date of passing of this By-law so long as the **gross floor area**, as it existed at such date, is not increased and no change in **use** occurs. If an addition is made to the **building** or **structure** which increases the **gross floor area** or a change in **use** occurs than **parking spaces** for the addition or area changed in **use** shall be provided.

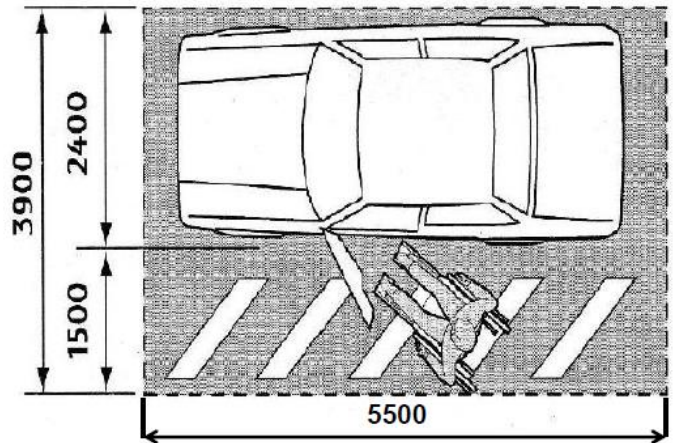


Figure: Barrier- Free Parking Space Dimensions

6. Supplementary regulations for **parking spaces** for **dwelling**s in **residential zones** (see **Section 5.2** for list of zones) shall be as follows;
- The **driveway** and **parking space** shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials.
  - No more than fifty percent (50%) of the area of any required **front yard** shall be used or constructed as a **driveway** or **parking space**.
  - No more than fifty percent (50%) of the **lot frontage** shall be used or constructed as a **driveway** or **parking space**.
7. Supplementary regulations for a **parking area** for more than four motor **vehicles** shall be as follows:
- The **parking area** shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials.
  - Ingress and egress directly to and from every **parking space** shall be by means of a **driveway**, **lane** or **aisle** having a width of at least 6 m [19.7 ft.] for two-way traffic and 4 m [13.1 ft.] for one-way traffic where parking is angled.
  - A **driveway** or **lane** which does not provide ingress and egress directly to a **parking space**, shall have a minimum width of 3.5 m [11.4 ft.] where designed for one-way vehicular circulation or 6 m [19.7 ft.] where designed for two-way vehicular circulation.

8. Where the calculation of the minimum number of **parking spaces** required results in a fraction, the minimum requirement shall be the next higher whole number.

9. **Driveway Entrance Location**

No **driveway** on a **corner lot** shall be located closer than 15 m [49.2 ft.] from the edge of the travelled road of an intersection of a local road or 20 m [65.5 ft.] from the intersection of a collector road or provincial highway.

#### 4.26.2 Barrier Free Parking

One **barrier free parking space** shall be required for any **use** requiring 10 standard **parking spaces** or more and **barrier free parking spaces** shall be provided at a ratio of one **barrier free parking space** for each 25 **standard parking spaces** and shall be included as part of the total number of standard **parking spaces** required.

#### 4.26.3 Drive-Through Facilities

Despite any other **zone regulation** in this By-law, where a **use** of land, **building** or **structure** incorporates a **drive-through facility**, the following **zone regulations** shall apply:

1. A **drive-through facility** shall be a **permitted use** in the C, CR and M1 zones.
2. A **drive-through facility** is a **principle use** in combination with another **permitted use** and shall comply with the **zone regulations** in the **zone** in which the **drive-through facility** is located.
3. The minimum dimensions of a **stacking space** in a **stacking lane** shall be 2.6 m by 5.5 m [8.5 ft. x 18 ft.].
4. No part of any **order station** shall be located closer than 10 m [32.8 ft.] from the property boundary of any property or **lot** occupied or **zoned** for a **residential use**.
5. All **drive-through facilities** shall comply with the **zone regulations** for parking as set out in **Table 4.21** of this By-law.
6. **Stacking lanes** for any **drive-through facility** shall be designed to accommodate a minimum of eight (8) **motor vehicles**.

#### 4.26.4 Commercial Vehicle, Recreational Vehicles and Recreational Equipment

No **person** shall in any **residential zone**, **use** any **lot** for parking or storage of any commercial motor **vehicle**, **recreational vehicle** or **recreational equipment** except as follows:

1. The **owner** or occupant of any **lot**, **building** or **structure** in any **residential zone**, may **use** any attached or **detached private garage** located on the **lot** for the housing or storage of one (1) commercial **motor vehicle** operated by the **owner** or occupant and/or may also **use** any private driveway for the parking of one (1) commercial **motor vehicle** not exceeding 2,722 kg Gross Vehicle Weight (GVWR) or a Class 1 truck [6,000 lbs.] provided such commercial **motor vehicle** is not used in connection with any business or other **use** that is prohibited in this By-law.
2. In a **residential zone**, **recreational equipment** and only one (1) **recreational vehicle** may be stored on a **lot** in accordance with the following **zone regulations**:
  - a) No person shall store any **recreational equipment** or **recreational vehicle** on a **lot** or property unless a **main building** has been constructed.
  - b) An attached or **detached private garage** may be **used** for the housing or storage of any **recreational equipment** or **recreational vehicle**.
  - c) Exterior storage shall be limited to an **interior side yard** or **rear yard** of the **lot** and no part of any **recreational equipment** or **recreational vehicle** shall cross a **lot line**, and
  - d) Exterior storage of any **recreational equipment** or **recreational vehicle** shall be permitted in a **front yard** or **exterior side yard** provided:
    - The **lot** has a minimum **lot frontage** of 15 m [49.2 ft.], and
    - The **recreational equipment** or one (1) only **recreational vehicle** is stored on a driveway and does not occupy a required **parking space**, and
    - That and no part of any **recreational equipment** or a **recreational vehicle** shall cross a **lot line**.
3. No **lot** in any other **zone** shall be **used** for the storage or **use** of a **recreational vehicle** unless otherwise listed as a **permitted use** in the **zone**.

#### 4.26.5 Schedule for Parking Regulations

In any **zone**, the **owner** or occupant of any **building** or **structure erected**, enlarged or changed in use after the date of passing of this By-law shall provide off-street **parking spaces** in accordance with the minimum number of parking spaces set out in **Table 4.26** as follows:

**Table 4.26 – Schedule for Parking Regulations**

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
<b>Residential:</b> <ul style="list-style-type: none"> <li>• Accessory dwelling</li> <li>• Duplex Dwelling</li> <li>• Guest House</li> <li>• Mobile home</li> <li>• Seasonal dwelling</li> <li>• Semi-detached dwelling</li> <li>• Single-detached dwelling</li> </ul>	1 space per dwelling
<b>Residential:</b> <ul style="list-style-type: none"> <li>• Accessory Apartment</li> <li>• Apartment dwelling</li> <li>• Multiple-unit dwelling</li> <li>• Row or townhouse</li> <li>• Triplex dwelling</li> </ul>	1 space per dwelling unit, 15% of which shall be reserved as visitor parking where eight or more parking spaces are required
<b>Residential:</b> <ul style="list-style-type: none"> <li>• Bachelor dwelling unit</li> <li>• Boarding house</li> <li>• Dormitory</li> <li>• Garden suite</li> <li>• Second Residential Unit</li> <li>• Senior citizen dwelling</li> </ul>	<ul style="list-style-type: none"> <li>• 1 space per dwelling unit, or 1 space per 38 m<sup>2</sup> [409 ft.<sup>2</sup>] whichever is greater</li> <li>• Dormitory or boarding house: 1 space per occupant</li> </ul>
Animal Shelter	1 space per 30 m <sup>2</sup> [322.9 ft. <sup>2</sup> ] of gross floor area
Auto body shop, auto repair shop, automotive service station, gas bar, recreational vehicle repair and garage	3 spaces per service bay plus  1 space per employee; minimum 6 spaces

Assembly hall, auction hall, auditorium, banquet facility, dance hall, entertainment establishment, stadium, theatre, bingo hall, funeral home and similar places of assembly	The greater of 1 space for every 4 seats or 1 space for every 12 m <sup>2</sup> [129.1 ft. <sup>2</sup> ] of assembly space
Bed and Breakfast Establishment	1 space for each guest room available to the travelling public in addition to the required parking for the dwelling
Building supply store, lumber yard, garden centre, nursery, equipment and vehicle storage yard	1 space for each 22 m <sup>2</sup> [236.8 ft. <sup>2</sup> ] of gross floor area and 1 space for each 35 m <sup>2</sup> [376.2 ft. <sup>2</sup> ] of open storage
Car Rental Agency	30 spaces minimum
Clinic, medical marijuana facility	3 spaces per medical practitioner
Convenience store	1 space per 18 m <sup>2</sup> [193.7 ft. <sup>2</sup> ] of gross floor area
Continuum-of-Care Facility	1 space for every 6 patient beds plus 1 space for every 4 employees
Crisis Care Facility	2 spaces minimum in addition to the required parking for a dwelling or if not located in a dwelling, 1 space per 38 m <sup>2</sup> [409 ft. <sup>2</sup> ] of gross floor area
Day nursery	1 space per employee and 1 space per 5 children or 1 space for every 15 children registered or fraction thereof
Drive-through facility	1 parking space per 20 m <sup>2</sup> [215.2 ft. <sup>2</sup> ] of gross floor area
Equipment Rental Establishment, Equipment Sales Establishment, Equipment Service and Repair Establishment, automotive sales establishment, recreational vehicle sales establishment	1 space per 35 m <sup>2</sup> [376.7 ft. <sup>2</sup> ] of open storage or gross sales area plus 1 space per employee
Factory Outlet, Retail Outlet	1 space per 28 m <sup>2</sup> [301.3 ft. <sup>2</sup> ] of gross floor area plus



	required spaces for an industrial use or commercial use
Garden centre and nursery	1 space per 30 m <sup>2</sup> [322.9 ft. <sup>2</sup> ] of gross floor area
General business including: adult video rental, animal day care establishment, antique store, bake shop, bank, brewery and winery, catering establishment, commercial and personal service establishment, dry cleaning or laundry outlet, office, grocery store, laundromat, microbrewery, pet grooming establishment, rental store, retail store, service outlet or shop, shopping centre, tourist outfitters establishment, video rental outlet, wholesale establishment	1 space per 28 m <sup>2</sup> [301.3 ft. <sup>2</sup> ] of gross floor area
Group Home	2 spaces plus the required parking for the dwelling
Home Based Business	A minimum of one (1) parking space and a maximum of three (3) parking spaces shall be permitted in addition to the required parking for the dwelling
Hotel, Motel, Tourist Establishment	1 space per guest unit, plus  1 space per 12 m <sup>2</sup> [129.1 ft. <sup>2</sup> ] of gross floor area dedicated to administrative, banquet and meeting facilities
Industrial use, abattoir, agricultural-related use, bakery, custom work shop, studio,	1 space per 40 m <sup>2</sup> [430.5 ft. <sup>2</sup> ] of gross floor area
Industrial Use for storage including a warehouse, cold storage facility, transportation depot or truck terminal	1 space per 75 m <sup>2</sup> [807.3 ft. <sup>2</sup> ] of gross floor area
Place of amusement, arcade, recreational commercial establishment, fitness centre,	1 space for every 4 persons that can be accommodated

massage parlour, wellness centre	
Place of worship	1 space for every 5 seats, fixed or otherwise
Restaurant, Tavern	1 parking space per 10 m <sup>2</sup> [107.64 ft. <sup>2</sup> ]
School - elementary	1.5 spaces per classroom plus 6 spaces for visitors
School - secondary or private	3 spaces per classroom plus 8 spaces for visitors

#### 4.27 Parts of Buildings or Structures Permitted Above Height Level

1. The height regulations in this By-law shall not apply to any of the following:
  - a) Air conditioning system
  - b) Chimney
  - c) Church spire or belfry or turret
  - d) **Communications facility**
  - e) Drying tower
  - f) Elevator or stairway enclosure
  - g) Enclosed mechanical and electrical equipment
  - h) Farm buildings and structures including but not limited to a barn, silo or windmill
  - i) Flag pole
  - j) Hydro electric transmission tower or pole
  - k) Ornamental dome or clock tower
  - l) Receiving and transmitting antenna
  - m) Receiving stations
  - n) **Satellite dish/receiver**
  - o) Skylight
  - p) **Solar collector/commercial solar collector**
  - q) Ventilating fan or skylight
  - r) Water tower
  - s) **Wind Turbine/commercial wind turbine**
2. The minimum **setbacks** in all directions for a **communications facility** shall be the equivalent of the height of the tower except where such facility is authorized and/or approved by Industry Canada.

#### 4.28 Permitted Projections

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those **structures** listed in the following table shall be permitted to project into the minimum yards required by this By-law for the

following specified distances:

Table 4.28 – Permitted Projections	
STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters	0.75 m [2.46 ft.] into any required <b>front yard, rear yard or interior side yard or exterior side yard</b>
Canopies which are at least 2.13 m (7 ft.) in vertical clearance above the established grade, with or without supporting posts	2.0 m [6.5 ft.] into any required <b>yard</b>
Canopies for entrances to apartment buildings and commercial buildings	Despite any other provisions in this By-law, a canopy or portico over a major entrance to an <b>apartment building</b> or commercial building may project into the required <b>yard</b> a distance equal to one-half (1/2) the setback of the <b>building</b> from the <b>street line</b>
Window awnings	1.2 m [3.9 ft.] into any required <b>yard</b>
Steps, ramps for use by persons with disabilities	No maximum into any required <b>yard</b>
Unenclosed porch, uncovered platform landing, patio or <b>balconies</b> or steps	No maximum into any side yard and 3.0 m [9.8 ft.] into any required front or rear yard
Accessory building	As permitted by and as specified in this By-law

No structure permitted to project into any required yard shall obstruct a sight triangle (see also **Section 4.30**).

## 4.29 Prohibited Uses

Except as specifically permitted in this By-law, the following uses are prohibited:

1. No use shall be permitted within the Township which from its nature or the materials used therein is declared to be a noxious trade, business or manufacture.
2. Except as otherwise specifically permitted in this By-law, no land shall be used and no building or structure shall be erected, altered or used for any

purpose that creates or is likely to become a nuisance or offensive, or both, to an adjacent property holder or to the general public.

#### 4.30 Sight Triangles

On a **corner lot** no obstruction higher than 0.75 m [2.5 ft.] (except a chain link fence for a school or park) shall be permitted on that part of a **lot** at the street corner composed of a triangle having sides 5.0 m [16.4 ft.] in length along each **street line** measured from the street corner formed by the **lot lines**, or by the straight line projection of **lot lines** when **lot lines** are connected by a curved line (see illustration).

#### 4.31 Signs

Unless otherwise stated in this By-law, **signs** shall be permitted only in accordance with the applicable by-law(s) of the Township.

#### 4.32 Storage Containers in a Residential Zone

No **person** shall place a **storage container** in any **residential zone** except in accordance with the **zone regulations** in Table 4.32.

#### 4.33 Storage Containers in a Non-Residential or Rural Zone

No **person** shall place a **storage container** in any **non-residential zone** or Rural Zone except in accordance with the **zone regulations** in Table 4.32.

Table 4.32 – Requirements for Storage Containers and Storage Trailers			
Item	Residential Zones	Commercial Zones	Industrial & Rural Zones
Number of Storage Containers and Storage Trailers (Units) permitted per lot	-not permitted in R1, R2, and MHP -1 storage container per dwelling unit in RR as an accessory use -Storage trailers are prohibited in any residential zone	-maximum of 3 units whether storage containers or storage trailers or a combination thereof in a C, CR and CL zone only - no limit where the C and CR permitted use is for the commercial display and sale of storage containers or where the permitted use is a commercial self-storage facility	- maximum of 3 units whether storage containers or storage trailers or a combination thereof in any Industrial Zone and in a Rural Zone for a non-residential use with a minimum 0.4 ha lot area -one (1) additional unit shall be permitted for each additional 4 ha of land area in a Rural Zone only, up to a maximum of 10 total -not permitted in any source protection, environmental and open space zones
Maximum Container Dimensions	-RR Zone: 3m (width) by 4.8 m (length) by 2.9 m (height) and a maximum gross floor area of 14.4 m <sup>2</sup> per unit	-3 m (width) by 12.1 m (length) by 2.9 m (height) and a maximum gross floor area of 36.3 m <sup>2</sup> per unit	-3 m (width) by 12.1 m (length) by 2.9 m (height) and a maximum gross floor area of 36.3 m <sup>2</sup> per unit

<b>Table 4.32 – Requirements for Storage Containers and Storage Trailers</b>			
<b>Item</b>	<b>Residential Zones</b>	<b>Commercial Zones</b>	<b>Industrial &amp; Rural Zones</b>
Location	-Rear Yard only except on a temporary basis -all other applicable setbacks shall continue to apply -minimum 1.5 m distance separation from any main building, the window or door of a habitable room	-Rear Yard or Interior Side Yard only except on a temporary basis -all other applicable setbacks continue to apply -minimum 1.5 m distance separation from any main building, window or door of a habitable room	-No restriction provided unit(s) set back a minimum of 30 m from street line -all other applicable setbacks shall continue to apply -minimum 1.5 m distance separation from any main building, window or door of a habitable room
Maximum Lot Coverage	Shall apply as per the zone affected	Shall apply as per the zone affected	Shall apply as per the zone affected
Location Restriction	Not permitted on any required parking space, parking aisle, driveway, stacking lane or on a required landscape buffer	Not permitted on any required parking space, parking aisle, driveway, stacking lane or on a required landscape buffer	Not permitted on any required parking space, parking aisle, driveway, stacking lane or on a required landscape buffer
Use Restriction	Human habitation is prohibited. <b>A <i>storage container</i></b> shall not be used for the storage of fuels or hazardous materials.	Human habitation is prohibited. <b>A <i>storage container</i></b> shall not be used for the storage of fuels or hazardous materials.	Human habitation is prohibited. <b>A <i>storage container</i></b> shall not be used for the storage of fuels or hazardous materials.
Maximum Height Restriction	No stacking of storage units shall be permitted	No stacking of storage units shall be permitted	No stacking of storage units shall be permitted
Ventilation	Ventilation shall be required	Ventilation shall be required	Ventilation shall be required
Fencing	Use for the purpose of screening or fencing prohibited	Use for the purpose of screening or fencing prohibited	Use for the purpose of screening or fencing prohibited
Advertising on a Storage Container or Storage Trailer	Prohibited	Prohibited	Prohibited
Snow Load, Rain Load, Fire, Occupancy and Foundations	Shall comply with <i>Ontario Building Code</i>	Shall comply with <i>Ontario Building Code</i> . Trailer wheels to be removed	Shall comply with <i>Ontario Building Code</i> . Trailer wheels to be removed
<b>Additional Provisions:</b> <ol style="list-style-type: none"> <li>1. A storage container and a storage trailer shall be considered as an accessory use.</li> <li>2. Despite the number of storage containers and storage trailers permitted in <b>Table 4.32</b>, this section shall not be deemed to prevent the use of a storage container or storage trailer as a temporary use in any zone where required for the storage of building materials or equipment or use as a field office associated with construction on the same lot provided a valid building permit is in place. Despite the location limitations, any storage unit may be located in any yard except in a sight triangle (see also Section 3.25).</li> </ol>			

**Table 4.32 – Requirements for Storage Containers and Storage Trailers**

Item	Residential Zones	Commercial Zones	Industrial & Rural Zones
3.	Despite the number of storage containers and storage trailers permitted in <b>Table 4.32</b> , this section shall not be deemed to prevent the use of a storage container or storage trailer required as part of the operation of a Contractor's Yard as defined in this by-law or as part of a processing or other operation of an industrial use.		
4.	Despite the requirements on the <i>Ontario Building Code</i> , a foundation shall not be required for any storage container with a gross floor area of less than 55 m <sup>2</sup> .		
5.	A <b>storage container</b> shall be permitted in a <b>driveway</b> on a residential property for a period not to exceed five (5) days and only for the purpose of loading or unloading household items during the process of moving, but in no case shall encroach upon a public sidewalk or create a site line obstruction to traffic.		

#### 4.34 Streets and Parks

In any **zone** established by this By-law, streets, walkways, bike paths and parks are permitted.

#### 4.35 Temporary Buildings or Structures During Construction

Nothing in this By-law shall prevent the use of land or the use or **erection** of a temporary **building** or **structure** or a scaffold or other equipment essential to the construction in progress for which a building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.

In addition, temporary accommodation for a business or other **use** which is intended to occupy a **building** which is under construction with the work in progress on such **building** may be temporarily **permitted** on the same **lot** in the form of a mobile, relocatable, portable or transportable **building** provided:

1. Approval is obtained pursuant to the matters contained herein; and
2. Such temporary accommodation is removed from the lot immediately upon completion of construction, abandonment of construction or at such time as in the opinion of the Corporation it is no longer required.

#### 4.36 Use by Public Authority or Public Utility

The provisions of this By-law shall not apply to the use of any land or to the **erection** or **use** of any utility installation for the purpose of public service by the Township of Sables-Spanish Rivers and/or any **public authority**, any department of the Government of Ontario or Canada, including any Hydro One/OPG facilities pursuant to the *Planning Act*, or publicly licensed authority provided that where such land, **building** or **structure** is located in or abutting a **zone** in which **residential uses** of land are **permitted** provided:

1. No goods, materials or equipment shall be stored in the open;
2. The **lot coverage** and **setback** regulations of the **zone** in which such land, **building** or above ground **structure** is located shall be complied with;
3. Any **building erected** under the authority of this section shall not be used for the purpose of an office;
4. Parking and loading requirements as contained in this By-law shall be complied with; and
5. A **communications facility** established by a public or private authority shall be permitted in any Industrial Zone or Rural Commercial (CR) Zone or Rural (R) Zone, provided the construction standard complies with the applicable provincial and federal statutes and regulations and provided that the base of any freestanding tower is set back a minimum of 20 m [65.6 ft.] from any **lot line**. **Communications facilities** shall comply with Industry Canada Standards for construction and safety.

#### 4.37 Water Supply and Sewage Disposal Systems

No person shall hereafter **erect** or **use** in whole or in part, any **building** or **structure** for any residential, commercial, institutional or industrial purposes on any land unless the **use, building** or **structure** is properly connected to an approved water supply and sewage disposal system under the Ontario Water Resources Act or the Building Code Act unless the use is exempted under the Building Code Act for same.

#### 4.38 Yard Sale

A **yard sale** shall be **permitted** as an **accessory** activity to a **permitted residential use** or **public service use** and may be **permitted** on a commercial property.

#### 4.39 Zones Applying to More than One Property

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

## Section 5 ZONES

### 5.1 ZONE CLASSIFICATION

For the purposes of this By-law, the Township of Sables-Spanish Rivers is divided into the following **zones** as named and described in the following sections, the boundaries of which are shown on Schedule "A, B and C" which are attached and form part of this By-law.

### 5.2 ZONES

#### Zone Symbol

#### **RESIDENTIAL ZONES**

- General Residential Zone.....R1
- Multiple Residential Zone .....R2
- Resource Recreation Zone ..... RR
- Mobile Home Park Zone..... MHP

#### **COMMERCIAL ZONES**

- General Commercial Zone .....C
- Rural Commercial Zone ..... CR
- Local Commercial Zone .....CL

#### **INDUSTRIAL ZONES**

- Light Industrial Zone..... M1
- Medium Industrial Zone..... M2
- Rural Industrial Zone ..... M3
- Mineral Aggregate Resource Zone .....MX
- Waste Management Facility .....WMF
- Mining Zone .....MR
- Salvage Yard Zone..... MSR



## RURAL AND ENVIRONMENTAL ZONES

- Rural Zone .....R
- Environmental Protection ..... EP

### 5.3 INTERPRETATION OF ZONE BOUNDARIES

**5.3.1** When determining the boundary of any **zone** as shown on any Schedule forming part of this By-law, the following provisions shall apply:

1. A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;
2. A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream or right-of-way;
3. A boundary indicated as following the **shoreline** shall follow such shoreline, and in the event of a change in the shoreline, the boundary shall be construed as moving with the actual **shoreline**;
4. A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Township lot lines shall follow such lot lines;
5. Where a boundary is indicated as approximately parallel to a **street line** or other feature, indicated in clause (1), (2), and (3) above, and the distance from such **street line** or other feature is not indicated, and clause (4) above is not applicable, such boundary shall be construed as being parallel to such **street line** or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule;
6. A boundary indicated as following the limits of the Municipality shall follow such limits; and
7. In the event a dedicated **public street, lane** or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the **zone** of the adjoining property on either side of such closed **public street, lane** or right-of-way. If a closed **public street, lane** or right-of-way is the boundary between two or more different **zones** the new **zone** boundaries shall be the former centre line of the closed **public street, lane** or right-of-way.

## 5.4 GENERAL RESIDENTIAL - R1

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the General Residential - R1 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.4.1 Permitted Uses

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• <b>Dwelling - Converted</b></li> <li>• <b>Dwelling - Duplex</b></li> <li>• <b>Dwelling - Seasonal</b></li> <li>• <b>Dwelling - Semi-detached</b></li> <li>• <b>Dwelling - Single Detached</b></li> <li>• <b>Group Home</b> (see Section 4.14)</li> <li>• <b>Park</b></li> <li>• <b>Place of Worship</b></li> <li>• <b>Public Service Use</b> (see Section 4.36)</li> <li>• <b>Public Utility</b> (see Section 4.36)</li> <li>• <b>School</b></li> <li>• Existing commercial uses in the Hamlet of Walford</li> </ul> | <p><b>Accessory Uses, Buildings and Structures</b></p> <ul style="list-style-type: none"> <li>• <b>Apartment-in-a-House</b></li> <li>• <b>Bed and Breakfast Establishment</b></li> <li>• <b>Garden Suite</b> where permitted under a temporary use by-law amendment (see Section 4.13)</li> <li>• <b>Home Based Business</b></li> <li>• <b>Marine Facility</b></li> <li>• <b>Parking Area</b></li> <li>• <b>Additional Residential Unit</b></li> <li>• Any other <b>uses, buildings</b> or structures which are <b>accessory</b> to the list of <b>permitted uses</b></li> </ul> |
|---|--|

### 5.4.2 Zone Requirements

Minimum Lot Area - Municipal Water or Municipal Sewer

- Single detached, seasonal dwelling, group home, place of worship, **public service use**, school ..... 700 m<sup>2</sup> [7,534.9 ft.<sup>2</sup>]
- Semi-detached, duplex, converted dwelling: ..... 700 m<sup>2</sup>/dwelling unit: [7,534 ft<sup>2</sup>]

Minimum Lot Area - Individual On-Site System: 1 ha/dwelling unit [2.47 ac]

Minimum Lot Frontage per Dwelling Unit - Municipal Water or Municipal Sewer

Webbwood.....	15 m [49.2 ft.]
Massey (By-law 88-5).....	18.28 m [60 ft.]

Minimum Lot Frontage per Dwelling Unit –

Individual On-Site System .....	80 m [262.4 ft.]
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Minimum Lot Depth ..... 30 m [98.4 ft.]

Minimum Yard Requirements - Main Building

- Front Yard ..... 6 m [19.6 ft.]
- Rear Yard ..... 6 m [19.6 ft.]
- Interior Side Yard ..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

Minimum Yard Requirements - Accessory Building

- Front Yard ..... 6 m [19.6 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard ..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]

Maximum Lot Coverage - Municipal Water or Municipal Sewer ..... 35%

Maximum Lot Coverage - Individual On-Site System ..... 10%

Maximum No. of Dwelling Units per Lot\*

- Dwelling - Single detached, seasonal, group home ..... 1
- Dwelling - Semi-detached, duplex, converted ..... 2

\* Except where a lot is rezoned to permit a Garden Suite as a **permitted use** (see **Section 4.13**)

### 5.4.3 Additional Provisions

1. No part of any **kennel** may be located closer than 100 m [328 ft.] to a **dwelling unit** on another **lot**;
2. A **park** or **parking area** shall not be subject to minimum **lot area** or **lot frontage** requirements but shall comply with the **setback** requirements of **Section 5.4.2**;
3. **Cemeteries** shall not be governed by the above standards but shall conform with the *Funeral, Burial and Cremation Services Act, 2002*;
4. The minimum interior side yard shall not apply to the party wall of a semi-detached dwelling.
5. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

#### **5.4.4 Exception Zones (See also Section 6)**

1. R1-1: Unit 18, Plan D-263. (By-law 88-7, Massey)
2. R1-2: Units 18 and 19, Plan D-264. (By-law 89-15, Massey)
3. R1-3: Units 14, 18, 19 and 20, Plan D-256 (By-law 92-13, Massey)
4. R1-4: Unit 10, Plan D-256. (By-law 93-15, Massey)
5. R1-5: Parcel 979, S. W. S., being lot 16, Plan M-5, Town of Webbwood (31 Bolton Street). (By-law 95-5, Webbwood)
6. R1-6: Parcel 1678, S. W. S., being Part 1, Plan 53R-9636 in Lot 8, Concession 6, Town of Webbwood (112 Agnew Lake Road) (By-law 95-6, Webbwood)
7. R1-7: Parcel 1539, Plan M-6, West Half Lot 31, Hallam, (Webbwood) (By-law 99-42, SSR)
8. R1-8: Section 26, Parcel 26-3, Victoria (By-law 2004-10)
9. R1-9: North part of Section 25, Parcel 1-1, Plan D-269, Unit 1 & 2, Salter (By-law 2006-36)

## 5.5 MULTIPLE RESIDENTIAL - R2

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Multiple Residential - R2 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.5.1 Permitted Uses

- **Continuum-of-care-Facility**
- **Dwelling - Apartment**
- **Dwelling - Converted**
- **Dwelling – Row/Townhouse**
- **Marine Facility**
- **Park**

#### **Accessory Uses, Buildings and Structures**

(see also **Section 4.1**)

- **Home Based Business** (see **Section 4.15**)
- **Parking Area**
- **Additional Residential Unit**
- Any other **uses, buildings** and structures which are **accessory** to the list of **permitted uses**

### 5.5.2 Zone Requirements

Minimum Lot Area - Municipal Water or Municipal Water for an apartment, converted or row dwelling: 1,300 m<sup>2</sup> [13,993.5 ft.<sup>2</sup>] for 1<sup>st</sup> 4 units plus 400 m<sup>2</sup> [4,305.7 ft.<sup>2</sup>]/each additional dwelling unit thereafter

Minimum Lot Area Continuum-of-care-Facility .....0.8 ha [1.97 ac.]

#### Minimum Lot Frontage

- Apartment Dwelling ..... 36 m [118.1 ft.]
- Row Dwelling .....6 m/ dwelling unit [19.6 ft.]

#### Minimum Yard Requirements - Main Building

- Front Yard ..... 6 m [19.6 ft.]
- Rear Yard ..... 7.5 m [24.6 ft.]
- Interior Side Yard ..... 1.2 m [3.93 ft.]
- Other side ..... 3 m [9.84 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

#### Minimum Yard Requirements - Accessory Building

- Front Yard ..... 6 m [19.6 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard ..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]

Maximum Lot Coverage ..... 35%

Maximum No. of Dwellings per Lot..... 1

### 5.5.3 Additional Provisions

1. No part of any ***kennel*** may be located closer than 100 m [328 ft.] to a ***dwelling unit*** on another ***lot***.
2. A ***park*** or ***parking area*** shall not be subject to minimum lot area or lot frontage requirements but shall comply with the setback requirements of **Section 5.5.2**.
3. The minimum landscaped open space for any permitted residential use, ***Continuum-of-care-Facility*** shall be 15% of the lot area.
4. The minimum ***interior side yard*** shall not apply to the party wall of a ***row/townhouse dwelling***.
5. All applicable ***zone regulations*** of **Section 4 – General Provisions** shall apply.

### 5.5.4 Exception Zones

## 5.6 RESOURCE RECREATION - RR

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Resource Recreation - RR Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.6.1 Permitted Uses

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• <b>Campground</b> (see Section 5.6.3)</li> <li>• <b>Dwelling - Seasonal</b></li> <li>• <b>Dwelling - Single Detached</b></li> <li>• <b>Golf Course</b></li> <li>• <b>Marina</b></li> <li>• <b>Mobile Home</b></li> <li>• <b>Parking Lot - Commercial</b></li> <li>• <b>Public Service Use</b> (see Section 4.34)</li> <li>• <b>Public Utility</b> (see Section 4.34)</li> <li>• <b>Recreational Commercial Establishment</b></li> <li>• <b>Restaurant</b></li> <li>• <b>Tourist Establishment</b></li> <li>• <b>Tourist Outfitters Establishment</b></li> </ul> | <p><b>Accessory Uses, Buildings and Structures</b> (see also Section 4.1)</p> <ul style="list-style-type: none"> <li>• <b>Accessory Dwelling</b></li> <li>• <b>Accessory Dwelling Unit</b></li> <li>• <b>Camp</b> (see also Section 4.4)</li> <li>• <b>Garden Suite</b> where permitted under a temporary use by-law amendment (see Section 4.13)</li> <li>• <b>Home Based Business</b> (see Section 4.15)</li> <li>• <b>Marine Facility</b></li> <li>• <b>Parking Area</b></li> <li>• Shoreline Structure (see Section 5.6.3)</li> <li>• Any other <b>uses, buildings</b> and <b>structures</b> which are <b>accessory</b> to the list of <b>permitted uses</b></li> </ul> |
|--|---|

### 5.6.2 Zone Requirements

#### Minimum Lot Area

- Exterior Side Yard ..... 15 m [49.2 ft.]
- Seasonal dwelling, single detached dwelling, mobile home -  
..... 1 ha [2.47 ac.]
- All other uses: ..... The greater of 1 ha [2.47 ac.] or as required by a hydrogeological study

Minimum Lot Frontage ..... 80 m [262.4 ft.]

Minimum Lot Depth ..... 50 m [164.4 ft.]

#### Minimum Yard Requirements - Main Building

- Front Yard (1) with shoreline frontage ..... 30 m [98.4 ft.]
- Front Yard (2) back lot ..... 15 m [49.2 ft.]
- Rear Yard ..... 6 m [19.6 ft.]
- Interior Side Yard..... 4 m [13.1 ft.]
- Exterior Side Yard ..... 15 m [49.2 ft.]

Minimum Yard Requirements - Accessory Building

- Front Yard..... 15 m [49.2 ft.]
- Rear Yard ..... 4 m [13.1 ft.]
- Interior Side Yard..... 4 m [13.1 ft.]
- Exterior Side Yard ..... 15 m [49.2 ft.]

(See also 5.6.3 - Additional Provisions for Shoreline Structures)

Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]
- Boat House..... 1 storey

Maximum Lot Coverage ..... 10%

Maximum No. of Dwelling Units per Lot\*

- Dwelling - Single detached, mobile home, seasonal dwelling..... 1

\* Except where a lot is rezoned to permit a Garden Suite as a **permitted use** (see **Section 4.13**)

### 5.6.3 Additional Provisions

1. New development and land uses and new or expanding **livestock facilities** in or adjacent to a Resource Recreation zone will comply with the **Minimum Distance Separation Formulae I and II**;
2. No part of any **kennel** may be located closer than 100 m [328 ft.] to a **dwelling unit** on another **lot**;
3. A **park** or **parking area** shall not be subject to minimum **lot area** or **lot frontage** requirements but shall comply with the **setback** requirements of Section 5.6.2.;
4. **Cemeteries** shall not be governed by the above standards but shall conform with the *Funeral, Burial and Cremation Services Act, 2002*;
5. No shoreline structure shall be **permitted** within a depth of 15 m [49.2 ft.] from the shoreline except a **deck, boat house**, boat port, float plane hangar, dock or wharf;
6. With the exception of a **boat house** (wet), boat port, float plane hangar, dock or wharf, all shoreline structures shall be constructed within the confines of the



- property boundaries of a **lot**;
7. The **gross floor area** of a **boat house** or boat port, shall not exceed 80 m<sup>2</sup> [861.1 ft.<sup>2</sup>];
  8. A sauna or steam bath shall not exceed a **gross floor area** of 10 m<sup>2</sup> [107.6 ft.] and shall not be serviced by a pressurized water system;
  9. The type of docks shall generally be limited to floating, cantilevered or post dock construction. Other types of docks may be permitted where it is demonstrated that they will not have a negative impact on fish habitat. Docks shall be built of non-toxic building materials. The shoreline below the high-water mark shall not be permanently altered through the construction of shoreline structures except to accommodate the placement or use of docks as approved by the authority having jurisdiction. No dock shall exceed 1.8 m [6 ft.] in width or 10 m [32.8 ft.] in length. Despite these dimensions, no dock or wharf shall be constructed which constitutes a navigation or safety hazard;
  10. No shoreline structure which will destroy fish habitat shall be **permitted**;
  11. A density not to exceed maximum of 12 campsites per 0.4 ha [0.98 ac.) shall be permitted for a campground and a beach or other recreational area. The minimum area of a campsite shall be 10 m<sup>2</sup> [107.6 ft.<sup>2</sup>];
  12. Where the lot or part thereof fronts on a private road, the setbacks for the erection of a building or structure shall be measured from the private road (see definition of setback).
  13. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

#### 5.6.4 Exception Zones (See also Section 6)

1. RR-1: SE ¼, Section 18, Victoria (By-law 80-11, Spanish River)
2. RR-2: Kecil Lake, Lots 1-8, Plan 53M-1139 (By-laws 81-24, 81-45, Spanish River)
3. RR-3: Victoria Cove Subdivision (By-law 83-14, Spanish River)
4. RR-4: Slack Subdivision (By-law 83-25, Spanish River)
5. RR-5: Parcel 1788, May (By-law 88-36, Spanish River)
6. RR-6: Parcel 15-4, Section 15, Victoria (By-law 89-52, Spanish River)
7. RR-7: SE ¼, Section 35, Salter (By-law 89-68, Spanish River)
8. RR-8: Parcel 7561, Lot 10, Concession 3, Harrow (By-law 90-48, Spanish River)
9. RR-9: Parcel 40-1, Section 40, Victoria (By-law 91-04, Spanish River)
10. RR-10: Part 2, Plan 53R-9271, Lot 11, Concession 4, Harrow (By-law 92-22, Spanish River)
11. RR-11: Parcel 15-4, Part 1, SR 1917, Section 15, Victoria (By-law 92-25, Spanish River)
12. RR-12: Parcel 17-1, Part SE 17, NE ¼, Victoria (By-law (5-26, Spanish River)
13. RR-13: Parcel 17-1, Part Section 17, Victoria (By-law 90-10, Spanish River)

- 14.** RR-14: Plan 53R-15646, Parcel 17-3, Section 17, Victoria (By-law 96-18, Spanish River)
- 15.** RR-15: Parcels 8252, 16071, Lot 11, Concession 4, Harrow (By-law 96-39, Spanish River)
- 16.** RR-16: Parcels 10125, 30055, Lot 10, Concession 3, Harrow (By-law 98-11, Spanish River)
- 17.** RR-17: Parcel 17-1, Part NE ¼, Section 17, Victoria (By-law 18-98, Spanish River)
- 18.** RR-18: Parcel 17-1, Plan 53M-1278, Lots 17, 18, Part NE ¼, Section 17, Victoria (By-law 2000-13, SSR)
- 19.** RR-19: Parcel 27697, Concession 5, Lot 10, McKinnon (By-law 2003-12, SSR)
- 20.** RR-20: Plan 53M-1264, Shakespeare (Minister's Zoning Order)
- 21.** RR-21: Concession 5, Lot 1 & 2, Parcel 31455, Plan 53R-17178, Part 1, Harrow (By-law 2003-40)
- 22.** RR-22: Concession 5, Lot 11, Parcel 19359 and Parcel 20266, McKinnon (By-law 2004-29)
- 23.** RR-23: Section 18, Parcel 28661, Plan 53R-9587, Part 1, Victoria (By-law 2004-23)
- 24.** RR-24: Part NW ¼ Section 17, Parcel 53M-1155-8, Plan 53M-1155, Lot 8, Victoria (By-law 2004-31)
- 25.** RR-25: Concession 4, Lot 11, Parcel 10718, 9888, 9756, Plan 54R-15870, Parts 1, 3, 4, 5, 8 Harrow and Concession 4, Lot 11, Parcel 9793, Harrow (By-law 2004-36)
- 26.** RR-26: Section 18, Parcel 18-4-6, Plan 53R-14759, Parts 3, 5 & 6, Victoria (By-law 2006-37)
- 27.** RR-27: Concession 5, Lot 11, Parcel 20266, McKinnon (By-law 2007-17)
- 28.** RR-28: Concession 4, Part Lot 11, Plan 53R-9842, Parts 1, 2 & 3, Harrow (By-law 2007-19)
- 29.** RR-29: Section 17, Part 4, Plan 53R-1155, Part of Part 1, Plan 53R-16509, Victoria (By-law 2007-23)
- 30.** RR-30: Section 18, Parcel 18-4-6, Pat 7, Plan 53R-14759, Victoria (By-law 2007-27)
- 31.** RR-31: Parcel 1033L, Plan M-951, Lot 6, Gough (By-law 2007-29)

## 5.7 MOBILE HOME PARK - MHP

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Mobile Home Park - MHP Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.7.1 Permitted Uses

- **Mobile Home Park**
  - **Mobile Homes** including a **Park Model Unit**
- Accessory Uses, Buildings and Structures**  
(see also **Section 4.1**)
- **Accessory Dwelling**
  - **Accessory Dwelling Unit**
  - **Additional Residential Unit**
  - **Home Based Business** (see **Section 4.15**)
  - **Park**
  - **Playground**
  - Any other **uses, buildings** and structures which are accessory to the list of **permitted uses**

### 5.7.2 Zone Requirements

#### Minimum Lot Area or Site Area

- Mobile Home Park .....2 ha [4.94 ac.]
- Mobile Home Site or Lot ..... 670 m<sup>2</sup> [7, 212 ft.<sup>2</sup>]
- Accessory Dwelling Unit .. 1 ha [2.47 ac] per unit in addition to above

#### Minimum Lot Frontage

- Mobile Home Park ..... 80 m [262.4 ft.]
- Mobile Home Site or Lot ..... 18 m [59 ft.]

#### Minimum Lot Depth

- Mobile Home Park ..... 50 m [164.4 ft.]
- Mobile Home Site or Lot ..... 36 m [118.1 ft.]

#### Minimum Mobile Home Yard Requirements - Main Building

- Front Yard..... 6 m [19.6 ft.]
- Rear Yard ..... 6 m [19.6 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]
- Minimum Yard Requirements
  - Mobile Home Park (all yards) ..... 6 m [19.6 ft.]

Minimum Yard Requirements - Accessory Building

- Front Yard..... 5 m [19.6 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]

Maximum Lot Coverage - Mobile Home Site or Lot..... 30%

Maximum Number of Mobile Homes per Site or Lot..... 1

### 5.7.3 Additional Provisions

#### 1. Mobile Home Park

- a) New development and land uses and new or expanding **livestock facilities** in or adjacent to a Resource Recreation zone will comply with the **Minimum Distance Separation Formulae I and II**;
- b) Minimum width of **landscaped open space** (buffer) on all boundaries of a mobile home park shall be 7.5 m [24.6 ft.]; a
- c) A minimum of 10 % of the **lot** shall be dedicated and developed for recreational facilities such as a **park** or **playground** areas for common use of the **mobile home park** residents. Such areas shall not form part of the **mobile home sites** or internal streets within the mobile home park and shall be clearly bordered by a **fence** or hedge or definable separation from a street or mobile home sites and shall be appropriately landscaped.

#### 2. Mobile Home Site or Lot

- a) **Mobile home sites** or **lots** shall be provided from an internal park street with no sites having direct access to a **public street**; and
- b) The installation of a **mobile home** shall be in conformance with the *Ontario Building Code*.

#### 3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

## 5.8 GENERAL COMMERCIAL - C

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the General Commercial - C Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.8.1 Permitted Uses

- **Animal Day Care Establishment**
  - **Animal Shelter**
  - **Auction Hall**
  - **Auto Service Station**
  - **Automotive Sales Establishment**
  - **Bakery**
  - **Bank**
  - **Brewery or Winery**
  - **Building Supply Store**
  - **Car Washing Establishment**
  - **Clinic**
  - **Commercial Greenhouse**
  - **Community Garden**
  - **Convenience Store**
  - **Crisis Care Facility**
  - **Day Nursery**
  - **Drive-through Facility**
  - **Dwelling, Converted (Webbwood only)**
  - **Dwelling, Single Detached (Webbwood only)**
  - **Equipment Rental Establishment**
  - **Fitness Centre**
  - **Flea Market**
  - **Funeral Home**
  - **Garden Centre**
  - **Gasoline Bar**
  - **Gasoline Card Lock Facility**
  - **Microbrewery**
  - **Motel**
  - **Office**
  - **Parking Lot - Commercial**
  - **Personal Service Establishment**
  - **Place of Amusement**
  - **Place of Assembly**
    - **Place of Worship**
    - **Private Club**
    - **Public Service Use** (see Section 4.36)
    - **Public Utility** (see Section 4.36)
    - **Recreational Commercial Establishment**
    - **Recreational Vehicle Sales and Storage and Repair**
    - **Restaurant**
    - **Retail Store**
    - **Self-Storage Facility**
    - **Studio**
    - **Tourist Establishment**
    - **Veterinary Establishment**
    - **Warehouse**
    - **Workshop or Custom Workshop**
- Accessory Uses, Buildings and Structures**  
(see also Section 4.1)
- **Accessory Dwelling Unit**
  - Any other **uses, buildings** and **structures** which are accessory to the list of **permitted uses**

## 5.8.2 Zone Requirements

### Minimum Lot Area

- Municipal Water or Municipal Sewer..... 558 m<sup>2</sup> [6,006.4 ft.<sup>2</sup>]
- Individual On-Site System..... 1 ha [2.47 ac.]

Minimum Lot Frontage ..... 15 m [49.2 ft.]

Minimum Lot Depth ..... 15 m [49.2 ft.]

### Minimum Yard Requirements - Main Building

- Front Yard..... 1 m [3.28 ft.]
- Rear Yard ..... 6 m [19.6 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard..... 6 m [19.6 ft.]

### Minimum Yard Requirements - Accessory Building

- Front Yard..... 6 m [19.6 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard..... 1 m [3.28 ft.]
- Exterior Side Yard..... 6 m [19.6 ft.]

### Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.7 ft.]

Maximum Lot Coverage ..... 60%

Maximum No. of Dwelling Units per Lot ..... 2

## 5.8.3 Additional Provisions

1. An **accessory dwelling unit** may be located within a building occupied by any commercial use except an automotive use. Where the **dwelling unit** is detached, the minimum **lot area** shall be as set out in the R1 Zone and shall be in added to the minimum lot size in the C Zone;
2. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, a landscaped strip of not less than 1.5 m [4.92 ft.] in width shall be provided along the abutting **lot line(s)**; and
3. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, the **setback** on the abutting **yard** shall be a minimum of 7.5 m [24.6 ft.].
4. All applicable **zone regulations** of Section 4 – General Provisions shall apply.

### **5.8.4 Exception Zones**

1. C-1: Unit 13 and Part of Units 10 and 15, Plan D-260, RP53R-8545, Part 2 added. (By-law 93-16, Massey)
2. C-2: Units 34 and 35, Plan D-269, Town of Massey. (By-law 93-17, Massey)
3. C-3: Units 9, 10 and 13, Plan D-260, Town of Massey. (By-law 93-29, Massey)

## 5.9 RURAL COMMERCIAL - CR

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Rural Commercial - CR Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.9.1 Permitted Uses

- **Accessory Use** (see also Section 4.1)
  - **Agriculturally Related Commercial/Industrial Use**
  - **Ambulance facility, helipad, heliport**
  - **Animal Day care Establishment**
  - **Animal Shelter**
  - **Antique Store**
  - **Auction Hall**
  - **Auto Body Shop**
  - **Auto Repair Garage**
  - **Auto Service Station**
  - **Brewery or Winery**
  - **Building Supply Store**
  - **Car Washing Establishment**
  - **Clinic**
  - **Commercial Greenhouse**
  - **Drive-through Facility**
  - **Equipment Rental Establishment**
  - **Farm Produce Outlet**
  - **Flea Market**
  - **Garden Centre**
  - **Gasoline Bar**
  - **Home Based Business** (see Section 4.15)
  - **Laundromat**
  - **Microbrewery**
  - **Motel**
  - **Nursery**
  - **Office**
  - **Parking Lot - Commercial**
  - **Personal Service Establishment**
  - **Place of Amusement**
  - **Printing and Publishing Establishment**
  - **Private Club**
  - **Public Service Use** (see Section 4.36)
  - **Public Utility** (see Section 4.36)
  - **Recreational Commercial Establishment**
  - **Recreational Vehicle Sales and Storage and Repair**
  - **Restaurant**
  - **Self-Storage Facility**
  - **Service Outlet**
  - **Small Scale Retail Use** (see Section 5.9.3 for description)
  - **Studio**
  - **Tourist Establishment**
  - **Tourist Outfitters Establishment**
  - **Transportation Depot**
  - **Veterinary Establishment**
  - **Video Rental Outlet**
  - **Warehouse**
- Accessory Uses, Buildings and Structures**
- **Accessory Dwelling**
  - **Accessory Dwelling Unit**
  - **Shoreline Structure** (see Section 5.6.3)
  - **Any other uses, buildings and structures** which are **accessory** to the list of **permitted uses**



## 5.9.2 Zone Requirements

Minimum Lot Area .....	1.0 ha [2.47 ac.]
Minimum Lot Area with a detached Accessory Dwelling or Accessory Dwelling Unit .....	2 ha [4.94 ac.]
Minimum Lot Frontage .....	80 m [262.4 ft.]
Minimum Lot Depth .....	50 m [164 ft.]
Minimum Yard Requirements	
• Front Yard.....	15 m [49.2 ft.]
• Rear Yard .....	4 m [13.1 ft.]
• Interior Side Yard.....	4 m [13.1 ft.]
▪ Exterior Side Yard.....	4 m [13.1 ft.]
Minimum Yard Requirements - Accessory Building	
• Front Yard.....	15 m [49.2 ft.]
• Rear Yard .....	4 m [13.1 ft.]
• Interior Side Yard.....	4 m [13.1 ft.]
• Exterior Side Yard.....	4 m [13.1 ft.]
Maximum Building Height	
• Main Building .....	11 m [36 ft.]
• Accessory Building .....	6 m [19.7 ft.]
Maximum Lot Coverage .....	30%
Maximum No. of Accessory Dwelling Units per Lot.....	1

## 5.9.3 Additional Provisions

1. No part of any **kennel** may be located closer than 100 m [328 ft.] to a **dwelling unit** on another **lot**;
2. A **park** or **parking area** shall not be subject to minimum **lot area** or **lot frontage** requirements but shall comply with the **setback** requirements of **Section 5.9.2**;
3. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, a landscaped strip of not less than 1.5 m [4.92 ft.] in width shall be provided along the abutting **lot line(s)**;
4. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, the **setback** on the abutting **yard** shall be a minimum of 7.5 m [24.6 ft.].

**5. Small Scale Retail Use**

Means a building or part thereof, in which foods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail, and where the net floor area does not exceed 140 m<sup>2</sup> [1,507 ft<sup>2</sup>] inclusive of any storage.

6. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

**5.9.4 Exception Zones (See also Section 6)**

- |   |                               |
|---|-------------------------------|
| 1. CR-1: Parcel 28-3-2, SW Section 28, Victoria                           | (By-law 90-20, Spanish River) |
| 2. CR-2: Parcel 33-1, NE ¼, Section 33, Victoria                          | (By-law 91-34, Spanish River) |
| 3. CR-3: Part 4, Plan 53R9271, Parcel 27360, Lot 11, Concession 4, Harrow | (By-law 98-20, Spanish River) |

## 5.10 LOCAL COMMERCIAL - CL

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Local Commercial - CL Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.10.1 Permitted Uses

- **Antique Store or Craft Shop**
  - **Convenience Store**
  - **Day Nursey**
  - **Laundromat**
  - **Video Rental Outlet**
- Accessory Uses, Buildings and Structures** (see also **Section 4.1**)
    - **Accessory Dwelling Unit**
    - **Bed and Breakfast Establishment**
    - Any other **uses, buildings** and **structures** which are **accessory** to the list of **permitted uses**

### 5.10.2 Zone Requirements

Minimum Lot Area - Municipal Water or Municipal Sewer : 558 m<sup>2</sup> [6,006.4 ft.<sup>2</sup>]

Minimum Lot Area - Individual On-Site System.....1 ha [2.47 ac.]

Minimum Lot Frontage ..... 15 m [49.2 ft.]

Minimum Lot Depth ..... 15 m [49.2 ft.]

#### Minimum Yard Requirements - Main Building

- Front Yard..... 6 m [19.6 ft.]
- Rear Yard ..... 6 m [19.6 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

#### Minimum Yard Requirements - Accessory Building

- Front Yard..... 6 m [19.6 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard ..... 6 m [19.6 ft.]

#### Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]

Maximum Lot Coverage ..... 35%

Maximum Lot Coverage - Individual On-Site System.....	10%
Maximum No. of Dwelling Units per Lot .....	1

### 5.10.3 Additional Provisions

1. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, a landscaped strip of not less than 1.5 m [4.92 ft.] in width shall be provided along the abutting lot line(s);
2. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, the **setback** on the abutting **yard** shall be a minimum of 7.5 m [24.6 ft.];
3. A local commercial use shall have frontage on and direct access onto a major street utilized for through traffic.
4. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### 5.10.4 Exception Zones

## 5.11 LIGHT INDUSTRIAL - M1

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Light Industrial - M1 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.11.1 Permitted Uses

- **Accessory Use** (see Section 4.1)
- **Ambulance facility, helipad, heliport**
- **Auto Body Shop**
- **Auto Service Station**
- **Class I Industry**
- **Drive-through Facility**
- **Gasoline Bar**
- **Gasoline Card Lock Facility**
- **Microbrewery**
- **Office**
- **Parking Lot - Commercial**
- **Public Service Use** (see Section 4.36)
- **Public Utility** (see Section 4.36)
- **Warehouse**
- **Workshop or Custom**
- **Workshop**

#### Accessory Uses, Buildings and Structures

- **Parking Area**
- Any other **uses, buildings** and **structures** which are **accessory** to the list of **permitted uses**

### 5.11.2 Zone Requirements

Minimum Lot Area .....	1 ha [2.5 ac.]
Minimum Lot Frontage .....	80 m [262.4 ft.]
Minimum Yard Requirements - Main Use	
• All Yards .....	15 m [49.2 ft.]
Minimum Yard Requirements - Accessory Use	
• Front and Exterior Side yard .....	15 m [49.2 ft.]
• Rear or Interior Side Yard .....	5 m [16.4 ft.]
Maximum Building Height	
• Main Building .....	15 m [49.2 ft.]
• Accessory Building .....	8 m [26.2 ft.]
Maximum Lot Coverage .....	50%

### 5.11.3 Additional Provisions

1. See also requirements of **Section 4.20** of this By-law for influence areas and **separation distances** for industries.
2. Where an industrial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot, landscaped open space** or a landscaped strip of not less than 15 m [49.2 ft.] in width shall be provided along the abutting **lot line(s)**.
3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### 5.11.4 Exception Zones

## 5.12 MEDIUM INDUSTRIAL - M2

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Medium Industrial - M2 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.12.1 Permitted Uses

- **Accessory Use** (see Section 4.1)
  - **Ambulance facility, helipad, heliport**
  - **Auto Body Shop**
  - **Auto Service Station**
  - **Class II Industry**
  - Compressed Gas Sales and Service
  - **Contractor's Yard**
  - **Feed Supply Outlet**
  - **Fuel Depot**
  - **Gasoline Bar**
  - **Gasoline Card Lock Facility**
  - **Lumber Yard**
  - **Office**
  - **Parking Lot - Commercial**
  - Produce Grading Station or Storage Facility
  - **Public Service Use** (see Section 4.36)
  - **Public Utility** (see Section 4.36)
  - **Transportation Depot**
  - **Warehouse**
  - Well Drilling Establishment
  - **Workshop or Custom**
  - **Workshop**
- Accessory Uses, Buildings and Structures**  
(see also Section 4.1)
- **Parking Area**
  - Any other **uses, buildings** and **structures** which are **accessory** to the list of **permitted uses**

### 5.12.2 Zone Requirements

Minimum Lot Area .....	1 ha [2.5 ac.]
Minimum Lot Frontage .....	80 m [262.4 ft.]
Minimum Yard Requirements - Main Use	
• All Yards .....	15 m [49.2 ft.]
Minimum Yard Requirements - Accessory Use	
• Front and Exterior Side yard .....	15 m [49.2 ft.]
• Rear or Interior Side Yard .....	5 m [16.4 ft.]
Maximum Building Height	
• Main Building .....	15 m [49.2 ft.]
• Accessory Building .....	8 m [26.2 ft.]
Maximum Lot Coverage .....	50%

### 5.12.3 Additional Provisions

1. See also requirements of **Section 4.20** of this By-law for influence areas and **separation distances** for industries;
2. Where an industrial zone abuts a **residential zone** or a residential use or a sensitive land use on an adjacent lot, landscaped open space or a landscaped strip of not less than 15 m [49.2 ft.] in width shall be provided along the abutting lot line(s).
3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### 5.12.4 Exception Zones (See also Section 6)

1. M2-1: Parcel 27560, SWS, Part 5, Plan 53R9467, NE¼, Section 32, Victoria  
(By-law 92-16, Spanish River)
2. M2-2: Part 20, Unit 20, Plan D, Salter (By-law 29-98, Sables-Spanish Rivers)



## 5.13 RURAL INDUSTRIAL - M3

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Rural Industrial - M3 Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.13.1 Permitted Uses

- **Accessory Use** (see also **Section 4.1**)
- **Class I, II and III Industries**
- **Office**
- **Public Utility** (see **Section 4.36**)
- **Sawmill or Planing Mill**
- **Warehouse**

### 5.13.2 Zone Requirements

Minimum Lot Area .....	2 ha [4.94 ac.]
Minimum Lot Frontage .....	100 m [328 ft.]
Minimum Yard Requirements - Main Use	
• All Yards .....	15 m [49.2 ft.]
Minimum Yard Requirements - Accessory Use	
• Front and Exterior Side yard .....	15 m [49.2 ft.]
• Rear or Interior Side Yard .....	5 m [16.4 ft.]
Maximum Building Height	
• Main Building .....	15 m [49.2 ft.]
• Accessory Building .....	8 m [26.2 ft.]
Maximum Lot Coverage .....	30%

### 5.13.3 Additional Provisions

1. See also requirements of **Section 4.20** of this By-law for influence areas and **separation distances** for industries; and
2. Where an industrial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot, landscaped open space** or a landscaped strip of not less than 15 m [49.2 ft.] in width shall be provided along the abutting **lot line(s)**.
3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### **5.13.4 Exception Zones**

## 5.14 MINERAL AGGREGATE RESOURCE - MX

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Mineral Aggregate Resource - MX Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.14.1 Permitted Uses

- **Accessory Use** (see also **Section 4.1**)
- **Agricultural Use** (not including **buildings** and **structures**)
- **Camp**
- **Conservation Use**
- **Forestry Use** (not including **buildings** and **structures**)
- **Mineral Aggregate Operation**
- **Pit**
- **Portable Asphalt Plant**
- **Public Service Use** (see **Section 4.36**)
- **Public Utility** (see **Section 4.36**)
- **Quarry**
- **Wayside Pit**
- **Wayside Quarry**

### 5.14.2 Zone Requirements

Minimum Yard Requirements

- All Yards ..... 15 m [49.2 ft.]

Maximum Building Height

- Main Building ..... 15 m [49.2 ft.]
- Accessory Building ..... 8 m [26.2 ft.]

### 5.14.3 Additional Provisions

1. Despite the **yard** requirements stated above, a minimum of 30 m [98.4 ft.] **setback** will be required from **lot lines** adjacent to **public streets**;
2. See also requirements of **Section 4.20** of this By-law for influence areas for Mineral Aggregate Resources.
3. Any **mineral aggregate operation, pit** or **quarry** shall comply with any By-law passed under the *Municipal Act* governing a **mineral aggregate operation, pit** or **quarry**.
4. No person shall pile aggregate, top soil, overburden or locate any processing plant or place or build or extend any **building** or **structure**:
  - a) Within 30 m [98.4 ft.] from the **lot line** of the site.

- b) Within 90 m [295.2 ft.] from any **lot line** that abuts an existing residential dwelling or land zoned for residential use.
- 5. Earth berms intended to screen adjoining lands from the operations on site shall be located no closer than 3 m [9.84 ft.] from any lot line.
- 6. No **mineral aggregate operation** shall operate except in compliance with a valid license issued under the *Aggregate Resources Act*, as amended.
- 7. No **portable asphalt plant, wayside pit** or **wayside quarry** shall operate without a valid *Environmental Compliance Approval*.
- 8. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

#### 5.14.4 Exception Zones

- 1. MX-1: Part of the South-West Quarter of section 24, Part of Parcel 24-3 and Part of the North-West Quarter of Section 24, Part of Parcel 24-1-1, Victoria Township  
(By-law 2007-15)

## 5.15 WASTE MANAGEMENT FACILITY - WMF

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Waste Management Facility - WMF Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.15.1 Permitted Uses

- **Agricultural Use** (not including **buildings** and **structures**)
- **Forestry Use** (not including **buildings** and **structures**)
- **Waste Management Facility**
- **Recycling Depot or Transfer Station**

### 5.15.2 Zone Requirements

Minimum Yard Requirements

- All Yards ..... 30 m [98.4 ft.]

### 5.15.3 Additional Provisions

1. See also requirements of **Section 4.20** of this By-law for influence areas for a Waste Management Facility;
2. No **waste management facility** shall be **permitted** or operated except in compliance with a valid Certificate of Approval issued under the *Environmental Protection Act*.
3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### 5.15.4 Exception Zones

1. WMF-1: Concession 2, South-Half Lot 4, Parcel 5985, Shakespeare Township (By-law 2006-44)

## 5.16 MINING - MR

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Mining - MR Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.16.1 Permitted Uses

- **Mineral Aggregate Operation**
- **Mineral Mining Operation**
- Mining Exploration and prospecting
- Mining and mineral extraction operations
- Supporting infrastructure; for example, water supply and waste disposal facilities, hydroelectric power facilities, natural gas facilities, roads
- On-site Smelting and processing
- **Pits and quarries**
- Storage buildings
- **Forestry Use**
- Outdoor recreation
- **Conservation use**
- **Accessory uses** essential to mineral extraction operations (e.g. administration offices, weigh scales, assay office, power plant, lunch room, security facilities) and including only an accessory dwelling unit required for security or administration of mining operations.

### 5.16.2 Zone Requirements

Minimum Lot Area .....no minimum

Minimum Lot Frontage .....no minimum

Minimum Yard Requirements

- All Yards ..... 50 m [164 ft.]
- Pit or Quarry .....in accordance with **Section 5.14**

Minimum **Separation Distance**: In accordance with **Section 4.20** for Class III Industries

### 5.16.3 Additional Provisions

1. All **mines** and **mining operations** shall be developed, operated or closed in compliance with the *Mining Act* and the *Environmental Protection Act*.
2. No person shall operate a **pit** or **quarry** or a **wayside pit** or **wayside quarry** unless any required approvals under the *Aggregate Resources Act* of the *Environmental Protection Act* have been obtained and are valid for the operation of the pit or quarry or a **wayside pit** or **wayside quarry**.
3. Pits and quarries shall be operated in accordance with **Section 5.14**.
4. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

#### **5.16.4 Exception Zones**

## 5.17 SALVAGE YARD - MSR

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Salvage Yard – MSR Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.17.1 Permitted Uses

- Salvage Yard: On lands zoned for a salvage yard, the uses shall include the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, non-hazardous wastes, junk and other materials and shall include the incidental retail, shipping and receiving of such materials. **Accessory uses** may include storage buildings, crushing or processing equipment, waste storage facilities and administration facilities.
- Storage buildings
- Forestry Use
- Conservation use

### 5.17.2 Zone Requirements

Minimum Lot Area .....4 ha [10 ac.]

Minimum Lot Frontage ..... 120 m [393.7 ft.]

Minimum Yard Requirements

- All Yards ..... 15 m [49.2 ft.]

Minimum **Separation Distance**: In accordance with **Section 4.20** for Class III Industries

### 5.17.3 Additional Provisions

1. All salvage yards shall be developed, operated or closed in compliance with the *Environmental Protection Act*;
2. Where a wrecking yard in an MSY zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent lot, the wrecking yard shall be adequately screened on all sides either naturally or by artificial means (e.g. berm, **fence**, vegetation or a combination thereof) such that no portion of the operation including any storage area can be seen from a **public street** or from any other property;
3. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.



#### **5.17.4 Exception Zones**

1. MSR-1: Concession 1, Lot 8, Parcel 1816, Shakespeare Township (By-law 2006-17)
2. MSR-2: Concession 6, Lot 12, Parcel 9804, Harrow Township (By-law 2009-46)

## 5.18 RURAL - R

No **person** shall **use** any land or **erect, alter** or use any **building** or **structure** in the Rural - R Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.18.1 Permitted Uses

- **Ambulance facility, helipad, heliport**
  - **Accessory Use** (see also Section 4.1)
  - **Agricultural Use\***
  - **Agriculturally Related Commercial/Industrial Uses**
  - **Air Strip**
  - **Animal Day Care Establishment**
  - **Animal Shelter**
  - **Auction Hall**
  - **Cemetery\***
  - **Commercial Greenhouse**
  - **Commercial Solar Collector**
  - **Communications Facility**
  - **Community Centre**
  - **Dwelling - Park Model Trailer**
  - **Dwelling - Seasonal\***
  - **Dwelling - Single Detached**
  - **Equestrian Establishment**
  - **Forestry Uses\***
  - **Garage – Municipal**
  - **Geothermal Power Facility**
  - **Green Energy Industries**
  - **Group Home** (see Section 4.14)
  - **Hobby Farm**
  - **Kennel**
  - **Marine Facility**
  - **Mobile Home**
  - **Park**
  - **Park Model Trailer**
  - **Place of Worship**
  - **Place of Assembly**
  - **Portable Asphalt Plant**
  - **Private Club**
  - **Public Service Use** (see Section 4.36)
  - **Public Utility** (see Section 4.36)\*
  - **Renewable Energy System**
  - **School**
  - **Shooting Range or Rifle Club**
  - **Studio**
  - **Tourist Outfitters Establishment**
  - **Veterinary Establishment**
  - **Wayside Quarry**
  - **Wayside Pit**
  - **Wind Farm**
  - **Wind Turbine**
- Accessory Uses, Buildings and Structures**  
(see also Section 4.1)
- **Accessory Dwelling**
  - **Accessory Dwelling Unit**
  - **Additional Residential Unit**
  - **Bed and Breakfast Establishment**
  - **Camp** (see also Section 4.4)
  - **Farm Produce Outlet**
  - **Garage, Private**
  - **Home Based Business** (see Section 4.15)
  - **Parking Area**
  - Any other **uses, buildings and structures** which are **accessory** to the list of **permitted uses**

## 5.18.2 Zone Requirements

### 1. Kennel, Hobby Farm

Minimum Lot Area .....4.0 ha [9.9 ac.]

Minimum Lot Frontage ..... 92 m [301.8 ft.]

#### Minimum Yard Requirements

- Kennel - All Yards ..... 30 m [98.4 ft.]
- Hobby Farm .....same as Other Uses

Maximum Building Height ..... 10 m [32.8 ft.]

Maximum Building Height - Accessory Building ..... 6 m [19.7 ft.]

### 2. Other Uses

Minimum Lot Area per Dwelling Unit .....1 ha [2.47 ac.]

Minimum Lot Frontage ..... 80 m [262.4 ft.]

Minimum Lot Depth ..... 50 m [164.ft.]

#### Minimum Yard Requirements

- Front Yard (1) with shoreline frontage ..... 20 m [65.6 ft.]
- Front Yard (2) back lot ..... 15 m [49.2 ft.]
- Rear Yard ..... 4 m [13.1 ft.]
- Interior Side Yard..... 4 m [13.1 ft.]
- Exterior Side Yard..... 4 m [13.1 ft.]

#### Minimum Yard Requirements - Accessory Building

- Front Yard..... 15 m [49.2 ft.]
- Rear Yard ..... 1.2 m [3.93 ft.]
- Interior Side Yard..... 1.2 m [3.93 ft.]
- Exterior Side Yard..... 4 m [13.1 ft.]

#### Maximum Building Height

- Main Building ..... 11 m [36 ft.]
- Accessory Building ..... 6 m [19.6 ft.]

Maximum Lot Coverage ..... 10%

#### Maximum No. of Dwelling Units per Lot\*

- Dwelling - Single detached, mobile home, park model trailer,  
seasonal, group home ..... 1

\* Except where a **lot** is rezoned to permit a **Garden Suite** as a **permitted use** (see **Section 4.13**)

### 5.18.3 Additional Provisions

1. Only uses denoted with an \* shall be **permitted** on a seasonally maintained road and provided no **structures** are constructed which require access at any time when the road is not maintained;
2. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, a landscaped strip of not less than 1.5 m [4.92 ft.] in width shall be provided along the abutting **lot line(s)**;
3. Where a commercial zone abuts a **residential zone** or a **residential use** or a **sensitive land use** on an adjacent **lot**, the setback on the abutting **yard** shall be a minimum of 7.5 m [24.6 ft.];
4. New development and land uses and new or **expanding livestock facilities** in or adjacent to a **Rural zone** will comply with the **Minimum Distance Separation Formulae I and II**; and
5. Where the **lot** or part thereof fronts on a private road, the setbacks for the erection of a **building** or **structure** shall be measured from the private road (see definition of setback).
6. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

### 5.18.4 Exception Zones (See also Section 6)

1. R-1: Beauchamp Subdivision (By-laws 77-23, 78-6, 86-18, Spanish River)
2. R-2: Blue Sea Estates (By-law 84-15, Spanish River)
3. R-3: Parcels 22-1, 22-1-1, 22-1-2, Section 22, Victoria (By-law 87-28, Spanish River)
4. R-4: Concession 3, Harrow (By-law 87-39, Spanish River)
5. R-5: Part 5, Plan 53R9443 (By-law 88-7, Spanish River)
6. R-6: Parcel 31-22, 31-1-2, Section 31, Victoria (By-law 87-6, Spanish River)
7. R-7: Parcel 28504, Part of Part 1, Plan 53R11074, Hallam (By-law 88-40, Spanish River)
8. R-8: Parcel 31-2-2, 31-1-2, Section 31, Victoria (By-law 89-6, Spanish River)
9. R-9: Parcel 1101 SWS, N ½, Lot 1, Concession 1, May (By-law 89-14, Spanish River)
10. R-10: Parcel 6560, Lot 10, Concession 5, Hallam (By-law 89-35, Spanish River)
11. R-11: Parcel 32-1-1, W ½ of NW ½, Section 32, Victoria (By-law 89-75, Spanish River)
12. R-12: Parcel 26976, Lot 12, Concession 2, Hallam (By-law 90-47, Spanish River)
13. R-13: Parcel 18-4, Part Section 18, Victoria (By-law 91-3, Spanish River)
14. R-14: Parcel 6989, Lot 8, Concession 3, May (By-law 91-26, Spanish River)
15. R-15: Part 1, Plan 53R11548, Lot 9, Concession 6, Hallam (By-law 91-28, Spanish River)

- 16.** R-16: Parcel 18-4, Section 18, Victoria By-law 91-40, Spanish River)
- 17.** R-18: Parcel 2456 SWS, Lot 11, Concession 1, May (By-law 92-29, Spanish River)
- 18.** R-19: Parcel 1858, Lot 9, Concession 2, May (By-law 92-41, Spanish River)
- 19.** R-20: Parts 1 and 4, Plan 53R9231, SW ¼, Section 25, Victoria (By-law 93-17, Spanish River)
- 20.** R-21: Part 1, Plan 53R11767, Lot 9, Concession 2, May (By-law 93-38, Spanish River)
- 21.** R-22: Parcel 15427, Lot 11, Concession 1, Hallam (By-law 95-44, Spanish River)
- 22.** R-23: Parcel 7155, Lot 6, Concession 4, May (By-law 96-09, Spanish River)
- 23.** R-25: Part 1, Plan 54R9341, Parcel 27463, Section 36, Salter (By-law 96-13, Spanish River)
- 24.** R-26: Part 1, Plan 53R14280, Parcel 2605, Section 23, Salter (By-law 96-34, Spanish River)
- 25.** R-27: Part 1, Plan 53R14280, Parcel 2605, Section 23, Salter (By-law 97-11, Spanish River)
- 26.** R-30: Parcel 19494, Part Lot 1, Concession 1, May (By-law 44-98, SSR)
- 27.** R-31: Parcel 1513, Lot 9, Concession 2, 3, Hallam (By-law 2000-26, SSR)
- 28.** R-32: BF Concession, Part of Lot 8, Salter (By-law 2000-37, SSR)
- 29.** R-33: Part of Parcel 15232, Section 33 being part of the NW 1/4, Salter (By-law 2002-29)
- 30.** R-34: Parcel 2639, Concession 4, Lot 2, Hallam, 53M1067, Lot 14 (By-law 94-14, Spanish River)
- 31.** R-35: Parcel 4942, Concession 2, Lot 12, May, 53R-8779, Part 1 By-law 87-27, Spanish River)
- 32.** R-36: Concession 2, Lot 9, Rem of Parcel 5057, May (By-law 2006-08)
- 33.** R-37: Lot 21 Broken Front Concession, Part 1, Plan 53R-11311 and Part 1, Plan 53R-12495, Salter (By-law 2007-30)
- 34.** R-38: Concession 3, Lot 10, Parcel 18694, Plan SR-214, Part 1 and Plan 53R-11494, Part 1, Harrow (By-law 2007-31)
- 35.** R-39: Section 40, Parcel 40-1-1, Plan 53R-13611, Parts 1, 2 & 3, Victoria (By-law 2007-33)
- 36.** R-40: Concession 1, Lot 6, Parcel 915, May (By-law 2008-11)
- 37.** R-41: Concession 5, Lot 8, Rem. Parcel 917 Hallam Township (Bylaw 2013-31, Comprehensive amendment)

## 5.19 ENVIRONMENTAL PROTECTION - EP

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Environmental Protection - EP Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### 5.19.1 Permitted Uses

- **Conservation Use**
- **Forestry Use**
- **Natural Heritage Feature**
- **Flood Control Structure**
- **Marine Facility**

### 5.19.2 Zone Requirements

No minimum **lot area, lot frontage** or **setbacks**. No development other than the **use permitted** in **Section 5.19.1** shall be permitted below the flood line or flood elevation including the established flood elevation of the Spanish River and Sables River.

### 5.19.3 Additional Provisions

1. Any new **building** or **structure** or any expansion of or addition to any **buildings** or **structures permitted** in the **flood plain** after the day of the passing of this By-law must incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes. The specific approval of the appropriate jurisdiction must be obtained prior to the issuance of a building permit;
2. Modification of the **flood plain** through filling, excavation or by other means is prohibited unless otherwise permitted by the Ministry of Natural Resources and Forestry;
3. All land under water is within the Environmental Protection (EP) Zone and uses of such land shall be limited to only those specifically approved by the Ministry of Natural Resources and Forestry;
4. See also requirements of **Section 4.20** of this By-law for influence areas and **separation distances** for various land uses. See also **Section 4.21** for requirements for Natural Heritage Features.
5. All applicable **zone regulations** of **Section 4 – General Provisions** shall apply.

## **5.19.4 Exception Zones**

## HERITAGE - H

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Heritage – H Zone except in accordance with the following provisions.

### 5.20.1 Permitted Uses

- Areas of archaeological potential
- Built heritage resources
- Cultural heritage landscape
- Historically established cemetery or burial site

### 5.20.2 Zone Requirements

- Minimum Lot Area..... N/A
- Minimum Lot Frontage ..... N/A
- Minimum Yard Requirements – new buildings or structures or extensions thereto:
  - Front yard – Main building ..... 6.0 m [19.69 ft.]
  - Accessory building ..... 6.0 m [19.69 ft.]
  - Rear yard – Main building ..... 8.0 m [26.25 ft.]
  - Accessory building ..... 3.0 m [9.84 ft.]
- Interior Side Yard – Main building..... 3.0 m [9.84 ft.]

Existing Buildings or structures ..... existing setbacks

### 5.20.3 Additional Provisions

1. Accessory uses include buildings that are complimentary to the primary use (see **Section 4.1** for restrictions).
2. All applicable **zone regulations** of **Section 4 – General Provisions** shall

### 5.20.4 Exception Zones



## 5.21 AGRICULTURAL - A

No **person** shall **use** any land or **erect, alter** or **use** any **building** or **structure** in the Agricultural – A Zone except in accordance with the following provisions.

### 5.21.1 Permitted Main Uses

- **Agricultural Use**
- **Existing Use**
- **Farm**
- **Hobby Farm**
- **Livestock Facility**

### 5.21.2 Permitted Accessory Uses, Buildings and Structures

- **Accessory Uses, Buildings and Structures** subject to **Section 4.1**
- **Accessory Dwelling**
- Accessory Apartment or Apartment-in-a-House
- **Bed and Breakfast Establishment**
- **Farm Produce Outlet**
- **Farm Vacation Establishment**
- **Garden Suite** subject to **Section 4.13**
- **Home Based Business** accessory to an existing dwelling unit subject to **Section 4.15**

### 5.21.3 Zone Requirements

The zone requirements for **permitted uses** in the A Zone shall be as set out in Table 5.21.4.

Table 5.21.4 – A Zone Requirements	
	All Uses
<b>Minimum Lot Area</b> <ul style="list-style-type: none"> <li>• Hobby Farm</li> <li>• Farm</li> <li>• Livestock Facility</li> </ul>	<ul style="list-style-type: none"> <li>• Hobby Farm – 4 ha [9.8 ac.]</li> <li>• Farm – 25 ha – [61.7 ac.]</li> <li>• Livestock facility– 25 ha – [61.7 ac.]</li> </ul>
<b>Minimum Lot Frontage</b>	--
<b>Minimum Yard Requirements – Main Building</b>	
<b>Front Yard or Exterior Side Yard</b>	10 m [32.8 ft.]

Table 5.21.4 – A Zone Requirements	
	All Uses
Interior Side Yard	10 m [32.8 ft.]
Rear Yard	
Minimum Yard Requirements – Accessory Building (see also Section 4.1)	
Interior Side Yard or Rear Yard	5 m [16.4 ft.]
Maximum Height Requirements	
Main Building	--
Accessory Building	--
Maximum Lot Coverage Requirements - (Accessory Building - see also Section 4.1)	
All Buildings and Structures	--

#### 5.21.4 Additional Provisions

1. All applicable provisions of **Section 4 – General Provisions** shall apply.
2. All development shall comply with the provisions of **Section 4.20.5 – Minimum Distance Separation Formulae I and II.**

#### 5.21.5 Exception Zones

## Section 6 EXCEPTIONS TO ZONES

**Note:** The following is a summary of amendments to By-Law 87-6, Township of The Spanish River, By-Law 84-10, Town of Massey and By-Law 84-10, Town of Webbwood and constitute a legal part of the new Zoning By-law for the Township of Sables-Spanish Rivers. In general, provisions are listed only where there is an exception or difference to the standards of the governing zone. By-Law amendments which involve only a change to the zoning schedule and do not involve an exception are not listed. For convenience, Zone Symbols have been renamed for convenience of numbering.

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
<b>Township of The Spanish River</b>				
77-23, 78-6, 86-18, 94-14	R-1	Beauchamp Subdivision -single detached dwelling -accessory uses	-mobile home	-min. yards: front - 7.6 m [25 ft.], interior side and rear - 3 m [10 ft.]; Lot 14 interior side yard east side deemed to satisfy min. side yard -min. floor area: 83.61 m <sup>2</sup> [900 ft. <sup>2</sup> ] -max. height - accessory building: 7.6 m [25 ft.] -max. lot coverage - accessory building: 10%, main building 10%
80-11	RR-1	SE ¼, Sec. 18, Victoria -seasonal dwelling		-min. yards: rear or from high water mark: 15 m [49.2 ft.], or front for Part 1 (Bush's Road), interior side 5 m [16.4 ft.] -min. yards - accessory building: interior side or rear 1 m [3.2 ft.] -max. height - accessory building: 4.5 m [14.7 ft.] -min. floor area: 37.16 m <sup>2</sup> [400 ft. <sup>2</sup> ] -max. lot coverage: 15%
81-24, 81-45	RR-2	Kecil Lake -seasonal dwelling on Lots 1-8		-min. lot area 0.2 ha [0.4 ac.] -min. lot frontage 30 m [98.4 ft.] -min. yards: front or rear 8.3 m [27.2 ft.], interior side 4.5 m [14.7 ft.] and 23 m [75.4 ft.] from the high water

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				mark -max. height: main building 9 m [29.5 ft.], accessory 5 m [16.4 ft.] -max. lot coverage: 15%
83-24	RR-3	Victoria Cove -Blocks 18 and 19 to be kept as open space		-min. lot area: 0.4 ha [0.98 ac.] -min. lot frontage: 50 m [164 ft.] -min. yards: front- lots 5, 7, 8 is 15 m [49.2 ft.], all other lots, marine facility is n/a; interior side 4.5 m [14.7 ft.]; rear 8.3 m [27.2 ft.] -max. height: main building 9 m [29.5 ft.], accessory building 5 m [16.4 ft.] -max. lot coverage: 15%
83-25	RR-4	Slack	-pit or quarry	-min. lot area: 0.375 ha [0.92 ac.] -min. lot frontage: 50 m [164 ft.] -min. yards: front- lots 1-4 and Block 15 is 8.3 m [27.2 ft.], lots 5-6 is 20 m [65.6 ft.], lots 7-14 is 15 m [49.2 ft.], marine facility is n/a; interior side 4.5 m [14.7 ft.]; rear 8.3 m [27.2 ft.] -max. height: main building 9 m [29.5 ft.], accessory building 5 m [16.4 ft.] -max. lot coverage: 15%
84-15, 92-21	R-2	Blue Sea Estates	-mobile home	-min. lot area: 0.6 ha [1.4 ac.] Lots 1, 2, 4-13, 15-17; 0.36 ha [0.88 ac.] Lots 3, 14, 18, 19 -min. lot frontage: 60 m [196.8 ft.], lots 1, 2, 6-8, 10-13, 15-17; 57 m [187 ft.] lots 3, 14, 18, 19; frontage on registered plan for lots 4, 5, 9 -min. yards: front- 7.5 m [24.6 ft.], rear 3 m [9.8 ft.] -min. interior side yard: 3 m [9.8 ft.] lots 1, 5-12, 16, 17 and north side lot 2; 10 m [32.8 ft.] lots 3, 4, 13, 14, 15, 18, 19 -min. floor area: 80 m <sup>2</sup> [861 ft. <sup>2</sup> ]

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				-max. height: main building 9 m [29.5 ft.], accessory building 5 m [16.4 ft.] -max. lot coverage: all buildings 30%, accessory buildings 10% -min. floor elevation: 28.96 m [95.0 ft.] contour
87-27	R-35			-minimum frontage, road side, 20 m [65.6 ft.]
87-28	R-3	-a second detached dwelling		
87-39	R-4			-existing lot area and frontage apply
88-7	R-5			-existing lot area and frontage apply -access over Parts 1 & 2 permitted
88-31	R-6			-existing lot area and frontage apply
88-36	RR-5	-seasonal dwelling only		
88-40	R-7			-existing frontage applies
89-6	R-8			-existing lot area and frontage apply
89-14	R-9			-existing lot dimensions apply
89-35	R-10			-lot deemed to comply with minimum requirements
89-52	RR-6	-seasonal dwelling only		-lot deemed to comply with minimum requirements
89-68	RR-7	-park -playground -public utility -public service use		-lot deemed to comply with minimum requirements -no extension to existing building -retain existing hedge
89-75	R-11			-lot deemed to comply with minimum requirements

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
90-20	CR-1	-saddlery and tack shop -gifts and crafts shop		
90-47	R-12			-lot deemed to comply with minimum lot frontage requirements
90-48	RR-8			-lot deemed to comply with minimum lot frontage requirements
91-3	R-13			-lot deemed to comply with minimum requirements
91-04	RR-9			-lot deemed to comply with minimum lot frontage requirements -accessory building permitted within 4 m [13.1 ft.] of Spanish River
91-26	R-14			-lot deemed to comply with minimum lot frontage requirements
91-28	R-15			-lot deemed to comply with minimum lot frontage requirements
91-34	CR-2	-R uses permitted -CR uses permitted		
91-40	R-16			-lot deemed to comply with minimum lot frontage requirements
92-14	R-17	-R uses permitted -auto sales business		-Rural zone standards apply
92-16	M2-1	-M2 uses permitted -CR uses permitted		-M2 zone standards apply

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
92-22	RR-10			-lot deemed to comply with minimum lot frontage requirements (water and public road)
92-25	RR-11			-lot deemed to comply with minimum side yard requirements
92-29	R-18			-lot deemed to comply with minimum requirements for rural use
92-41	R-19			-min. setback from southern limit Highway 17: 35.3 m [116 ft.]
93-38	R-21			-shared access permitted
94-14	R-34			-minimum side yard of 2 m
94-15	WMF-1	-WMF uses -Salvage yard		
95-26	RR-12			-lot deemed to comply with minimum requirements for RR Zone
95-44	R-22			-access corridor of 20 m [65.6 ft.] permitted to subject lands.
96-09	R-23	-R uses permitted -CR uses permitted		
96-10	RR-13			-no building openings below 101.4 m [332.6 ft.]
96-13	R-25	-R uses permitted -CR uses permitted		
96-18	RR-14			-min. lot frontage 70 m [229.6 ft.]

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
96-34	R-26			-min. lot frontage 60 m [196.8 ft.]
96-39	RR-15			-min. lot size shall be existing (non-complying) lot size
97-11	R-27			-recognize existing dwelling -min. front yard: 6 m [19.6 ft.] -min. side yard: 3.5 m [11.4 ft.] -no further reduction in zone standards
98-11	RR-16			-min. lot area: 0.81 ha [2 ac]
18-98	RR-17			-min. lot frontages shall be per plan of subdivision
98-20	CR-3			-existing non-complying yard setbacks recognized including interior side yard from Lacloche Lake and Lacloche Lake Road
29-98	M2-2	-special commercial / industrial: for purposes of buying and selling of commodities and supplying of services, warehousing or storing, retailing, wholesaling, storage and shipping as distinguished from such uses as manufacturing, or assembling		-C zone standards apply



Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
		of goods and construction.		
44-98	R-30			-min. lot area: 0.91 ha [2.2 ac] -min front yard: 12 m 39.3 ft.]
2000-13	RR-18			-min. lot frontage road side- Lot A and B: 77 m (252.6 ft.) -min. lot frontage water side - Lot A and B: 60 m (196.8 ft.) -min. lot frontage road side - Lot C: 41 m (134.5 ft.)
2000-26	R-31			-min. lot area - Lot A: 0.8 ha (2 ac) -min. lot area - Lot B: 0.56 ha (1.4 ac)
2000-37	R-32	-a commercial use for the purpose of conducting a sandblasting (and associated) operation, in addition to the existing agricultural and residential uses		
2002-29	R-33			-min. lot frontage - 20 m [65.6 ft.]
2003-12	RR-19	-a sleep cabin shall be permitted as an accessory use to the principal building on the property (see definition on p. 43 of this by-		

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
		law, Section 3.S)		
2003-40	RR-21	Seasonal Residential Dwelling		-minimum lot frontages as per the registered plan of subdivision - maintain 30 m [98.4 ft.] naturally vegetated buffer between shoreline and the building envelope with exception of 4 m wide shore access/egress path from envelope to shoreline. No cutting or removal of trees, shrubs or ground cover except for dead or diseased trees, debris or noxious plants or where 4 m landscaped corridor is required for access Lot 16: 30 m vegetated buffer shall commence at line identifying the swamp land
2004-10	R1-8	Commercial Greenhouse		-remainder of property to remain General Residential
2004-29	RR-22			-lot deemed to comply with lot area and minimum yard requirements
2004-30	RR-23			-permit lesser front yard setback for accessory building than main building of 4.27 m [14 ft.]
2004-31	RR-24			-permit lesser front yard setback for accessory building than main building of 3.05 m [10 ft.]
2004-36	RR-25			-lot deemed to comply with lot area, lot frontage and minimum yard requirements
2006-08	R-36			-minimum lot frontage of 58 m for lots 5 and 6 in registered plan of subdivision
2006-17	MSR-1	Automotive sales establishment		-location limited to specified area of property subject to compliance with applicable municipal, provincial and federal laws and regulations
2006-37	RR-26			-permit lesser front yard setback for accessory building than main building

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				of 5 m [16.4 ft.]
2006-44	WMF-1	Recycling Depot		-maintain 300 m [984 ft.] influence zone between depot and west lot line -may reduce 300 m [984 ft.] to minimum of 70 m [229.6 ft.] with supporting studies to indicate no adverse effects or that they can be mitigated -Maintain 30 m [98.4 ft.] vegetative buffer between seasonal high water mark of Gough (Beaudoin) Creek and also its tributary and that no development within 30 m [98.4 ft.] buffer area -change of use from recycling depot and another permitted use may require rezoning to ensure proper distance separation
2007-15	MX-1			-Subject to licensing approval under Aggregate Resources Act
2007-16 amends 83-24 (see above)	RR-3			Lot 18 only -Minimum rear yard 2 m [6.5 ft.] -minimum interior side yard 2 m [6.5 ft.]
2007-17	RR-27			-Minimum front yard 2.82 m [9.2 ft.] -Minimum interior side yard 1.5 m [4.9 ft.]
2007-19	RR-28			-lot deemed to comply with lot area and lot frontage requirements
2007-23	RR-29			-lot deemed to comply with lot frontage requirements
2007-27	RR-30			-lot deemed to comply with minimum front yard requirements
2007-29	RR-31			-Minimum lot area 0.42 ha [1.034 ac] -Minimum lot frontage 45.8 m [150.1 ft.]

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
2007-30	R-37			-Minimum lot frontage for severed lot 72.53 m [237.9 ft.] and minimum lot frontage for retained lot 72.4 m [237.5 ft.] -minimum front yard for west ½ of Part 1 of Plan 53R-11311 shall be 60.8 m [199.4 ft.]
2007-31	R-38			-Minimum front yard at private road 6.5 m
2007-33	R-39	Recreational Vehicle Park		
2008-05 amen ds 83-24 -see above	RR-3			-Block 19 rezoned to Open Space - lot deemed to comply with minimum lot area and lot frontage requirements
2008-11	R-40	Garden Suite as a temporary use		-access to be via one (1) driveway to the Lee Valley Road -agreement to be registered against title before building permit issued -Sewage disposal system to be approved by Health Unit -maximum net floor area to be 93 m <sup>2</sup> [1,000 ft. <sup>2</sup> ] -By-law valid for ten (10) years from March 26, 2008
2009-26	Rural			-Rezone from Environmental Protection (EP) to Rural Zone (R)
2009-46	MSR -2	Salvage Yard and Transfer Station		-Salvage yard work and storage area limited to 71 m <sup>2</sup> [764.2 ft <sup>2</sup> ] -remaining lands between salvage yard area and property boundaries (lot lines) to be retained as buffer areas, utilizing natural treed buffers where possible -separate driveway entrance to salvage yard area required -requires certificate of approval with

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				copy to Township
MZO	RR-20	-uses permitted in the RR Zone -Docks, saunas, uninhabitable boathouses and pump houses may be located within a front yard	-no accessory building or structure shall be used for human habitation	<p>Lots 1, 2, 3 and 4, Plan 53M-1264:  -min. lot frontage abutting water .58 m [190.2 ft.]  -min. lot frontage abutting street.50 m [164 ft.]  -min. lot area ..... 0.7 ha [1.72 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. side yard ..... 5 m [16.4 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p> <p>Lots 5 and 9, Plan 53M-1264:  -min. lot frontage abutting water: 046 m [150.9 ft.]  -min. lot frontage abutting street. 50 m [164 ft.]  -min. lot area ..... 0.7 ha [1.72 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. side yard ..... 5 m [16.4 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p> <p>Lots 6 and 7, Plan 53M-1264:  -min. lot frontage abutting water . 46 m [150.9 ft.]  -min. lot frontage abutting street. 50 m [164 ft.]  -min. lot area ..... 0.7 ha [1.72 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. side yard, Lot 6..... 5 m [16.4 ft.]  -min. northerly side yard, Lot 7 .....5 m [16.4 ft.]  -min. southerly side yard, Lot 7 .... 1 m [3.82 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p>

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				<p>-min. setback of buildings and structures from the limits of drainage easements described as parts 1 and 3, Plan 53R-15481 ..... 20 m [65.6 ft.]</p> <p>-min. setback of accessory buildings, structures or other shoreline alterations from the centre line of the Hydro easement described as parts 1 and 2, Plan 53R-15347, Lot 6 .... 50 m [164 ft.]</p> <p>Lot 7 ..... 15 m [49.2 ft.]</p> <p>Despite the above, no docks, uninhabitable boathouses, saunas, or pump houses shall be permitted and no other alteration to the shoreline shall be made to the west of the easement described as parts 1 and 2, Plan 53R-15347</p> <p>Lots 5 and 9, Plan 53M-1264:</p> <p>-min. lot frontage abutting water 0.46 m [150.9 ft.]</p> <p>-min. lot frontage abutting street. 50 m [164 ft.]</p> <p>-min. lot area ..... 0.7 ha [1.72 ac]</p> <p>-min. front or rear yard . 15 m [49.2 ft.]</p> <p>-min. side yard ..... 5 m [16.4 ft.]</p> <p>-max. total lot coverage for accessory buildings</p> <p>..... 10%</p> <p>Lots 5 and 9, Plan 53M-1264:</p> <p>-min. lot frontage abutting water: 0.46 m [150.9 ft.]</p> <p>-min. lot frontage abutting street. 50 m [164 ft.]</p> <p>-min. lot area ..... 0.7 ha [1.72 ac]</p> <p>-min. front or rear yard . 15 m [49.2 ft.]</p> <p>-min. side yard ..... 5 m [16.4 ft.]</p> <p>-max. total lot coverage for accessory</p>

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
				buildings ..... 10%
				<p>Lot 8, Plan 53M-1264:  -min. lot frontage abutting water . 60 m [196.8 ft.]  -min. lot frontage abutting street . 50 m [164 ft.]  -min. lot area ..... 0.7 ha [1.72 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. northerly side yard . 9 m [29.5 ft.]  -min. southerly side yard 5 m [16.4 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p> <p>Lot 10, Plan 53M-1264:  -min. lot frontage abutting water . 60 m [196.8 ft.]  -min. lot frontage abutting street . 50 m [164 ft.]  -min. lot area ..... 0.7 ha [1.72 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. side yard ..... 5 m [16.4 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p> <p>Lots 12 and 13, Plan 53M-1264:  -min. lot frontage abutting street: 0. 80 m [262.4 ft.]  -min. lot area ..... 1 ha 2.47 ac]  -min. front or rear yard . 15 m [49.2 ft.]  -min. interior side yard.. 10 m [32.8 ft.]  -min. exterior side yard. 15 m [49.2 ft.]  -max. total lot coverage for accessory buildings  ..... 10%</p>

Exceptions to Zoning By-Law				
By-Law #	Zone	Uses Permitted	Uses Prohibited	Provisions
<b>Massey and Webbwood</b>				
88-5				-min. lot frontage: 18.28 m [60 ft.]
88-7	R1-1			-min. lot frontage: 17.98 m [59 ft.]
89-15	R1-2			-min. exterior side yard: 3 m [9.84 ft.]
92-13	R1-3			-min. interior side yard: 3 m [9.84 ft.]
93-15	R1-4			-min. lot frontage: 4.39 m [14.4 ft.]
93-16	C-1			-min. lot frontage: 1 m [3.28 ft.]
93-17	C-2	-funeral home		
93-29	C-3			-min. front, rear and interior side yards: 1.5 m [4.92 ft.]
95-5	R1-5	-use restricted to accessory use only		
95-6	R1-6	-accessory building may encroach into required front yard		
99-42	R1-7			-min. rear yard: 1.2 m [3.93 ft.] -existing front and side yards recognized
2006-36	R1-9	Licensed Day Nursery		